

# WELLINGTON SHIRE COUNCIL REPORT AND CONSENT APPLICATION (PART 5)

**Property Address:** No. \_\_\_\_\_ Street: \_\_\_\_\_ Suburb: \_\_\_\_\_

**Proposed Work:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Postal Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

Tick	Regulation	Reporting Matter
<input type="checkbox"/>	73(2)	Maximum setback from a street boundary not complying with reg. 73
<input type="checkbox"/>	74(4)	Minimum setback from a street boundary not complying with reg. 74
<input type="checkbox"/>	75(4)	Building height not complying with reg. 75
<input type="checkbox"/>	76(4)	Site coverage not complying with reg. 76
<input type="checkbox"/>	77(3)	Impermeable surfaces covering more than 80% of an allotment area
<input type="checkbox"/>	78(6)	Car parking spaces not complying with reg. 78
<input type="checkbox"/>	79(6)	Side or rear boundary setbacks not complying with reg. 79
<input type="checkbox"/>	80(3)	Length of walls or carports not complying with reg. 80
<input type="checkbox"/>	80(4)	Height of walls or carports not complying with reg. 80
<input type="checkbox"/>	81(6)	Building setbacks not complying with reg. 81 (daylight to existing habitable room window)
<input type="checkbox"/>	82(5)	Building setbacks not complying with reg. 82 (solar access)
<input type="checkbox"/>	83(3)	Building design not complying with reg. 83 (overshadowing of secluded private open space)
<input type="checkbox"/>	84(9)	Window or raised open space not complying with reg. 84 (overlooking)
<input type="checkbox"/>	85(3)	Building design not complying with reg. 85 (daylight to habitable room windows)
<input type="checkbox"/>	86(3)	Private open space not complying with reg. 86
<input type="checkbox"/>	87(2)	Siting of Class 10 buildings on vacant land
<input type="checkbox"/>	89(3)	Front fence height greater than 1.50 metres not complying with reg. 89
<input type="checkbox"/>	90(2)	Fence setback on side or rear boundary not complying with reg. 90
<input type="checkbox"/>	91(5)	Maximum length or height of side or rear boundary fence not complying with reg. 91
<input type="checkbox"/>	92(2)	A fence within 9m. of an intersection that is greater than 1 metre in height
<input type="checkbox"/>	94(6)	Fence setback not complying with reg. 94 (daylight to existing habitable room window)
<input type="checkbox"/>	95(3)	Fence setback not complying with reg. 95 (solar access)
<input type="checkbox"/>	96(3)	Fence design not complying with reg. 96 (overshadowing of secluded private open space)
<input type="checkbox"/>	97(2)	Fence, pole, aerial, antenna, chimney flue pipe or other service pipe
<input type="checkbox"/>	153(2)	Construction of a Class 1a Building on land liable to flooding
<input type="checkbox"/>	154(1)	Construction of a building on designated land.

**Signed** ..... **Dated** ...../...../.....

<b>For Office Use Only</b> (Short Key 143)	<b>Fee Payable \$311.80</b>
Fee received \$.....Receipt No.....Date...../...../.....	

**Updated July 2023**

The personal information requested on this form is being collected by Council for a Building Services application. The personal information will be used solely by Council for that primary purpose, or directly related purposes. The applicant understands that the personal information provided is for this Building Services application and that they may apply to Council for access and/or amendment of the information.

**18 Desailly Street (PO Box 506) SALE VIC 3850 Ph: 1300 366 244 Email: [enquiries@wellington.vic.gov.au](mailto:enquiries@wellington.vic.gov.au)**

# ADVICE SHEET - BUILDING REGULATIONS & RESCODE

## **Documentation Required**

Applicants must ensure that adequate information is submitted with an application for Council Consent and Report. If such information is not present:

- The application will be returned, or consent will be refused if such information is not provided.

## **How to apply for a Dispensation**

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

- ☐ The application form which has been fully completed and signed by applicant.
- ☐ **A written explanation of exactly which dispensation is required and the reason why the dispensation should be granted.**
- ☐ Copy of Title (including Plan of Subdivision) and 1 set of plans of 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.
- ☐ Owners of adjoining properties that may suffer detriment as a result of the proposal, will be contacted by Council for written comments.
- ☐ The Non-refundable fee is required upon application. Where more than 1 reporting matter has been ticked on the one application form the full is required for the first matter and then each consecutive matter requires a fee of half of the original application fee. Re-submissions will be viewed as a new application for the same fee.

Lack of information in relation to an application is likely to result in processing delays or refusal. It is an offence under Section 246 for a person to make a false or misleading statement or provide any false or misleading information. Persons who apply for consent will need to be aware that Council may request further information in broad terms. Such persons must ensure they are aware of the relevant regulations and guidelines or use a suitably experienced adviser/consultant.

## **Advertising**

Section 188A 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 referring building surveyor or applicant will not over-ride the possibility that Council may be obliged to advertise.

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