

Melton City Council: FACT SHEET

Part 5 Report & Consent advertising

(Rev 1.0 – 28/02/2025)



- Council **MUST** be satisfied that advertising to the affected adjoining property owner(s) have been carried out in accordance with the **Building Act 1993**; this includes meeting the obligations of **Minister's Guidelines MG-03 – Involvement of adjoining owners in siting appeals**.

When you can identify the affected adjoining property owner(s)

- You are strongly encouraged to discuss the siting non-compliances with the affected adjoining property owner(s) to resolve any potential issues prior to lodging your Report & Consent application with Council.
- When discussing this, request the affected adjoining property owner(s) sign the **Adjoining Property Owners Comments FORM** and sign the drawings.
- You are required to submit the signed documents in your Report & Consent application.

When sending documents to the affected adjoining property owner(s) via Post

- If you cannot readily meet and discuss the siting non-compliances with the affected adjoining property owner(s), you may have to send documents to them via Australia Post.
- For this method, you will need to send it to them via Registered Post, so it has a tracking number and delivery confirmation.
- See '**Evidence of Service – Registered Post**' information below.

Evidence of Service – Registered Post

- For Evidence of Service, you will need to send the advertising material via Registered Post, and you will need to provide additional information to Council to prove the affected adjoining property owner(s) have not only been sent the information, but have actually received it as well, specifically:
 - Copies of documents that were sent to the affected adjoining property owner(s);
 - Photo of the completed Registered Post envelope ready to be posted, showing the tracking number, name of the adjoining property owner, and their postal address (see **FIGURE 1** below);
 - Evidence that the envelope has been delivered, showing the Registered Post tracking number;
 - PLEASE NOTE: If the Evidence stated above indicates the envelope has not been delivered or is pending, this means the envelope has not been served on the affected adjoining owner and cannot be taken as being served.

FIGURE 1

A diagram of a Registered Post form with two yellow callout boxes. The top box points to the tracking number field and says "Provide photograph showing the registered post tracking number". The bottom box points to the recipient address field and says "Provide photograph of the name and address where the documents are being sent". The form includes fields for weight (250g), dimensions (5mm), delivery within Australia, a barcode, and recipient details (company name, attention, PO Box, street address, suburb, state, postcode, and mobile number).

Registered Post POST AUSTRALIA

250g 5mm Delivery within Australia

Prepaid envelope

Optional service
Person to Person
Affix label here

To: Company name
Attention
PO Box number
or street address
Suburb
or town

Mobile no. *
Postcode

State

When the affected adjoining property owner(s) do not respond to advertising material

- Following service of documentation, if the affected adjoining property owner(s) do not respond within 14-business days from when the advertising material was delivered, then it is generally deemed that they have no objection to the siting variations under consideration. PLEASE NOTE: This does not mean Council will automatically approve the Report & Consent application.
- You must fill in the **Statutory Declaration FORM** confirming that the affected adjoining property owner(s) have been served all the required information and have not responded.
- If advertising material was via Registered Post, in addition to providing the **Statutory Declaration FORM**, you will also need to provide Evidence of Service. See '**Evidence of Service – Registered Post**' information above.

When the affected adjoining owner(s) details are unknown and/or you cannot locate them (example, it is a rented property, or their current contact details are unknown, or the like)

- In the event you cannot identify and/or located the affected adjoining property owner(s), unfortunately Council cannot provide their contact information to you due to the **Privacy and Data Protection Act 2014**. In this situation, Council will have to carry out the advertising on your behalf.
- A fee is payable to Council for this additional service.
- Council will not advocate for or against the development.
- Council will not negotiate an agreeable outcome between the applicant and/or the affected adjoining property owner(s).
- The advertising period may take between 4 & 6 weeks to complete and is dependent on the volume of applications under consideration at any one time.
- Unfortunately, the advertising process cannot be fast-tracked.