Report & Consent Application

Building Regulations 2018 Schedule 4, Part 2 and Schedule 2 of the *Building Act* 1993

Property Address: _____

I, ☐ Building Surveyor ☐ Draftsperson ☐ Applicant ☐ Owner

Name: _____

Postal Address: _____ Phone: _____

Email: _____

I hereby give a copy of a building permit application of building design to Council for consent and report in accordance with Schedule 2 of the *Building Act* 1993. It is an offence under Section 246 for a person to make a false or misleading statement or provide any false or misleading information.

Signed: _____ **Dated**: _____

Tick	Reg	Reporting Matter
☐	73	Setback from a street boundary not complying with reg. 73
☐	74	Setback from a street boundary not complying with reg. 74
☐	74A	Setbacks for small second dwellings not complying with reg. 74A
☐	75	Building height not complying with reg. 75
☐	76	Site coverage not complying with reg. 76
☐	76A	Garden area not complying with reg. 76A
☐	77	Impermeable surfaces covering more than 80% of an allotment area
☐	78	Car parking spaces not complying with reg. 78
☐	79	Side or rear boundary setbacks not complying with reg. 79
☐	80	Walls or carports not complying with reg. 80
☐	81	Building setbacks not complying with reg. 81 (daylight to existing habitable room window)
☐	82	Building setbacks not complying with reg. 82 (solar access)
☐	83	Building design not complying with reg. 83 (overshadowing of secluded private open space)
☐	84	Window or raised open space not complying with reg. 84 (overlooking)
☐	85	Building design not complying with reg. 85 (daylight to new habitable room) window)
☐	86	Private open space not complying with reg. 86
☐	86A	Private open space for small second dwellings not complying with reg. 86A
☐	86B	Accessibility for small second dwellings not complying with reg. 86B
☐	87	Siting of appurtenant Class 10 buildings
☐	89	Front fence height not complying with reg. 89
☐	90	Fence setback on side or rear boundary not complying with reg. 90
☐	91	Length or height of side or rear boundary fence not complying with reg. 91
☐	92	A fence within 9m of an intersection
☐	94	Fence setback not complying with reg. 94 (daylight to existing habitable room window)
☐	95	Fence setback not complying with reg.95 (solar access)
☐	96	Fence design not complying with reg. 96 (overshadowing of secluded private open space)
☐	97	Fence, pole, aerial, antenna, chimney flue pipe or other service pipe
☐	116	Protection of the Public
☐	153/154	Land subject to flooding
☐	132	Septic tank system
☐	Part 6	Projections beyond street alignment

Proposed work - Specific non-complying element: _____

Minimum/Maximum being applied for: _____

Minimum/Maximum allowed by Regulations: _____

Please provide the following documentation to support your application:

- ☐ Completed and signed Application form [1]
- ☐ Current Copy of Title including the title diagram and one set of plans [2]
- ☐ Written submission, which clearly outlines the nature of the request and an assessment against the relevant minister's guidelines; [3]
- ☐ Application fee (**per Regulation**). See notes overleaf for payment method [4]
- ☐ Completed and signed neighbour response declaration forms. (Where applicable) [5]

IMPORTANT – Please note if the above information is not provided your application will NOT be assessed.
All correspondence and decision outcomes will be sent via e-mail, unless otherwise requested.

Cost Centre *10-1183-1001-40067*

Advice Sheet

Application Considerations

Section 188A of the *Building Act* 1993 requires that Council must refuse consent to a design which does not comply with Ministerial Decision Guidelines which apply to a particular regulation. Applicants will need to be fully aware of these guidelines and demonstrate that the proposal satisfies the relevant guidelines with respect to the particular regulation to avoid an automatic refusal.

How to apply for a Dispensation

An application for Report and Consent with respect to the Building Regulations siting requirements must contain the following:

1. A completed and signed application form.
2. Current Copy of Title, including the title diagram and any covenants, caveats or Section 173 agreements. One set of plans, including the subject allotment, adjoining properties and where relevant, the location of habitable room windows, private open space, secluded private open space relevant elevations and sections appropriately dimensioned.
3. A written submission which clearly outlines the nature of the request and demonstrates compliance with the objectives of the Ministers decision guidelines.
4. Fees are Non-refundable. Please note: e-mailed application must be accompanied by a credit card deduction form. Payments via cheque and in-office can only be accepted with hardcopy submissions.
5. Completed and signed neighbour response declaration forms.

Payments

Payment for a Report & Consent application must be included with the submitted documentation.

Fee Payable

Current fees are listed on our website. Please follow this link to verify the fee and to download a copy of the Credit Card Deduction Authority form: https://www.basscoast.vic.gov.au/building-applications

Advertising

Section 188A of the Building Act provides that, if in the opinion of the reporting authority (Council) the application will result in a nearby allotment suffering detriment, it must give the owner of the allotment an opportunity to make a submission in respect of the possible detriment.

To shorten the processing times, the preferred method for gaining submissions from adjoining owners is for the applicant to submit neighbour response declaration forms. In doing so the applicant must provide the completed declarations at the time of the initial submission of the application. Where ownership details are un-known Council will undertake any required advertising.

Alternatively, if the applicant does not wish to obtain and submit the adjoining owner's submissions as part of their application, Council will independently undertake the advertising function. Please allow a further 21 days for the application to be processed if you choose this option.

Correspondence

Where possible, all communication and application outcomes will be sent via e-mail. By providing your e-mail address you agree that a hard copy of the approval/refusal will not be sent via the post.

Bass Coast Shire Council collects this personal information in accordance with the statutory requirements of the Building Act 1993 and Building Regulations 2018.

The personal information collected on this form is required primarily for the provision of the service referred to on this form and/or directly related purposes. Council may disclose this information to other organisations if required or permitted by legislation, in accordance with the *Privacy and Data Protection Act 2014 (Vic).*

Failure to provide this information may prevent us from being able to process your request.

The personal information will be stored in accordance with the *Privacy and Data Protection Act 2014 (Vic).*
For more information, please refer to Council's Privacy page. You can request access or amend your personal information by contacting Council's Privacy Officer on 1300 BCOAST (226278) or basscoast@basscoast.vic.gov.au

Report & Consent

Report & Consent – Neighbours Response
Building Act 1993
Building Regulations 2018

PART A: TO BE COMPLETED BY APPLICANT

Property details: (To which Report & Consent is requested)

Number:	Street:
Locality:	Post Code:

Proposed Building work: _____

Variation Being Sought:
A request is being made for the Report and Consent of the Municipal Building Surveyor to vary the Building Regulations 2018:
Building Regulation/s Applied for: _____

Specific non-complying element: _____

Minimum/Maximum allowed by Regulations: _____

Minimum/Maximum being applied for: _____

PART B: TO BE COMPLETED BY ADJOINING LAND OWNER/S

RESPONSE:
I/We have viewed the plans and documentation of the above mentioned development. After taking in to account the nature of each variation requested, the impact on my property and the implications of the variation to the Building Regulations 2018 being sought, I/We

☐ Offer no objection to the consent being granted, or
☐ Object to the variation being sought on the following grounds:

_____

_____

_____

_____

ADJOINING OWNERS:

Name/s_____

Address_____Phone_____

Adjoining Owners Signature_____ Date _____

Adjoining Owners Signature_____ Date _____

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