

WHAT IS RESCODE?

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ResCode is a new set of planning scheme provisions and building regulations dealing with residential development. The new provisions, which relate to subdivision, single dwellings and medium density development, came into effect on 24 August 2001.

ResCode replaces the Good Design Guide and VicCode 1. It amends municipal planning schemes and the Victorian Building Regulations. While there are no substantive changes to the subdivisional standards, ResCode does introduce new objectives and standards into all planning schemes for single dwellings and unit development. As well as applying to new development, the ResCode provisions affect extensions to existing houses.

WHY WAS RESCODE INTRODUCED?

ResCode introduces improved standards for houses and subdivision. In particular it incorporates:

- basic amenity standards,
- a greater emphasis on neighbourhood character,
- mandatory neighbourhood and site description and design responses for all applications,
- new environmental standards.

A number of the standards within the ResCode provisions may be varied at a local level by councils. Some of the basic Standards cannot be varied.

WHEN IS RESCODE TRIGGERED?

The new ResCode provisions apply to all applications for a building permit for a single dwelling and planning permit applications for unit development and for single dwellings in some instances. However, most proposals for one house will continue not to require a

planning permit if the lot size is below 300 or 500 square metres (depending on which figure is chosen by the relevant council), or if the development is not included in a planning scheme overlay, such as a Neighbourhood Character Overlay or Heritage Overlay.

HOW DOES RESCODE WORK?

All applications for a building permit will now have to be assessed by reference to 15 basic standards.

Similarly, all new planning permit applications after 24 August 2001 will be assessed against 20 new standards (for single dwellings where a permit is required) or 34 new standards (for multiple dwellings). 14 of these standards are 'basic standards' and cannot be locally varied. Other standards, however, may be varied by a council to take into account local character considerations. Any variations will be found in the relevant planning scheme in the Schedule to the Residential 1 or 2 zone that applies to the land, or in the Schedule to the Neighbourhood Character Overlay.

WHAT ARE THE NEW STANDARDS?

The new ResCode building standards relate to a range of design requirements, such as: street setback, building height, site coverage, fences, overlooking, and overshadowing.

The new ResCode planning standards relate to a range of planning requirements including all of the building standards (such as the those listed above), neighbourhood character, significant trees, energy efficiency, dwelling diversity and infrastructure.

Arguably, ResCode places greater emphasis on neighbourhood character than did the Good Design Guide.

WHY IS THE NEIGHBOURHOOD CHARACTER STANDARD IMPORTANT?

Arguably, ResCode places greater emphasis on neighbourhood character than did the Good Design Guide. The Rescode Standard places an emphasis on being respectful of the existing neighbourhood character unless the council identifies a preferred future character for an area in its local policies or by way of a character study. A site analysis and design response for each residential proposal must be 'approved' before a permit application will be considered by a council, to ensure that decisions are made on the basis of accurate information.

In addition to the Neighbourhood Character Standard, the option of applying a Neighbourhood Character Overlay has been included in schemes. If such an overlay applies, a permit is required even for single dwellings on lots which are over 300 or 500 square metres. A permit will be required to demolish any building on land affected by the overlay.

IS ANY ADDITIONAL INFORMATION REQUIRED IN AN APPLICATION?

All applications for a permit under ResCode must be accompanied by:

- a Neighbourhood and Site Description; and
- a Design Response.

Applications for a permit to subdivide will require a Site and Context Description.

This article first appeared in Maddock Lonie & Chisholm's *Property Update* (October 2001). It is reprinted here with permission.

EDITORS NOTE

These provisions apply to the state of Victoria.
