



Mansfield Shire

APPLICATION FOR 'REPORT and CONSENT' BUILDING ACT 1993 BUILDING REGULATIONS 2018

Property Address:

No Lot Street

Suburb Postcode

Applicant: ☐ RBS ☐ Owner ☐ Agent of Owner

Name

Address Postcode

Contact : Mobile

E-mail

Owner: (if not the applicant)

Name

Address Postcode

Contact : Mobile

E-mail

The report and consent of Council must be obtained when an application for a Building Permit varies from the requirements outlined in the Building Regulations 2018 or any of the matters in the Building Regulations in the attached table.

In order for your application to be assessed, the completed application form must be accompanied by the following:

1. Tick one or more of the matters listed in the accompanying table.
 2. Provide a covering letter clearly explaining why your proposal does not comply with siting requirements and how the proposal meets the Minister's Guidelines MG-12 - https://www.bpc.vic.gov.au/data/assets/pdf_file/0019/24436/Ministerial-Guidelines-MG-12-effective-14Dec2023.pdf
 3. Drawings showing a site plan, floor plan and elevations, relationship to neighbours/streetscape. Note: these plans must highlight areas of non-compliance for which 'report & consent' is sought.
 4. A copy of the Title and Title Plan for the allotment (not older than 100 days) – <https://www.landata.online>
 5. Payment of fee - per variation
- Payment options**
- Phone our Customer Service Team on 03 5775 8555 to pay via Credit Card
 - Visit our office at 33 Highett Street, Mansfield to pay over the counter



Neighbours Comments:

If your application involves reducing a setback or may affect a neighbouring property's amenity, nearby property owners must be given the opportunity to comment on your proposal.

You can do this yourself by downloading and printing the **Neighbour Comments Form** and providing a copy to each affected neighbour (as identified by Council), together with your plans. Once completed, collect the signed forms and initialled plans from your neighbours and submit them to Council with your application. (Note: Council cannot provide you with name and address details of your neighbours.)

Alternatively, Council can undertake this consultation on your behalf. Please note that this may increase the processing time for your application.

Your application cannot be assessed until all required documents and the applicable fee have been received.

DECLARATION

I _____ (*print name*) hereby declare that the information provided on this form is, to the best of my knowledge, true and correct.

Signature: _____ Date: _____

NOTE: It is an offence to make a false or misleading statement or provide any false or misleading information.

Council collects information on the form for municipal purposes as specified in the Local Government Act 1989. Any personal information will be used solely by Council for these purposes or directly related purposes. Council may disclose this information to other organisations if required by legislation. The applicant understands that the personal information provided is for the above purpose. The owner of the property may access or amend this information by contacting Council's Building Department or Privacy Officer on 03 5775 8555.



Regulation/s being sought for variation (please tick)

Regulation	Matters that require Council Report & Consent if they do not comply with Part 5 (siting provisions) of the Building Regulations 2018	Fee	Tick
73(2)	Setback from a street alignment not complying with Reg 73	474.00	
74(4)	Setback from a street alignment not complying with Reg. 74	474.00	
75(4)	Building Height not complying with Reg. 75 (overall building height > 9m or 10m)	474.00	
76(4)	Site Coverage not complying with Reg 76 (> 60%)	474.00	
77(3)	Permeable surfaces not complying with Reg 77 (> 80% impermeable surfaces)	474.00	
78(6)	Car Parking spaces not complying with Reg 78 (< 2 car parking spaces)	474.00	
79(6)	Side or rear boundary setbacks not complying with Reg 79 (building within the prescribed envelope)	474.00	
80(6)	Walls or carports on boundaries not complying with Reg 80	474.00	
81(6)	Building setbacks not complying with Reg. 81 (daylight to existing habitable room windows)	474.00	
82(6)	Building setbacks not complying with Reg 82 (solar access to existing north facing windows)	474.00	
83(3)	Building design not complying with Reg 83 (overshadowing of recreational private open space)	474.00	
84(9)	Window or raised open space not complying with Reg 84 (overlooking)	474.00	
85(3)	Building design not complying with Reg 85 (daylight to habitable room window)	474.00	
86(3)	Private open space for a building not complying with Reg 86	474.00	
87(2)	Siting of Class 10a building, that is appurtenant to a building of another class, that does not comply with Reg 87 (10a building on vacant land)	474.00	
89(3)	Front fence height not complying with Reg 89 (height of front fence > 1.5m or 2.0m)	474.00	
90(2)	Fence setback from side or rear boundary not complying with Reg 90	474.00	
91(5)	Length or height of side or rear boundary fence not complying with Reg 91	474.00	
92(2)	A fence within 9m of an intersection of street alignments and exceeding height of 1m above footpath	474.00	

94(6)	Fence setback not complying with Reg 94 (daylight to existing habitable room window)	474.00	
95(3)	Fence setback not complying with Reg 95 (solar access to north-facing habitable room windows)	474.00	
96(3)	Fence design not complying with Reg 96 (overshadowing of recreational private open space)	474.00	
97(2)	A mast, pole, aerial, antenna, chimney, flue or service pipe not complying with Reg 97(1) (aerials etc >3m (attached) or >8m (freestanding))	474.00	
130	Build over easement where Council is the vested authority	474.00	

Notes: Siting Matters Part 5

1. Minister's Guidelines MG/03 requires that where a request is made to allow a reduction in setback requirements under Part 5 of the Building Regulations, Council is required to seek the views of the relevant adjoining owner. The neighbours will be given ten (1) business days to submit any comments for consideration.
2. Minister's Guidelines MG/12 outlines the decision guidelines Council must apply in considering a request for report and consent with respect to siting matters. Your application should address how your proposal satisfies MG/12. Copies of the Minister's Guideline MG/12 can be viewed on the Victorian Building Authority website at <https://www.vba.vic.gov.au/building/building-resource-hub>.

	Matters requiring Council's Report & Consent that are non-siting matters		Tick
Reg 109(1) (2) & (3)	Projections beyond street alignment (Part 5)	\$338.60	
Reg 116(4)	Precautions over a street alignment (Part 5) (to protect public safety during building works)	\$338.60	
153(2)	Construction of buildings on land liable to flooding (Part 10)	\$338.60	
154(1)	Building on designated land or designated works (Part 10)	\$338.60	
	Total		

Appeal Rights:

An owner can appeal, to the Building Appeals Board, within **30** days, any;

- . Decision to refuse,
- . Any condition/s or requirement/s imposed on the decision,
- . Failure to make a decision within the prescribed time.





APPLICATION FOR 'REPORT and CONSENT' ADJOINING/NEARBY NEIGHBOURS COMMENT FORM - SECTION C

To: Municipal Building Surveyor – Mansfield Shire Council
Private Bag 1000, Mansfield 3724
Email: council@mansfield.vic.gov.au

Property Address to which a 'Report & Consent' is requested

No: Lot: Street: Suburb:

Adjoining/Nearby Neighbours

I/We:

Of, (postal address)

Owner/s of the adjoining/nearby property at

Hereby state that I/we **do*** / **do not** object to the construction of a **Carport**
as detailed in the drawing/s signed by me/us and attached to this form.

I/We understand that the proposal does not comply with the minimum siting requirements of the Building Regulations 2018 in that: *(Add description of variation)*

*As an objector to the proposal I/we attach the additional sheet detailing the reasons for my/our objection/'s.

Signature/s

.....
Date: Date:

Contact : Tel(BH) Mobile

PRIVACY STATEMENT: This form and the information contained herein is to be used solely for the purpose of this application.