

COUNCIL REPORT & CONSENT APPLICATION (Dispensation)

Building Regulations 2018, Part 5
 Referral of Building design to Council for Report & Consent
 Single Class 1 Buildings and Associated Class 10a Buildings



To **Municipal Building Surveyor**
 Email: enquiries@gplains.vic.gov.au

2022/2023 ABN 86 998 570 296
 Mail: PO Box 111 Bannockburn Phone 5220 7111
 or toll free within the Shire - 1300 363 036

APPLICANT DETAILS			
You are the: <input type="checkbox"/> OWNER <input type="checkbox"/> AGENT OF OWNER (tick applicable box)			
Name/ Business			Contact Person
Postal Address			
Email Address			Phone

Owner (IF NOT THE APPLICANT): Contact Phone No.

I hereby give a copy of a building permit application or building design to Council/apply for report and consent in accordance with Schedule 2 of the *Building Act 1993* for the following matters under Schedule 5 Part 2 of the Building Regulations 2018.

PROPERTY DETAILS (Provision of Title & Plan of Sub-division is required to identify correct property)							
Lot/s Number:		Plan of Sub-Division/ Land Plan/Title Plan:			Crown Allotment No.		Section:
Road Side Number:		Street/Road Name					
Township:					Municipal District:	Golden Plains Shire	

REGULATION & MATTER TO BE REPORTED ON - (\$299.85 PER REGULATION)

- 73 - Maximum setback
- 74 - Minimum setback
- 75 - Building height
- 76 - Site coverage
- 77 - Permeability
- 78 - Car parking
- 79 - Side or rear boundary setbacks
- 80 - Walls or carports on boundary
- 81 - Daylight to existing habitable room windows
- 82 - Solar access to existing north-facing windows
- 83 - Overshadowing of recreational private open space
- 84 - Window or raised open space
- 85 - Daylight to habitable room windows
- 86 - Private open space
- 87 - Siting of Class 10a buildings <https://www.justice.vic.gov.au/statdecs>
- 89 - Front fence height
- 90 - Fence setback on side or rear boundary
- 91 - Length and/or height of side or rear fence
- 92 - A fence on intersection
- 97 - A mast, poles, chimneys & flues
- 109 - Projections beyond the street alignment
- 116 - Protection of the public

Please contact Council's Building Department re: Build over Easement inquiries 5220 7100

Applicant's Signature _____ Date _____

Information to be included with Application for Report & Consent (Dispensation)

- Fees** (as listed on the application sheet)
- A cover letter including a **written explanation of the reasons** why the variation is being sought along **with a clear statement** of the variation(s) being requested under the Building Regulations 2018.
Applications need to include sufficient supportive information to allow for a proper assessment, including a design response of the neighbourhood and site explaining how the proposed design meets the Minister's guidelines (MG-12). A copy of minister's guideline MG-12 can be accessed on the VBA website www.vba.vic.gov.au
- A **current** (less than 3 months old) copy of the registered **Certificate of Title**, including every sheet of the **Plan of Subdivision** and any encumbrances registered against the Title (ie. **Covenant, Caveats, 173 Agreements**, etc)
- Developer's consent** and endorsed plans (if required)
- Written comments** and signatures from **all affected adjacent property owners** (including signed copies of architectural drawings) as directed by the Municipal Building Surveyor (see form attached).
Alternatively, Council can advertise to **adjacent affected property owners** on your behalf for a fee of **\$110** (Please include this payment along with the required prescribed fee)
- Full set** of architectural drawings of the proposal
- Clear and complete **details and locations of buildings and structures** on all adjacent properties

PAYMENT DETAILS

Please select one of the payment options below, by ticking the appropriate box

<input type="checkbox"/> IN PERSON	<input type="checkbox"/> CREDIT CARD	Customer Service will call you for credit card details
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Office use: GL30178 \$299.85

Design Considerations – Ministers Guidelines

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 the current Ministerial Guidelines for siting matters. Designers will need to be fully aware of these guidelines to avoid refusal of consent and fee retention.

It is strongly recommended that referrals be accompanied with supporting information to demonstrate that the guidelines have been considered and met by the designer.

Advertising

Clause 4A of Schedule 2 of the Building Act provides that, if in the opinion of the reporting authority (Council), the application may 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.

PLEASE NOTE that the above provision requires Council:

- to determine the possibility of detriment
- to give opportunity for any submission.

Any comments of adjoining owners tendered by the applicant or their agent will not over-ride the possibility that Council may be obliged to advertise.

Decision Time Frame

Pursuant to Part 4, Division 3 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 Part 5 is 15 business days.

Although Council will endeavour to meet the above time limit, it may not be met – particularly where Council seeks submissions from adjoining owners. Please consult with Council as to time frames at time of application.

Information Privacy Collection Notice

Personal information collected on this form shall be used by Council's *Building Services Department* to provide you with the *property information response*. Council may disclose your information to other internal departments and will not disclose to any external party without your consent, unless required to do so by law. If you do not provide us with all required information Council will not be able to provide the *property information response*. You have the right to access your personal information and make any necessary corrections. If you have any queries or wish to gain access to amend your information please contact *Golden Plains Shire's Privacy Officer* on (03) 5220 7111 or enquiries@qplains.vic.gov.au c/o *Building Services Department – 5220 7141*.

Council will comply with its Privacy Policy and Information Privacy Principles in schedule 1 of the Privacy and Data Protection Act 2014 and the Health Records Act 2001 in relation to the use, storage and disclosure of information. If you have any queries regarding this Privacy Statement, please contact the Privacy Officer in writing to enquiries@qplains.vic.gov.au or PO Box 111, Bannockburn 3331.

Adjoining Property Owner's Comments

To:

Name			
Street Address			
Town		Postcode	
Email Address		Phone	

Your response/comments are requested for a proposed variation to the Building Regulations 2018.

Proposed Nature of Variation/Regulation*

(PLEASE NOTE: The Nature of Variation of the Building Regulations **MUST BE PROVIDED** in order to process this application. (Incomplete applications will not be accepted).

Proposed Works at:

I/We (Adjoining property owner/s)

being owner/s of
(address)

hereby state that I/We have inspected and fully understand the plan relating to the proposed building design and:

I/We have **NO OBJECTION** to the proposal and variations outlined in the application

I/We **HAVE AN OBJECTION** to the proposal and variations outlined in the application, for the following reasons:

Signature of affected adjoining property owner

Date

Phone number of adjoining owner: _____

Please note:

If you wish to object to the proposal, please provide a reason for Council to consider on this form or send a letter or email addressed to the Municipal Building Surveyor.

Comments **must** be received by Council within 10 business days of receiving this notice and submitted by email or in person to:

Municipal Building Surveyor,

Golden Plains Shire –

PO Box 111 Bannockburn 3331 or email: building@gplains.vic.gov.au