

APPLICATION FOR COUNCIL CONSENT Building Regulations (Non ResCode Matters)

To: The Municipal Building Surveyor – Shire of Yarra Ranges

I: (Name): Owner , Agent of Owner

Email or Postal Address:

Telephone/Mobile:

Hereby apply for council consent and report for a variation to the following matter(s) under Regulation 31 and Part 2 of Schedule 5 of the *Building Regulations* (Tick appropriate box)

Tick	Council Report and Consent Requested
<input type="checkbox"/>	Regulation 109 to allow projections beyond street alignment
<input type="checkbox"/>	Regulation 134(2) to allow building above or below certain public facilities
<input type="checkbox"/>	Regulation 116(4) to allow erection of precautions over the street alignment (hoardings) - A Traffic Management Plan is mandatory with this application <i>*different fee applies, please refer to fee information below</i>
<input type="checkbox"/>	Regulation 132(1) to allow construction of buildings requiring the installation or alteration of a septic tank system or buildings over an existing septic tank system
<input type="checkbox"/>	Regulation 153(2) to allow construction of buildings on land liable to flooding
<input type="checkbox"/>	Regulation 154(1) to allow construction on designated land or designated works

For a: (Proposed works for Approval)

At: No: **Lot:** **Street/Road:** **Suburb:**

Signed: **Dated:** / /

Council will endeavour to report on the above as soon as possible, however it is possible that the time limits of the Building Regulations will not be met - particularly where Council notifies adjoining owners. Please consult with Council's Building Control Services as to time frames at referral.

Application

The Application must be lodged with:

1. **Plans.** 1 copy of documentation, including plans, a copy of title and a site plan clearly showing the proposal. Full working drawings are not usually required,
2. **Reasons** for the modification or supporting information, *and*;
3. **Copy of title**

See over for further details.

Application Fee

A fee of **\$320.20** each for Regs 109, 134(2), 132(1), 153(2) and 154(1) and ***\$325.00** for Reg 116(4). This fee is not refundable unless the application is withdrawn before Council's decision.

An application lodgement fee will be emailed to the email address supplied with this application.

Advertising

Section 188 A of the *Building Act 1993* provides that, if Council is of the opinion that 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.

Decision Time Frame

The time frame after receipt of an application for the reporting authority to report on or consent to an application under the *Building Regulations* is 15 business days. Council will endeavour to report on your application as soon as possible, however these time frames may not be met particularly where Council notifies adjoining owners.

Right of Appeal

An owner has rights of appeal to the [Building Appeals Board](#) (1300 421 082) within 30 days in relation to the following matters:

- the determination or exercise of discretion or
- failure within a reasonable time to make a determination or exercise that discretion (s144 of the *Building Act 1993*)