



Build over an easement application

Important Information

Applications must be accompanied by all appropriate documentation, including complete and properly prepared plans.

The application can be lodged by the owner, builder, architect/ draftsman or any properly authorised agent of the owner but it is recommended that the application be made either by or in consolidation with the Relevant Building Surveyor. The Council is acting in the role of a prescribed reporting authority when assessing these applications and can only address the application to the extent set out in the request. It does not replace or supplement the Relevant Building Surveyor in determining compliance with other issues and siting provisions of the Regulations. An incomplete compliance assessment prior to lodgment of this application may lead to inappropriate decisions and delays in the ultimate permit process.

Appeal rights

An owner has rights of appeal to the Building Appeals Boards (Ph. 9285 6400) (within 30 days) with respect to any:

- Requirement of a reporting authority to give more information or amend a permit application (s138 of the Building Act 1993).
- 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).

Checklist

An application for report and consent (building over an easement – vesting in the Council) must be accompanied by the following: -

- A copy of the Certificate of Title (no older than three months) **including** approved Plan of Subdivision, in the name of the current registered owner/s.
- Properly prepared plans which clearly demonstrate the proposal in terms of its appearance and construction, including:
 - Full dimensions.
 - Plan and side elevation view, material details etc.
 - Footing type and design details, including Angle of Repose if applicable.
- Application Brief – Outline in detail the reasons for seeking special consideration. You are encouraged to list every reason why you should be granted consent.
- Owner Information completed.
- The application fee of \$329.60 for each application. GST FREE.
(This is the fee set by Council for 2025-2026).
- The fee is an application fee and will not be refundable if the application is not approved.

The land

Lot/street number _____ Street _____

Suburb _____

Nature of proposed building works

Describe the proposed works

Application brief

What is the reason for this application?

Owner Information (required)

Name _____

Address _____

Phone No. _____

Email _____

Declaration

The owner/s of the land have been made aware of, and have consented to, the lodgement of this application Yes ☐ No ☐

Applicant's details

Please select one of the following:

- ☐ Building Surveyor
- ☐ Owner
- ☐ Agent or owner

I hereby submit a copy of the Building Permit application or Building Design to Council for report and consent in accordance with Regulation 130 (1) of the Building Regulations 2018 for construction of a building over an easement vested in Council.

Name _____

Organisation _____
(if applicable)

Address _____

Phone No. _____

Email _____