



**Whitehorse City Council**  
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ABN: 39549568822

**APPLICATION FOR REPORT ONLY – EXISTING WORKS ONLY**  
***Building Regulations 2018 - Parts 5 & 6***

PROPERTY ADDRESS

Number \_\_\_\_\_ Street/Road \_\_\_\_\_ Suburb \_\_\_\_\_

Design Description \_\_\_\_\_

I, Owner ☐ Agent of Owner ☐ (Please tick)

Name \_\_\_\_\_ Telephone (Business hours) \_\_\_\_\_

Company Name \_\_\_\_\_

Postal Address \_\_\_\_\_

Email Address \_\_\_\_\_

I hereby apply for Council's comments with respect to existing works that are not in accordance with the *Building Act 1993* for the following matters under the provisions of the Building Regulations 2018.

Tick	Regulation	Reporting Matter
	73	Maximum street setback
	74	Minimum street setback
	75	Building height
	76	Site coverage
	77	Permeability
	78	Car parking spaces
	79	Side or rear boundary setbacks
	80	Walls or carports on boundaries
	81	Daylight to existing habitable room windows
	82	Solar access to existing north-facing windows
	83	Overshadowing of private open space
	84	Overlooking (window or raised open space)
	85	Daylight to habitable room windows
	86	Private open space
	87	Siting of appurtenant Class 10 buildings
	89	Front fence height
	90	Fence setback on side or rear boundaries
	91	Length or height of side or rear boundary fence
	92	Fence within 9 metres of an intersection
	94	Fences and daylight to windows in existing dwelling
	95	Fence & solar access to existing north-facing habitable room windows
	96	Fences and overshadowing of recreational private open space
	97	Masts and poles
	109	Projections beyond a street alignment
	134	Buildings above or below certain public facilities

Signed \_\_\_\_\_

Date \_\_\_\_\_

FEE: \$530.00 (no GST) PER REGULATION to be considered. Please note: applications will not be lodged or assessed without receipt of payment of fee(s).

OFFICE USE: FEE \_\_\_\_\_ DATE \_\_\_\_\_ RECEIPT No \_\_\_\_\_ ACCOUNT AP/PP/BUILD2

Please email application to [customer.service@whitehorse.vic.gov.au](mailto:customer.service@whitehorse.vic.gov.au)

**DOCUMENT CHECKLIST / SUPPORTIVE INFORMATION  
COUNCIL REPORT ONLY APPLICATION - EXISTING WORKS ONLY**

An application for a report from Council in relation to the siting requirements of the Building Regulations 2018 must contain the following information and documentation:

- 1) A completed application form - including a brief description (eg construction of carport), contact details and selection of the regulation(s).
- 2) A copy of a Certificate of Title issued within the last three months (can be purchased from [www.land.vic.gov.au](http://www.land.vic.gov.au)) including any covenants, Section 173 agreements, plan of subdivision etc.
- 3) Payment of correct fees.
- 4) A letter requesting the report from Council to vary the specific building regulation that outlines the reasons / justification for the request (reasons for the request in relation to the Building Regulations 2018 and Minister's Decision Guidelines).
- 5) A copy of any Section 37 direction, building notice, building order, etc is required.
- 6) Refer to Minister's Guideline MG12 for decision guidelines specifically relating to the regulation for which the report from Council is sought by going to the link below - [http://www.vba.vic.gov.au/data/assets/pdf\\_file/0006/18789/Ministers-Guidelines-MG-12.pdf](http://www.vba.vic.gov.au/data/assets/pdf_file/0006/18789/Ministers-Guidelines-MG-12.pdf)
- 7) One (1) copy of A3 plans for the proposed construction with area(s) of non-compliance clearly identified. Plans must include dimensions of:
  - a) the subject allotment
  - b) adjoining properties
  - c) location(s) of habitable room windows, private open space(s), secluded private open space(s)
  - d) overlooking and overshadowing diagrams
  - e) elevations and sections

All documentation must be a true and accurate reflection of proposed works. Inaccurate documentation may result in a flawed decision – for which the applicant is likely to be accountable.

- 8) Advertising may be required:
  - a) If you are undertaking advertising you must ensure that advertising material / information provided to the adjoining allotment owner(s), adequately highlights the nature of the non-compliance/s. It must be clear that the adjoining allotment owner(s) comments show they have an understanding of the nature of the non-compliance.
  - OR**
  - b) If Council is requested to undertake advertising, a fee of \$66.00 (inc GST) per advertised property is payable. (Note: this request should be in writing). A minimum advertising period of 14 days applies
- 9) Application Considerations
  - a) Section 188A of the Building Act 1993 requires that any design which does not comply with Ministerial Guidelines will not be approved.
  - b) Council may request further information.

10) Planning Controls

City of Whitehorse Planning Scheme has numerous siting controls in residential zones, which may impose siting constraints, in addition to Part 5 of the Building Regulations.

Should you require any further information please contact the City of Whitehorse Building Department on telephone: 9262 6303 or email: [customer.service@whitehorse.vic.gov.au](mailto:customer.service@whitehorse.vic.gov.au)

*The information requested on this form is in accordance with Schedule 6 (Part 2) of the Building Regulations 2018. The personal information collected on this form will be used solely by Council for the purpose of processing an application for Council report. The information will not be released unless required by law. The applicant may apply to Council for access and/or amendments to the information.*