



# Report and consent: siting and projections

## What you need to do



### Complete the form

Make sure all sections are complete and you have supplied all supporting documents.



### Submit application

This form and supporting documents must be submitted via email or by mail.



### Receive your invoice

Once your application is processed you will receive an invoice within two working days.

## Read before starting

Below are some things people often miss when submitting their application. Making sure you include this information will prevent delays and save you time.

### Application/Design Considerations

Under Section 188A of the Building Act 1993 Council **must refuse** to give consent to a design which does not comply with Ministerial Decision Guidelines which apply to a particular regulation. Applicants will need to be fully aware of these guidelines and demonstrate that the proposal satisfies all the relevant guidelines with respect to the particular regulation to avoid an automatic refusal.

### Advertising

Under Section 188A of the Building Act 1993, 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. Comments of adjoining owners tendered by the referring building surveyor or applicant will not override the possibility that Council may be obliged to advertise. The Council will seek the comments of the affected adjoining

property owners upon being satisfied that all information/documentation has been provided. The advertising period is a minimum of 14 days.

### How to apply

Submit this form and required supporting documentation:

- ✉ [helpbuilding@portphillip.vic.gov.au](mailto:helpbuilding@portphillip.vic.gov.au)
- ✉ Municipal Building Surveyor  
City of Port Phillip  
Private Bag 3  
St Kilda VIC 3182

## Supporting documentation checklist

Ensure you have the following documentation as part of your application:

A letter requesting the consent and report outlining reasons/justification for the request to vary the requirements of Part 5 of the Building Regulations 2018. The letter is to justify/assess the varied design proposal and how it satisfies the Ministers Decision Guidelines (MG-12). A copy of the guidelines can be obtained from the Victorian Building Authority website at [www.vba.vic.gov.au](http://www.vba.vic.gov.au)

A letter/statement from the appointed relevant building surveyor stating that all Siting matters relating to Part 5 of the Building Regulations 2018 have been assessed and confirmation in relation to the nature of the dispensation matters to be sought (detail all specific non-compliance/s).

Provide one complete set of architectural drawings scaled at 1:100, marked up, notated, coloured and highlighted showing the areas of non-compliance for which the report and consent is sought. The plans are to include floor plan layouts, a site plan layout (inclusive of the location of adjoining buildings and habitable room windows if applicable), elevations, sectional details and shadow diagrams (if applicable). Please ensure that all wall heights, building heights etc are dimensioned on the plans and area shown from natural ground level. The site plan is to show all boundaries, setbacks, easements, existing building(s), proposed works and north point.

Provide a copy of the current (within 90 days) Certificate of Title (inclusive of any covenants and Section 173 agreements) and registered Plan of Subdivision. A copy of the Certificate of Title and registered Plan of Subdivision can be obtained from Landata via the website at [www.landata.vic.gov.au](http://www.landata.vic.gov.au).

**1 Declaration**

All the information in this application is true and correct.

I have provided all necessary supporting information and documents.

I am the:

Owner

Agent of owner

I have read the Application Guidelines for the regulations I am applying for.

**2 Applicant details - person who wants the report and consent**

First name

Last name

Unit number

Number

Street name

Suburb / locality

State

Postcode

Best phone number to contact you on

Email

**3 Owners details - if same as applicant, go to question 4**

First name

Last name

Unit number

Number

Street name

Suburb / locality

State

Postcode

Best phone number to contact you on

Email

**4 Property details**

Unit number

Number

Street name

Suburb / locality

Postcode

Allotment area (m<sup>2</sup>)

## 5 Relevant building surveyor details

First name  Last name

Organisation

Best phone number to contact you on  Email

## 6 Permit details

I, the Owner/Agent of Owner hereby give a copy of a building permit application or building design to Council, and apply for Report and Consent in accordance with Schedule 2 of the Building Act 1993 for the following prescribed matters under Schedule 5, Part 2 of the Building Regulations 2018:

73(2) Maximum street setback

74(4) Minimum street setbacks

75(4) Building height

76(4) Site coverage

77(3) Permeability

78(6) Car parking

79(6) Side or rear setbacks

80(6) Walls or carports on boundaries

81(6) Daylight to existing habitable room windows

82(5) Solar access to existing north-facing habitable room windows

83(3) Overshadowing of recreational private open space

84(9) Overlooking

85(3) Daylight to habitable room windows

86(3) Private open space

87(2) Siting of Class 10a buildings

89(3) Front fence height

90(2) Fence setbacks from side and rear boundaries

91(5) Fences on or within 150 mm of side or rear boundaries

92(2) Fences on intersecting street alignments

94(6) Fences and daylight to habitable room windows in existing dwelling

95(3) Fences and solar access to existing north-facing habitable room windows

96(3) Fences and overshadowing of recreational private open space

97(2) Masts, poles, etc.

109(1) and (2) Projections beyond street alignment

### Quantity required:

x \$294.70each = Total to Pay \$

## Office use only

Application number

Date lodged

## For further information or a large print version

☎ 03 9209 6253    🌐 [portphillip.vic.gov.au/planning-and-building](http://portphillip.vic.gov.au/planning-and-building)    ✉ [helpbuilding@portphillip.vic.gov.au](mailto:helpbuilding@portphillip.vic.gov.au)

### Privacy policy

Personal information required on this form is for the purposes of dealing with this request. It will be used solely by Council for this primary purpose or other directly related purposes. The applicant understands that the personal information provided is for the purposes of dealing with the request and he/she may apply to Council for access to and/or amendment of the information. Request for access and/or correction should be made to Council's Information Privacy Officer (phone Council Assist on 9209 6777).