

# Application to Vary Building Regulation 77 – Permeability

## PROPERTY VARIATION IS SOUGHT FOR

ADDRESS                      Number \_\_\_\_\_ Street/Road \_\_\_\_\_  
Town \_\_\_\_\_ Postcode \_\_\_\_\_

## APPLICANT DETAILS

APPLICANT NAME \_\_\_\_\_  
POSTAL ADDRESS \_\_\_\_\_  
PHONE (BH) \_\_\_\_\_ EMAIL \_\_\_\_\_

## IMPORTANT INFORMATION

In order for your application to be assessed, the completed application form must be accompanied by the following:

- Description of proposal, and justification of compliance with the Minister’s decision guidelines (see attached form)
- Two (2) copies of properly prepared plans which include:
  - site plans showing existing and proposed permeable and impermeable areas on the site
  - any other information that would support the application
- Copy of a current Certificate of Title
- Fee to be calculated once application form has been lodged via the online customer portal.

An owner can appeal, to the Buildings Appeals Board, within 30 days, any decision to refuse, any condition/s or requirements on the decision or failure to make a decision within the prescribed time.

## APPLICANT SIGNATURE

Signature

Date

## HOW WOULD YOU LIKE TO RECEIVE YOUR PERMIT

WILL COLLECT                       BY MAIL                       BY EMAIL

## PAYMENT OPTIONS

**CONTACT US**  
Phone **03 5760 2600** to make an EFTPOS or credit payment over the phone.  
Fax **03 5762 5537**  
Email [council@benalla.vic.gov.au](mailto:council@benalla.vic.gov.au)

**IN PERSON**  
Visit the Council’s Customer Service Centre at **1 Bridge Street East, Benalla**

**MAIL**  
Send this application back to us with a cheque for the full amount made payable to **Benalla Rural City Council, PO BOX 227, BENALLA VIC 3671**

OFFICE USE                      Date received                       Receipt number

**Information Privacy** 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 412(2). 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 he/she 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.

**DESCRIPTION OF PROPOSAL AND REASONS FOR APPLICATION**

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

**ASSESSMENT CRITERIA Permeability – Regulation 77**

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

**If any matter set out in the guideline is not met, then Council must refuse consent.**

To assist Council in determining if the objective and decision guidelines have been met, please describe how your application meets the following appropriate assessment criteria.

**Objective: To reduce impact of increased stormwater run-off on the drainage system and to facilitate on-site stormwater infiltration.**

**Decision guidelines**

- a. the amount of impermeable surfaces would be consistent with that of existing development on the allotment, if applicable; or *(comment below)*

---

---

---

- b. the capacity of the drainage network servicing the allotment is able to accommodate the additional stormwater that the development will cause; or *(comment below)*

---

---

---

c. on-site stormwater retention is able to accommodate the additional stormwater that the development will cause (*comment below*).

---



---



---

OFFICE USE ONLY			
Reviewed by	BC / MBS	PC	MD
	<input type="checkbox"/> Approved <input type="checkbox"/> Refused	<input type="checkbox"/> Approved <input type="checkbox"/> Refused	<input type="checkbox"/> Approved <input type="checkbox"/> Refused
Signature			
Date			
Comments			