

APPLICATION FOR REPORT AND CONSENT SITING

BUILDING REGULATIONS 2018 PART 5



APPLICANT DETAILS

First Name Surname

Company

Postal address

Phone Email

PROPERTY ADDRESS

Unit no. Street no. Street

Suburb Postcode

CONSENT DETAILS

TICK	REG	MATTERS FOR WHICH REPORT AND CONSENT IS BEING SOUGHT
PART 5, DIVISION 2 BUILDING REGULATIONS 2018 - Single Class 1 buildings and associated Class 10 buildings		
<input type="checkbox"/>	73(2)	Maximum street setback
<input type="checkbox"/>	74(4)	Minimum street setback
<input type="checkbox"/>	75(4)	Building height
<input type="checkbox"/>	76(4)	Site coverage
<input type="checkbox"/>	77(3)	Permeability
<input type="checkbox"/>	78(6)	Car parking
<input type="checkbox"/>	79(6)	Side and rear setbacks
<input type="checkbox"/>	80(6)	Walls and carports on boundaries
<input type="checkbox"/>	81(6)	Daylight to existing habitable room windows
<input type="checkbox"/>	82(5)	Solar access to existing north facing habitable room windows
<input type="checkbox"/>	83(3)	Overshadowing of recreational private open space
<input type="checkbox"/>	84(9)	Overlooking
<input type="checkbox"/>	85(3)	Daylight to habitable room windows
<input type="checkbox"/>	86(3)	Private open space
PART 5, DIVISION 3 & 4 BUILDING REGULATIONS 2018 - Siting of Class 10a and 10b Buildings		
<input type="checkbox"/>	87(2)	Siting of Class 10a buildings
<input type="checkbox"/>	89(3)	Front fence height
<input type="checkbox"/>	90(2)	Fence setback from side and rear boundaries
<input type="checkbox"/>	91(5)	Fences on or within 150mm of side or rear boundaries
<input type="checkbox"/>	92(2)	Fences on intersecting street alignments
<input type="checkbox"/>	94(6)	Fence and daylight to habitable room windows in existing dwelling
<input type="checkbox"/>	95(3)	Fences and solar access to existing north facing habitable room windows
<input type="checkbox"/>	96(3)	Fences and overshadowing of recreational private open space
<input type="checkbox"/>	97(2)	Mast, poles, etc.

APPLICATION CHECKLIST

(The following documents/information must be submitted as part of the report and consent application)

- 1. A current copy of the Certificate of Title and Plan of Subdivision (within the last 90 days) inclusive of any covenants or agreements.
- 2. Provide a covering letter from the applicant detailing the non-compliant siting matters that vary from Part 5 of the Building Regulations 2018 and provide an assessment as to how the proposed siting matters satisfy the Ministers Decision Guidelines (MG12). A copy of the guidelines can be obtained from the Victorian Building Authority website www.vba.vic.gov.au.
- 3. Provide a letter/statement from the relevant building surveyor confirming and detailing the siting matters that do not comply with Part 5 of the Building Regulations 2018.
(eg. To permit the southern external wall of the dwelling addition having a maximum height of 5.4 metres with a side boundary setback distance of 1.1 metres in lieu of prescribed minimum distance of 1.54 metres as required by Regulation 79 of the Building Regulations 2018.)
- 4. Provide two copies of architectural drawings that are highlighted, coloured and notated showing the extent of non-compliance for which the application is sought, inclusive of a site plan layout (inclusive of location of adjoining buildings and habitable room windows if applicable), floor plan layout, elevations, shadow diagrams (if applicable) etc that are dimensioned on the plans and are shown from natural ground level. The site plan is to show all boundaries, setbacks, easements, existing building(s), proposed works and north point.

LODGEMENT AND PAYMENT

Applications can be lodged in the following ways:

✉ Email

building@melbourne.vic.gov.au

↑ In person

Melbourne Town Hall
Administration Building,
120 Swanston Street, Melbourne.
Business hours, Monday to Friday
Closed public holiday

✉ Mail

Planning and Building
City of Melbourne
GPO BOX 1603
Melbourne VIC 3001

A confirmation email with payment details will be sent once your application is lodged. Payment can then be made online, over the phone, in person or by mail. Please refer to the schedule of fees for an indication of the amount payable melbourne.vic.gov.au/planningbuildingfees

Fees are non-refundable and applications are processed once payment is received in full.

COLLECTION STATEMENT

The City of Melbourne is committed to protecting your privacy. The personal information requested on this form is being collected by the City of Melbourne for the purpose of assessing your application as set out in the *Building Act 1993* and Building Regulations 2018, to correspond with you about this application and any other directly related purpose. The information you provide will be made available to relevant officers within Council and other government agencies directly involved in the building process, and to persons accessing information in accordance with the *Public Records Act 1973*, *Building Act 1993* or the *Freedom of Information Act 1982*.

The information you provide will also be made available to notify affected parties if necessary. This may be a notice onsite, in a notice online and/or by post.

It will not be disclosed to any other external party, without your consent, unless required or authorised by law. If the information is not collected we may not be able to process your application. If you wish to access or alter any of the personal information you have supplied to the City of Melbourne please contact Planning and Building by phone 03 9658 9658 or email enquiries@melbourne.vic.gov.au

APPLICANT DECLARATION

I declare that the information provided is true and correct. A building permit has not been issued for any work that relates to this application. The Minister's Guidelines are satisfied. I acknowledge that all fees are non-refundable.

Name

Date

Signature

LEGISLATIVE RESPONSIBILITIES

Application and design considerations

Schedule 2 Clause 4A(2)(d) of the *Building Act 1993* requires that the Council have regard to the guidelines pursuant to Section 188A of the *Building Act 1993* when considering an application and must refuse to give consent to an application if the application does not comply with any matter set out in those guidelines.

Advertising

Schedule 2 Clause 4A (2)(b) of the *Building Act 1993* 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 and opportunity to make a submission in respect of the possible detriment.

The Council is therefore required to:

1. determine if the application may result in a nearby allotment suffering detriment, and if so;
2. give the owner of the allotment an opportunity to make a submission in respect of the possible detriment.

Please note that if the applicant provides adjoining owner's comments or a signed plan as part of the application submission, Council will still need to give an opportunity (advertise) to owners that may suffer a detriment to make a submission. The advertising period in this instance will be a minimum of 14 days. The advertising will not be sent out until such time that all the required information has satisfactorily been provided by the applicant in support of the application.