

PART B: DETAILS OF YOUR VARIATION

Regulation 82 – Proposed building reduces solar access to existing north-facing habitable room window on the adjoining allotment and does not comply

Step 1. Please provide the details of your variation

Existing adjoining building's boundary setback _____

Required building boundary setback _____

Proposed building's boundary setback _____

Proposed building's wall or carport height _____

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 82 is to allow solar access into existing north-facing habitable room windows.

The reporting authority may give its consent to an application for a building permit for a principal single dwelling or a small second dwelling (as applicable) that does not comply with regulation 82 (Solar access to existing north-facing habitable room windows) of the Regulations if all of the following criteria apply:

- a) The building will not impact on the amenity of existing dwellings on nearby allotments.

- b) The setback is consistent with a building envelope, if one has been approved under a planning scheme or planning permit and or specified in an agreement under section 173 of the Planning and Environment Act 1987.

Step 3. Impacted adjoining property owners must be consulted as part of a Report and Consent Application for this regulation.

Download as many Adjoining owner/s comment forms as required off our website. Make sure you complete the 'Details and location of proposed building works' table at the top of the form. You will need to supply the adjoining owner/s with the partially completed comment form and copies of the plans of your proposed building works.

You can retrieve adjoining property owner details through the [Council website](#) for Fencing (Report and Consent) purposes.

We recommend you send the comment form and plans via registered post. You can then provide Council with a copy of what was sent to the adjoining owner and the registered post tracking details as part of your application. This will serve as proof of attempt to consult.

Note: The documents must be signed by the legal property owner, tenants are not legal property owners.