

Application for Siting Concession/Dispensation Building Regulations 2018 (Part 5)



Applicant:			
Address:			
Phone:		Mobile:	
Email:			
Applicant Signature:		Date:	

Owner's Details	<input type="checkbox"/> The Applicant is the owner of this property		
Owner:			
Address:			
Phone:		Mobile:	
Email:			

Relevant Building Surveyor:			
Address:			
Phone:		Mobile:	
Email:			

Property Address:			
PS/LP:		Lot:	
Volume:		Folio:	
C/A & Sec:		Parish:	

Nature of Works:			

PLEASE NOTE:

- Personal information is held by Moorabool Shire Council in accordance with the Privacy and Data Protection Act 2014

Fee: \$290.40 per Regulation required (non-refundable)

(Fee as per regulation 36(2) as at July 2019)

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Checklist:

The following documents are required for this application to be assessed and further information may be requested depending on the outcome of the data below:

- **Copy of Title in the current owners name** including every sheet of the plan of subdivision and any encumbrances registered against the title (i.e. covenants, caveats, Sec 173 agreements, etc).
- **Developers Consent and endorsed plans** (if required)
- **Floor and Site Plan** (scale 1:100, 1:200 or 1:500) clearly indicating:-
 - The boundaries and dimensions of the allotment and any easements;
 - The distance to street corner and north point;
 - The position and dimensions of the proposed building and its distance to the boundaries of the allotment, location of any **existing building(s)** on the allotment and **adjoining property** and **any part of a building or land on an adjoining allotment** where necessary to show compliance with the Act and these Regulations;
 - The levels of the allotment and the floors of the building;
 - Building(s) including roof eave widths, building lengths, window locations, room usage and boundary fence heights.
 - Distance between the boundary line from the proposed structure and any buildings, including windows on the **adjacent allotments**.
- **Drawing elevations** (scale 1:100) clearly indicating all fence heights, wall heights (measured from natural ground level to the top of roof covering) and all contours of land.
- **Written comments and signatures from any and all affected property owners** (including signed copies of architectural drawings). Alternatively, Council can contact the adjoining owners and pursue the adjoining owner's comments.
- A **written submission** including a written explanation of the reasons why the variation is being sought after along with a clear statement of the variation(s) being requested under the Building Regulations 2018, including comments on the relevant Ministers Guidelines from the applicant detailing the reasons for the request, together with supporting information (photographs may be included in support of the application).

It is the applicants responsibility to ensure that building regulations which require report and consent are identified. Council will not assess which regulations require report and consent, and accepts no responsibility for regulations not identified. All enquiries in respect of the regulations applicable to the application should be directed to the **relevant building surveyor**.
- Applications for consent for overshadowing or overlooking provisions will require overshadowing and overlooking diagrams illustrated on the site plans and elevations respectively to be submitted.

NOTE: Where insufficient information has been provided a request for further relevant documents may be sought. Failure to supply any items listed above may result in rejection of your application and a new fee will apply.

Requested Concessions/Dispensations

Please tick the appropriate box and ensure that the information requested on the previous checklist and that mentioned below is illustrated on the site plan, floor plan and elevations. Further information may be requested dependent on the particular design or affected allotments.

- Maximum boundary setback does not comply with Regulation 73**
Proposed setback _____ Adjoining property setbacks _____ & _____
-
- Minimum setback from a street boundary does not comply with Regulation 74**
Proposed setback _____ Adjoining property setbacks _____ & _____
-
- Maximum building height does not comply with Regulation 75**
Proposed building height (measured to the ridge of room covering). Any adjoining property building heights _____
-
- Site coverage exceeds 60% of the allotment which does not comply Regulation 76**
Existing site coverage _____ Proposed site coverage (incl. existing buildings) _____
-
- Impermeable surfaces covering more that 80% of an allotment area which does not comply with Regulation 77**
Existing impermeable surface area _____. Proposed impermeable surface area (incl. existing area) _____
-
- The minimum 2 car parking space dimensions do not comply with Regulation 78**
Existing and proposed car parking dimensions of each car space _____ x _____ & _____ x _____
-
- Side or rear boundary setbacks do not comply with Regulation 79**
Existing setback _____ Proposed building setback _____
Proposed wall height (measured from natural ground level to top of roof) _____
-
- Walls or carports within 1m of boundary that do not comply with the average height of 3.2m, maximum height of 3.6m or maximum length required by Regulation 80**
Proposed Average wall height _____
Proposed maximum wall height (measured from natural ground level to top of roof) _____
Proposed building length _____ Proposed building setback _____
-
- Wall or carport is within the minimum 1m wide x 3m long light court of exceeds an average height of 3.0m and is within the minimum light court setback mentioned in Regulation 81(3) from an existing habitable room window in an existing building on an adjoining allotment (daylight to existing habitable room window). Regulation 81(6)**
Adjoining building floor level at window (measured from natural ground level) _____
Adjoining building roof boundary setback (measured from the outermost projection) _____
Proposed wall or carport height (measured from natural ground level and top of roof) _____
Proposed building roof boundary setback (measured from the outermost projection) _____
-
- Solar access for a distance of 3m each side of an existing northerly facing habitable room window of an existing building on an adjoining allotment which is located within 3m of the boundary of the allotment on which the proposed building is to be constructed. Regulation 82**
Existing adjoining building boundary setback _____
Proposed building boundary setback _____
Proposed building wall or carport height (measured from natural ground level to roof) _____



- Overshadowing of the adjoining allotments recreational private open space is less than 75% or 40m² (with a minimum dimension of 3m) whichever is the lesser and does not comply with Regulation 83**

Nominate on the site plan the adjoining allotments recreational private open space which is at the side, rear or front (only where the allotment is screened for 90% of its perimeter by a 1.5m high fence/structure with no more than 25% of its surface area open) of the existing dwelling.

- Overlooking into the adjoining allotments secluded private open space or habitable room, which does not comply with Regulation 84**

Illustrate on the site plan the outline of the adjoining building, window locations and room usage, and boundary fence heights. On the elevation plan please illustrate the boundary fence height and ground contours.

- Daylight to new habitable room window of a proposed building does not comply with Regulation 85**

- The private open space of a proposed building is less than 80m² or 20% of the area of the allotment, whichever is the lesser, which does not comply with Regulation 86**

- Class 10a Building (Shed Carport etc) on a Vacant Allotment - Regulation 87**

(Please Note: a Statutory Declaration needs to be submitted stating the shed is for storage purposes only and not to be lived in)

- Front fence height not complying with Regulation 89**

Proposed front fence height _____

- Fence setbacks from side and rear boundaries not complying with Regulation 90**

Proposed fence height _____ Proposed fence setback _____

- Fences on or within 150mm of side or rear boundaries not complying with Regulation 91**

Proposed fence height Average _____ & Maximum _____ Proposed length _____

- Fences on intersecting street alignments not complying with Regulation 92**

Proposed fence height _____

- Fences and daylight to habitable room windows in existing dwelling not complying with Regulation 94**

Proposed fence height _____

- Fences and solar access to existing north-facing habitable room windows not complying with Regulation 95**

Proposed fence height _____ Proposed fence setback _____

- Fences and overshadowing of recreational private open space not complying with Regulation 96**

Proposed fence height _____

- Masts, poles etc exceeding 3m above the highest point of the roof of a building or 8m above ground when not attached to a building - Regulation 97**

Proposed height _____

- Flood Prone Land - Regulation 153**

- Designated land or designated works - Regulation 154**

Comment Form

Building Regulations 2018: I am the adjacent relevant owner of the property at the following address:

_____ and

I have viewed and signed the plans (**drawing numbers** _____) for my neighbours proposed works at:

I am aware that the proposed works are designed outside the siting requirements prescribed in the **Building Regulations 2018** and have:

(a) No objection to Council issuing consent to the proposed siting of the building/structure pursuant to Building Regulations Part 5 or,

(b) I request that Council **not issue** consent to the proposed siting of the building/structure pursuant to Building Regulations Part 5.

Please clearly strike out that which is not applicable of (a) or (b) above.

Please provide your reasons for objecting to the proposal in order for Council to take into account your issue(s) or concerns.

Print name: _____

Signature: _____ Date: _____

Council thanks you for your comments.

Note: This comment form and accompanying plans must be signed by the legal owner of the relevant property concerned. Signatures from persons renting the property will not be accepted.