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**REPORT AND CONSENT – Application to Council for Approval to Vary the Building Regulations 2018**  
**Regulation 74 – Minimum Street Setback**

PROPERTY DETAILS		
OWNERS NAME:		
LOT NO:	LP/ PS:	STREET NO:
STREET / ROAD:		
TOWN / SUBURB:		

THE AGENT/APPLICANT (It is recommended that the Relevant Building Surveyor assists with your application)	
NAME / COMPANY:	CONTACT PERSON:
POSTAL ADDRESS:	
TELEPHONE:	MOBILE:
FAX:	EMAIL:

RELEVANT BUILDING SURVEYOR:	
TELEPHONE:	MOBILE:

I hereby seek the consent and report of Council in accordance with Schedule 2 of the Building Act 1993, for variation of **Building Regulation 74 - Minimum Street Setback**.

OBJECTIVE
To ensure that the setbacks of buildings from a street respect the existing or preferred character of the neighbourhood and make efficient use of the site.

INFORMATION REQUIRED FOR APPLICATION TO BE CONSIDERED:	Office Use Only
<input type="checkbox"/> Description of proposal and justification of compliance with the decision guidelines (Refer pages 2-3)	<input type="checkbox"/>
<input type="checkbox"/> Copy of title including plan of subdivision and any applicable covenants, agreements and/or building envelopes	<input type="checkbox"/>
<input type="checkbox"/> Fee - Refer to current statutory fee structure	<input type="checkbox"/>
<input type="checkbox"/> One set of site plans to a scale of 1:500 showing all dimensions and setbacks of the proposed building, adjoining buildings and the buildings on the adjoining allotments.	<input type="checkbox"/>
<input type="checkbox"/> Floor plans of the proposed building to a scale of 1:100.	<input type="checkbox"/>
<input type="checkbox"/> Elevations of the proposed building, including the slope of the land.	<input type="checkbox"/>
<input type="checkbox"/> Any significant vegetation on the site and on adjoining sites. (Provide photos)	<input type="checkbox"/>

DESCRIPTION OF PROPOSAL FOR APPLICATION
(PLEASE NOTE: Unless a clear proposal is provided, this application <b>will</b> be rejected)
<b>Nature of Proposed Works is:</b>
<b>With a Minimum Street Setback of _____ in lieu of _____</b>

ASSESSMENT CRITERIA
The Minister for Planning in his Minister’s Guideline (MG/12 dated June 2005) has set out the objective and decision guidelines that Council must have in regard to when considering varying a design and siting standard.

**DECISION GUIDELINES AND REASON FOR APPLICATION:** The reporting authority may give its consent where a single dwelling does not comply with **Regulation 74** of the Building Regulations 2018, if –

*Provide comments or tick N/A*

N/A <input type="checkbox"/>	a. The setback will be more appropriate taking into account the prevailing setback within the street; or <b>Comment:</b>
N/A <input type="checkbox"/>	b. The setback will be more appropriate taking into account the preferred character of the area, where it has been identified in the relevant planning scheme; or <b>Comment:</b>
N/A <input type="checkbox"/>	c. The siting of the building is constrained by the shape or dimensions of the allotment; or <b>Comment:</b>
N/A <input type="checkbox"/>	d. The siting of the building is constrained by the slope of the allotment or other conditions on the allotment; or <b>Comment:</b>
N/A <input type="checkbox"/>	e. There is a need to decrease the setback to maximise solar access to habitable room windows and or private open space; or <b>Comment:</b>
N/A <input type="checkbox"/>	f. The setback will be more appropriate taking into account the desire or need to retain vegetation on the allotment; or <b>Comment:</b>
N/A <input type="checkbox"/>	g. The setback is consistent with a building envelope that has been approved under a planning scheme or planning permit and or included in an agreement under Section 173 of the <i>Planning and Environment Act 1987</i> ; and <b>Comment:</b>
N/A <input type="checkbox"/>	h. The setback will not result in a disruption of the streetscape; and <b>Comment:</b>
N/A <input type="checkbox"/>	i. The setback is consistent with any relevant neighbourhood character objective, policy or statement set out in the relevant planning scheme. <b>Comment:</b>

<b>SIGNATURE</b>		<b>DATE</b>		<b>RECEIPT NO.</b>	
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**NOTES:**

Council will consider the needs of the applicant and also the potential impact upon the adjoining properties and or infrastructure when making its decision. As such this application will be referred to the affected owners for comment prior to making a decision.

The personal information requested on this form is being collected by Council for assessment of your application for a Consent and Report pursuant to Building Regulation 74. The personal information will be used solely by Council for this primary purpose or directly related purposes. The applicant understands that the personal information provided is for the assessment of the consent and report application and that she/ he may apply to Council for access to and/or amendment of the information. Requests for access and/or correction should be made to Council's Privacy Officer.