



## REPORT & CONSENT APPLICATION

### PART 5 SITING | BUILDING REGULATIONS 2018

**APPLICANT DETAILS:**

Name : .....

Postal Address:..... Postcode: .....

Email: ..... Phone:.....

Owner/s Name:.....

**PROPERTY DETAILS:**

Number:..... Street/Road: .....

Suburb:..... Postcode: .....

Lot/s:.....LP/PS:..... Volume:..... Folio:.....

**PROPOSED WORK DESCRIPTION** (i.e. carports, dwellings, sheds etc.):

.....

.....

*Please tick required regulation*

Reg No	Reporting Matter
73	Maximum street setback not complying with Reg. 73
74	Minimum street setbacks not complying with Reg. 74
75	Building height not complying with Reg. 75
76	Site coverage not complying with Reg. 76
77	Permeability not complying with Reg. 77
78	Car parking not complying with Reg. 78
79	Side and rear setbacks not complying with Reg. 79
80	Walls on boundaries and carports not complying with Reg. 80
81	Daylight to existing habitable room windows not complying with Reg. 81
82	Solar access to existing north-facing habitable room windows not complying with Reg. 82
83	Overshadowing of recreational private open space not complying with Reg. 83
84	Overlooking not complying with Reg. 84
85	Daylight to habitable room windows not complying with Reg. 85
86	Private open space not complying with Reg. 86
87	Siting of Class 10a buildings not complying with Reg. 87
89	Front fence height not complying with Reg. 89
90	Fence setbacks from side and rear boundaries not complying with Reg. 90
91	Fences on or within 150mm of side or rear boundaries not complying with Reg. 91
92	Fences on intersecting street alignments not complying with Reg. 92
94	Fences and daylight to habitable room windows in existing dwelling not complying with Reg. 94
95	Fences and solar access to existing north-facing habitable room windows not complying with Reg. 95
96	Fences and overshadowing of recreational private open space not complying with
97	Masts. Poles etc. not complying with Reg. 97

**This application is to be accompanied by the information listed on the advice sheet.**



## ADVICE SHEET

### REPORT AND CONSENT PART 5 OF THE BUILDING REGULATIONS 2018

#### Information to be included with application:

1. Fee: Please refer to Building Fees at [Mount Alexander Shire Website](#)
2. Current copy of Certificate of Title or proof of Ownership for the allotment if recently purchased and the purchasers name is not on the Title eg. Contract of Sale.
3. Title Plan or Plan of Subdivision.
4. A written explanation supporting your proposed building design, in order to support your application the submission is required to address the relevant decision criteria outlined in the Ministerial Guidelines MG-12 (attached).
5. A set of design drawings of the proposed development including the details of any building/s located on adjacent and affected properties.

#### Adjoining owner's comments:

Council will be applying the recommendations from Victorian Building Authority's Practice Note 2014-57 that Council is responsible for notifying the adjoining owner that an application has been made for Report and Consent.

Council will send the adjoining owner/owners the submission documents and comment form. The adjoining owner will be given 10 business days to forward the comment form to Council.

#### Design Considerations:

Pursuant to clause 4A of Schedule 2 of the Building Act, Council must refuse to give consent to a design which does not comply with Ministerial Decision Guidelines for siting matters. Designers will need to be fully aware of these guidelines to avoid refusal of consent and fee retention.

Copies of the regulations and guidelines are available at Council or may be viewed at the Victorian Building Authority website <http://www.vba.vic.gov.au/home>

#### Decision Time Frame:

Pursuant to Regulation 34 of the Building Regulations 2018, the time after receipt of a copy of an application for the reporting authority to report on or consent to an application relating to a single dwelling under clause 6 of Schedule 2 of the Act if consent and report is required in relation to a matter referred to in Division 2 of Part 5 is 15 business days.

#### Appeal rights:

An owner has the right to lodge an appeal to a decision made under the Building Act to the Building Appeals Board.

The Building Appeals Board is an independent body with the responsibility to hear appeals and make decisions under the Building Act.

The BAB can be contacted by phone on 1300 815 127, or fax: 9618 9046, in person at Goods Shed North 733 Bourke Street Docklands VIC 3008, by post at PO Box 536 Melbourne VIC 3001 or on the internet at <http://www.buildingappeals.vic.gov.au>

#### Already constructed buildings or works commenced without prior Report and Consent.

Council cannot issue a Report and Consent if works have commenced and the work is in relation to matter considered under the relevant Part 5 siting provisions of the Building Regulations 2018. See the VBA Practice Note 2014-57 Clause 6 for and explanation of this matter. <http://www.vba.vic.gov.au/search?collection=VBA-web&query=2014-57>

Council however may provide comments to the Relevant Building Surveyor in regards to how Council would have considered the application if it was made under the normal Report and Consent process.