

New Building Laws

ResCode

More recently, the state government has developed and implemented siting regulations known as ResCode. The ResCode provisions for residential development came into effect across Victoria on 24 August 2001, replacing the former VicCode 1 criteria. ResCode now applies to all building permit applications.

Rescode's key focus – to respect neighbourhood character, protect amenity and promote more sustainable development – will be met through changes to the Building Regulations and all planning schemes. Importantly, the standards to achieve these goals have been significantly strengthened compared with the good design guide and viccode 1.

- Protect solar access to habitable room windows
- Promote energy efficiency
- Overshadowing and overlooking standards will apply to single dwellings
- Increasing standards and adding new standards to better protect amenity, character and the environment

Not only does ResCode change the requirements of previous codes, it also addresses a number of new areas for the protection of amenity, neighbourhood character and environmental standards, introducing new siting and setback measures with new factors, such as overlooking, not traditionally considered under building legislation. These onerous standards now require a substantially detailed and well-documented application, with information, in most instances, including neighbouring property details.

The provision of information on siting matters is no longer as simple as it was under VicCode. ResCode is now the domain of the building industry. All persons wishing to build, whether it be a fence, shed, garage, new dwelling or addition to a dwelling, should seek the advice of a professional. The traps are numerous, and the requirements onerous.

Building work under \$5000

It is often misunderstood that any building work costing less than \$5000 does not require a building permit. For this to apply, building work must also satisfy the following requirements:

- Proposed building can not be attached to any dwelling.
- It **MUST** remain freestanding (i.e. Freestanding Carport)
- It **MUST** still satisfy the regulations and codes
- **MUST** be consistent with siting and planning requirements (planning permit, etc)

However, there has been mention within the industry that the \$5000 threshold may no longer apply even to building work that satisfies the above points.

There has been talk of new law, currently in draft, which may reduce the current threshold to \$0. This will force all building work to be subject to the issuing of a building permit.

Further information

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