

PART B: DETAILS OF YOUR VARIATION

Regulation 86B – Accessibility for small second dwellings

Step 1. 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 86B is to ensure that small second dwellings are provided with a clear and unobstructed path for safety and accessibility purposes, including in a case of emergency.

The reporting authority may give its consent to an application for a building permit for a small second dwelling that does not comply with regulation 86B (Accessibility for a small second dwelling) of the Regulations if at least one of the following criteria apply:

- a path running between a side street or rear street adjoining the allotment and the small second dwelling will be more appropriate, taking into account the prevailing building setback within that street and whether the side street or rear street is accessible by emergency services vehicles; or
- a path running between a side street or rear street adjoining the allotment and the small second dwelling will be more appropriate for ease of accessibility for the occupant and for emergency services vehicles, taking into account the preferred character of the area, where it has been identified in the relevant planning scheme; or
- the path is constrained by the shape and or dimensions of the allotment; or
- the path will be more appropriate, taking into account the desire or need to retain vegetation on the allotment; or
- a sealed path is in conflict with the permeability objectives and decision guidelines.

Note: In considering accessibility for emergency services, the reporting authority may have regard to the Victoria Planning Provisions and any guidelines prepared by emergency services authorities.