

REPORT AND CONSENT APPLICATION – REGULATION 86

(BUILDING REGULATIONS 2018, PART 5)

Step 1. Please provide the property details

Street no.		Street name		
Suburb			Post code	
Lot no.		LP/PS		

Step 2. Are you the owner of the property?

Yes No (Please attach a completed agent authorisation form.)

Step 3. Please provide a brief description of the project

Step 4. Applicant Details (All correspondence will be sent to Applicant)

Company				
Name				
Postal Address				
Mobile		Email		

Step 5. Property Owner Details

Company				
Name				
Postal Address				
Mobile		Email		

Step 6. Please provide details of the Relevant Building Surveyor (RBS)

RBS Name & Registration number			
Company name			
Postal Address			
Mobile		Email	

Step 7. Ensure you have attached the following documents

- Fully completed application form.
- Agent authorisation form. (If required, see page 4)
- A copy of the title not more than 6 months old and in the current owner/s name/s
- A copy of the plan of subdivision and any restrictive covenants on the title. For example: Section 173 Agreements.
- 1 copy of the site plan per regulation. (Scale not less than 1:500)
- 1 copy of the architectural drawings per regulation e.g. floor plan and elevations. (Scale not less than 1:100)
- Fully completed adjoining owner comment forms and signed copies of the plans. (If required)

Note: You must provide Council with evidence that you have given adjoining property owners the opportunity to comment on the proposed variations. If you are unable to directly contact the adjoining property owner, you can source their details via the [City of Ballarat website](#) for report and consent purposes.

You will need to provide evidence to Council that the plans and comment form have been served to the adjoining owner by registered post. This means providing copies of the documents served and tracking details to Council.

Step 8. Complete this declaration

- I confirm that a Building Permit has not been issued for any work that relates to this application.
- I confirm that building work has not commenced in relation to the building/structure.
- I confirm that the information contained within this application is true and correct.
- I understand that it is an offence to provide false or misleading information under Section 246 of the Building Act 1993.

Your signature		Date	
Company name			
Your full name			

Step 9. Return this form and the required documents via one of the methods below

- Save and email this Word document to building@ballarat.vic.gov.au
We will e-mail you out a schedule of fees to pay online, or
- Print this form and bring it into The Phoenix Building 25 Armstrong St Sth, Ballarat. You will be able to pay over the counter from 8.15am – 5pm Monday to Friday

Step 10. The 2024/25 payable fee is \$448.30 per Regulation you are applying to vary

Office use only (PP/BPA) 2024/25

Receipt number	
Date received	

FAQs

1. Fees for report and consent applications are set by legislation and are not refundable regardless of the outcome of your application.
2. Fees are payable per Regulation you are applying to vary.
3. The Relevant Building Surveyor (RBS), appointed to issue the building permit is the appropriate person to determine whether Report and Consent is required. Council suggests the plans be fully assessed by the RBS prior to making an application.
4. A Report and Consent application is subject to assessment in accordance with Section 188 of the Building Act 1993. Further information may be requested by Council to assist in making a decision regarding this application.
5. Council does not have the statutory power to issue a Report and Consent after a Building Permit has been issued for the building work and/or after the building work has commenced.
6. Minister Guidelines M/G 12 are available from the [VBA website](#) to assist in addressing the details of your variation.
7. The minimum response time for an application is 3 weeks.

Note: Your personal information is being collected by City of Ballarat for the purpose of your processing your Report and Consent application in accordance with the *Building Act 1993*. Your information will be stored in Council's Customer Database and used to identify you when communicating with Council and for the delivery of services and information. For further information on how your personal information is handled, refer to Council's Privacy Policy at www.ballarat.vic.gov.au

AUTHORISING SOMEONE TO ACT ON YOUR BEHALF

(AGENT AUTHORISATION UNDER SECTION 240 & 248 OF THE BUILDING ACT 1993)

Step 1. Which property do you want this authorisation to apply to?

Street no.		Street name		
Suburb			Post code	
Lot no.		LP/PS		

Step 2. Who are you authorising?

Company			
Name			
Postal Address			
Mobile		Email	

Step 3. In relation to the above property, what are you authorising this agent to do?

- Access archived building permit documents
- Act on my behalf for a Report and Consent application
- Act on my behalf in relation to any Building Notice or Building Order
- Act on my behalf for the purpose of making any application, appeal or referral under the Building Act
- To make representations and act on my behalf regarding an application to resolve illegal building works

Step 4. Please provide your details and signature

Your signature		Date	Click or tap to enter a date.
Your full name			
Postal Address			
Mobile		Email	

DETAILS OF YOUR VARIATION

Regulation 86 –The size of the private open space for the proposed building does not comply.

Step 1. Please provide the details of your variation

Existing private open space _____

Proposed private open space (including dimensions) _____

Step 2. Please provide reasons to support your request

Note: Council’s approval of a variation is determined by its compliance with the Minister’s Guidelines. The fields below address each of the decision guidelines that Council must consider in deciding whether to approve or refuse your variation request.

The objective of Regulation 86 is to provide adequate private open space for the reasonable recreation and service needs of residents.

Please provide your reasoning on how your variation will meet at least **one** of the following criteria:

- a) **The location of the private open space maximises the solar orientation of the allotment.**

- b) **The availability of, and access to, public open space or communal open space would lessen the demand for private open space on the allotment.**

