

Ministerial Building Standard MBS 012

Temporary accommodation in existing places of worship

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**Government of
South Australia**

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1 SCOPE AND APPLICATION

- 1.1 This Standard is published as a Ministerial Building Standard that forms part of the *Building Rules* under Section 80 of the *Planning, Development and Infrastructure Act 2016* (the *Act*) and must be read in conjunction with the requirements of the *Act* and the *Planning, Development and Infrastructure (General) Regulations 2017* (the *Regulations*).
- 1.2 Section 80(1)(a)(i) of the *Act* provides for the publication of Ministerial Building Standards that relate to any aspect of *building work* including the regulation, control, restriction, or prohibition of *building work*.
- 1.3 *Places of worship* have often been used in emergency situations as places where people can seek shelter on a short-term basis due to homelessness caused by natural disasters or significant life events. In most cases the short-term nature of the emergency means that the fundamental use of the building does not change, either through a change in the land use or as a change in building classification.
- 1.4 This Ministerial Building Standard applies to:
- an existing single storey *place of worship* that has previously been classified as, and continues to operate as, a Class 9b *building* under the *Building Code*; and
 - proposes to offer shelter that would ordinarily be classified as a Class 3 *building* under the *Building Code* for a *temporary use*.
- 1.5 Where regulation 3E of the *Regulations* applies and a change of classification arises as a result of the *temporary use* of a *place of worship*, the requirements in **Section 2** of this Ministerial Building Standard must be satisfied to grant *building consent* (and no further assessment against the *Building Rules* is required).

2 TEMPORARY USE REQUIREMENTS

A *place of worship* providing a *temporary use* in accordance with **1.4**, must comply with the following requirements -

2.1 Access and egress

- The area within the *place of worship* providing the *temporary use* must be in accordance with **Table D2D18** (Dormitory) of the *Building Code*; and
- Egress must be in accordance with **D2D3** and **D2D5** of the *Building Code*; and
- Access for people with a disability must be in accordance with requirements under the *Disability Discrimination Act 1992* and Access to Premises (Buildings) Standards 2010.

2.2 Services and equipment

- Fire extinguishers must be in accordance with **E1D14 (2)(a)** of the *Building Code*, and **E1D14 (3)(b)** of the *Building Code* where kitchen facilities are provided; and
- A smoke hazard management system must be in accordance with **E2D8(a)** of the *Building Code*; and
- Exit* and directional signage must be in accordance with **E4D5** and **E4D6** of the *Building Code*.

2.3 Health and amenity

Accessible sanitary facilities must be in accordance with requirements under the *Disability Discrimination Act 1992* and Access to Premises (Buildings) Standards 2010.

APPENDIX A – INTERPRETATION

Accessible has the same meaning as defined in the *Building Code*.

Act means the *Planning, Development and Infrastructure Act 2016*.

Building has the same meaning as defined in Section 3 of the *Act*.

Building Code means the current version, or a previous version of the Building Code of Australia as published by the Australian Building Codes Board.

Building consent has the same meaning as defined in Section 3 of the *Act*.

Building Rules has the same meaning as defined in Section 3 of the *Act*.

Building work has the same meaning as defined in section 3 of the *Act*.

Exit has the same meaning as defined in the *Building Code*.

Place of worship has the same meaning as the Land Use Definitions Table in Part 7 of the Planning and Design Code.

Regulations means the *Planning, Development and Infrastructure (General) Regulations 2017*.

Storey has the same meaning as defined in the *Building Code*.

Temporary use means the premises is used for accommodation purposes, which may or may not include the provision of meals, for up to two nights a week for no more than 13 weeks per year.