RESCODE :- Victorias new siting and building regulations for single dwellings not requiring a planning permit.

On the 24th August 2001, the Victorian Government introduced new building and planning regulations which operate state wide. While similar in most aspects to the previous regulations (Vic-code 1 and the Good Design Guide), Rescode has a number of changes which greatly affect the design and sitting of most buildings. For the first time, Rescode also applies the same rules to single houses as it does to multi-dwelling projects, it is this factor that brings about the biggest change to single dwelling projects.
This page is not designed to explain Rescode in depth, but is to highlight some of the major changes that will most likely impact on the design of your project, leading to longer time-frames, and an overall increase in costs associated with construction.

Street Setbacks
Front garden setbacks have been increased to an minimum distance of 9 metres or the average setback of the houses each side of your property, whichever is the lesser. This means that if your neighbours houses are setback 7.5 metres and 8.5 metres , then you can build at a setback of 8 metres measured to your front wall. Verandahs less than 3.6 metres high may project within the setback a maximum of 2.5 metres . In the past front setbacks were generally 6 metres for the majority of new houses and additions.

Garages and Carports are subject to the same street setback as houses.

Should you require a street setback less than the new minimum, then sketch drawings of your proposal will need to be drawn and submitted to your local council for an approved variation, this will require your neighbours approval and additional fees to be paid to council. Council may or may not approve your requested setback.

Side Boundary Setbacks
Side boundary setbacks have remained similar to those of the previous regulations, with the exception of the setback to your southern boundary if a neighbours window is within 3 metres of that boundary. In this case a setback of 1 metre minimum plus 0.6 x the height of the building above 3.6 metres is required, the additional setback is to be provided for a distance of 3 metres each side to the neighbours window. This change in regulation has increased the average setback of a two storey house or addition by over 1 metre in general.

Garages and Carports are greatly affected by this regulation if your driveway is against your southern boundary, for example should your neighbour have a 1.8 metre wide bedroom or living room window within 3 metres of the boundary then you can not build on that boundary for a length of 7.8 metres . Unless you have a 4 metre wide driveway you can not build a garage or carport within this location.

Building to Boundary
Building to your title boundary is still allowed however the new rules are more restrictive than in the past.

A wall built to the boundary must not exceed 3.6 metres in height with an average in height of only 3 metres , this is a reduction in height from the previous regulations where the rule was a 3.6 metres maximum height with no average rule. If your property is level then under the new regulation your wall height cannot exceed 3 metres . Again this may cause problems in design should you be building with a timber floor or trying to match with 2.7 high ceilings or above. On the bright side most garages and carports can meet this rule.

The maximum length you are permitted to build along any one boundary has changed to 10 metres plus 25% of the remaining boundary, for example if your boundary is 40 metres long then you can build for 17.5 metres on the boundary. In the past the rule was 20 metres maximum with no consideration of the boundary length.

Building Heights
The height of buildings overall has been reduced from a maximum of 12 metres to a maximum of 9 metres , some exemptions apply to this rule should you live on a sloping site, however for the vast majority of level sites the 9 metres will apply. This may affect your design if for example the ridge line of your roof exceeds 9 metres , as a special concent from council will be required again increasing the time of your project and costing additional fees to be paid.

Over-Looking Adjoining Properties
New regulations now apply to over-looking for all new and altered dwellings, in the past there were no over-looking rules to single dwellings.

In brief, if you have a window or balcony in your house and the floor level is 0.8 metres above ground level and that window or balcony is within 9 metres of a neighbours window or private open space areas, then your window or balcony in the majority of cases will need to be screened or have obscure glass fitted to 1.7 metres above floor level. The 9 metre rule not only applies looking straight out of the window but also at a 45 degree angle from the windows edge. Why 9 metres do you ask, well no body seems to know.

For the majority of single storey houses this rule will probably make no change, however for the vast majority of two storey houses or additions then this rule has a huge impact. Effectively, if you had a view you wished to see from up stairs and your window looks across another property, then that view must be screened from your sight.

As most properties in and around Melbourne are 15 metres wide, the 9 metre setback means that most first floor windows will require some form of screening, this may even include front windows if your neighbours front gardens are fenced and can be used as private open space.

Over-Shadowing Adjoining Properties
A new dwelling or addition must not overshadowing an adjoining dwellings private open space areas more than the lesser of 75% of its area and 40 Square metres of 3 metres minimum width.

In the majority of cases this regulation doesn’t interfere greatly with the design, however it is leading to greater drawing costs as most councils and building surveyors are requiring shadow diagrams to be drawn to prove that the shadowing complies with regulations. We have even been requested to provide shadow drawings for garages and carports by some councils, even though a 3 metre high structure can not through a shadow over an adjoining 15 metre wide site that doesn’t comply with the rules.

Front FencesIn most cases front fences are now limited to a maximum height of 1.5 metres , with the only main exception being if your house is on a major road. Councils may have their own guidelines to heights of fences.

Variations to Rescode
All councils through-out Victoria are amending there planning schemes in line with Rescode , and some will be introducing their own local variations to the above regulations, these will be found in what is called The Schedule to a Residential 1 Zone. Local variations may be even more restrictive to your project, they will certainly not be less restrictive.

Should you wish to vary any of the Rescode Regulations, then you must apply to council for a 'Report and Consent' to be given. Council will consider your case and if it agrees that a variation will not interfere with the intent of Rescode approval may be granted, if refused, you can appeal your case to the 'Building Appeals Board'. Please remember that with all these variations, consents, and appeals come additional fees and charges.