



## PART B: DETAILS OF YOUR VARIATION

### Regulation 83 – Overshadowing: proposed building reduces sunlight to a Recreational Private Open Space (RPOS) of an existing dwelling on an adjoining allotment and does not comply

#### Step 1. Please provide the details of your variation

Area of RPOS on adjoining allotment \_\_\_\_\_

Amount of sunlight required from RPOS on the adjoining allotment \_\_\_\_\_

Existing amount of sunlight available to the adjoining RPOS \_\_\_\_\_

Proposed amount of sunlight available to adjoining RPOS \_\_\_\_\_

#### Step 2. Please provide plans showing overshadowing/overlooking

#### Step 3. 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 83 is to ensure buildings do not unreasonably overshadow existing secluded private open spaces**

Please provide your reasoning on how your variation will meet this objective:

- a) **The proposed building will not significantly impact on the amenity of the secluded private open space(s) on nearby allotments.**

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- b) **The building is consistent with a building envelope that has been approved under a planning scheme or planning permit and or included in an agreement under section 173 of the Planning and Environment Act 1987.**

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#### **Step 4. Impacted adjoining property owners must be consulted as part of a Report and Consent Application for this regulation.**

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 contact Ararat Rural City Council Rates Department to obtain owner details for 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.