PlanSA | Building User Forum

Special Edition - Business Readiness for 1 October 2024

Wednesday 14 August 2024



Welcome and Update

PlanSA

- 1 Welcome
- 2 Recent Updates
- 3 Certificate of Occupancy Class 1a
- 4 NCC 2022 Livable Housing & Energy Efficiency
- **5** Questions

Acknowledgement of Country

PlanSA

We acknowledge this land that we meet on today is the traditional lands for the Kaurna people and that we respect their spiritual relationship with this Country.

We also acknowledge the Kaurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kaurna people today.

PlanSA

Recent Updates

Temporary Accommodation in Places of Worship

To support the operation of a 'winter shelter' program where church groups provide a night of accommodation and meals on rotation for people without access to housing, the State Planning Commission have published the following:

Planning Rules

Clarifies that for the purpose of the definition of 'Place of worship' in the Code it includes the use of the building as accommodation up to two nights a week for no more than 13 weeks a year for homeless people

Building Rules

Clarifies assessment requirements where a Class 9b building classified as a place of worship is used as temporary accommodation.

Practice Guideline 2 - Place of worship

MBS 012 - Temporary Accommodation in existing places of worship





Release Update – Features and Fixes

Release 3.90 to 3.90.1 Date: 20 June to 27 June 2024

Visit the **Release** link in the footer of PlanSA for more details



Enhancements were made to the 'Request Application Withdrawal' and 'Request Authorisation Cancellation' process, including:

- a new user interface
- requirement for the relevant authority to upload the applicant's request when making a request on their behalf
- an event record is created, including the reason for the request
- an increase in recipients for system generated emails

How to - Request an application withdrawal (PDF, 582 KB)

How to - Process a request to withdraw application (PDF, 593 KB)

How to - Request cancellation of a development authorisation (PDF, 309 KB)

How to - Process a request to cancel a development authorisation (PDF, 309 KB)

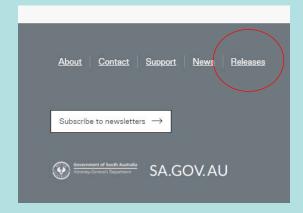
Accredited Professional Fee Report – Organisation

Back on-line

Release Update – What's to come

PlanSA system enhancements

Visit the **Release** link in the footer of PlanSA for more details



PlanSA Enhancements – completed (PDF, 160 KB)

PlanSA Enhancements – in progress (PDF, 111 KB)

PlanSA Enhancements – planned (PDF, 246 KB)

COMPLETED SYSTEM ENHANCEMENTS

As of 1 July 2024

More than 954 enhancements have been made to the system since implementation in March 2021. The list below provides details of all completed to date.

2024 - Project Update

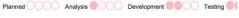
Project	Description	Categ
Withdrawing and cancelling applications	Reviewing and amending existing processes within the Development Application Processing (DAP) for withdrawing consents under assessment and cancelling development authorisations that have been issued.	Regula
Subscription service improvements – applications on public notification	Provide a subscription facility to allow the public to receive updates on applications commencing public notification in their selected council(s).	User e
Appian Platform Upgrade Version 23.4	Upgrade to the Appian platform system.	Syster
Performance Indicators Report (Council Area)	Deliver the council version of the system indicators report.	User e
Land Division Certificate improvements	Improvements to the land division certificate process.	User e
Tree data capture reporting	Amendments to the Council Areas report to include information (and underlying data) related to number of trees removed/replanted/retained and payments into Urban Tree Fund/Planning and Development Fund and the Urban Tree Canopy Offset Scheme.	User e
Extension of time	Review of the extension of time process and the operative dates of consents/authorisations to provide greater flexibility for applicants and relevant authorities to initiate and assess extensions of time.	Regula
₹ PlanSA	plan.sa.gov.au	

IN-PROGRESS SYSTEM ENHANCEMENTS

As of 1 July 2024

PlanSA is currently working on a broad suite of system enhanceme⁻ support core focus areas including delivering the enhancements fπ Panel's Final Report and Recommendations 2023.

The nature of each enhancement will determine the work effort req therefore the timeframes for its implementation. This roadmap incluproposed delivery date and the status for each enhancement.



Expert Panel

Project	Description
Relevant Authorities evidence upload for subsequent requests for RFI	Improvements to the subsequent RFI request wi 'details of further request' hidden from but consent (allowed multiple requests-not re improved relevant authority messaging of requirements on initiating a subsequent re improved transparency of 'subsequent re email and letter communications to primal and applicants.
DAP Dashboard usability (Relevant Authority)	Improve the homepage dashboard of the DAP senable Relevant Authority users to better manage workloads.
DAP Dashboard usability (Referral Body users)	Improve the homepage dashboard of the DAP s Referral Body users to enable them to better ma workloads.
Online P&D Code – Code formatting updates	Provide additional navigation options in "Browse Planning and Design Code" and adding section in the full Code pdf.
Flexibility in Consent Assessment	Enabling requests for documentation and the ab conditions and notes when consent status is "Aw Precursor Consent".
Wastewater Development Applications	Development Approval should not be issued in t of the provision and assessment of wastewater should be recorded on the e-Planning portal.



PLANNED SYSTEM ENHANCEMENTS

As of 1 July 2024

The following PlanSA system enhancements are planned for completion in the future

Expert Panel

Project	Description
Document management improvements	Document management features will be built into the SA Planning portal to improve upload file capacity.
Document management improvements	Document management features will be built into the SA Planning portal to improve uploading emails.
Flexible workflow for Relevant Authorities	Collaboration with Relevant Authorities on a more flexible workflow.
Schedule 8 document management in verification	Streamline requests for mandatory documentation in verification by developing a checklist of required documentation.
Self-Serve User Errors	Enable specific users to rectify errors after approval from the relevant authority.
Design Standards	Update the DAP system to incorporate processes to accommodate future Design Standards.

User Experience

Project	Description
Accreditation management	Improve the system to manage complaints, accreditations, auditing and payment processes.
Appeals process	Improvements and updates to the appeals process.
Building consent simplifications	Improve the building consent process from verification to assessment, layout of the assessment information page and domestic developments
Building Notifications API	Create a generic Building Notification API that can be used by external third-party systems to submit building notifications.



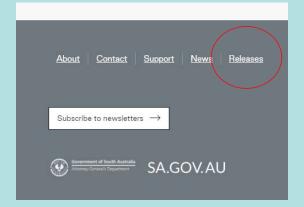
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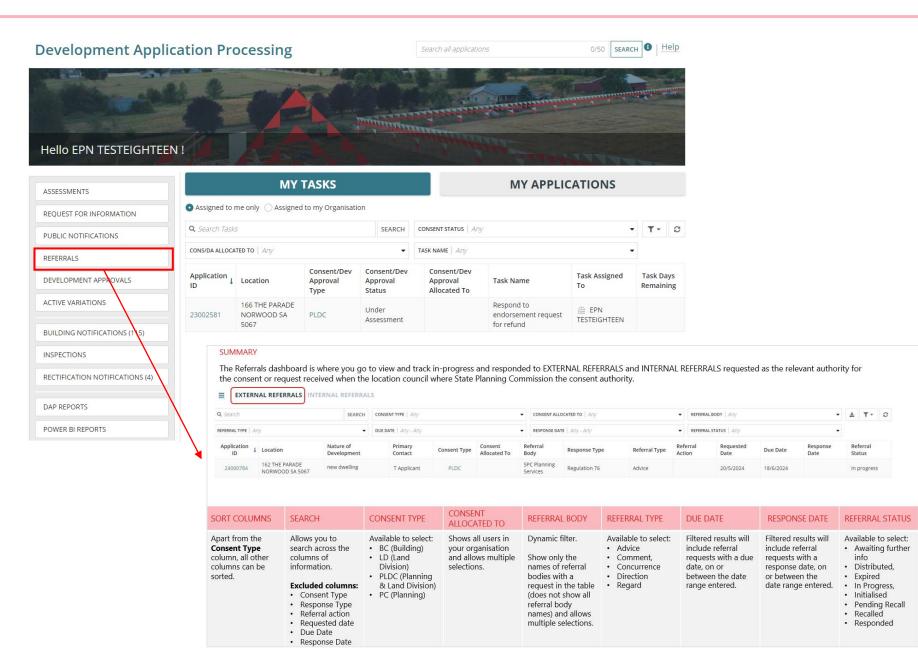


Release Update – BETA Dashboard

PlanSA system enhancements

Visit the **Release** link in the footer of PlanSA for more details





PlanSA

Certificate of Occupancy – Class 1a

Certificate of Occupancy – Key Information



From the **1 October 2024** a Certificate of Occupancy will be required for all Class 1a buildings where the application for building consent is lodged and verified in the SA planning portal.

The certificate of occupancy confirms:

- The duly completed Statement/s of Compliance for the completed building work has been received
- Non-conformances or issues identified through inspection have been satisfied.
- Conditions relevant to occupation of the building have been met
- Statement of Building Occupancy requirements have been met

This is a new process for Class 1a buildings and brings South Australia in line with other jurisdictions.

Process and Form Updates



There have been a number of updates to forms and documents in preparation for <u>Certificate of Occupancy</u> requirements for Class 1a buildings:

Statement of Compliance

STATEMENT OF COMPLIANCE Planning, Development and Infrastructure Act 2016 This form constitutes a Statement of Compliance under section 148(2) of the Planning, Development and Infrastructure Act 2016 (the Act) and is the form approved for that Statement in accordance with regulation 104(3) of the Planning, Development and Infrastructure (General) Regulations 2017 (the Regulations) This Statement of Compliance is provided for the building or building work described below Address or location of building: Click here to enter text Description of building work: Click here to enter text. Development number: Click here to enter text. Date of development approval: Click here to enter text. Date of building consent: Click here to enter text In accordance with the Decision Notification Form issued in accordance with section 126 of the Act and regulation 57 of the Regulations for the building consent, this Statement is accompanied by the following attached certificates, reports or other documents: Part A - Licensed building work contractor's statement: This part of the Statement must be completed and signed by the main building work contractor responsible for carrying out the relevant building work, or if there is no such person, by a registered building work supervisor (which includes a registered architect) or a building certifier. The person signing Part A must not be the same person who is signing Part B of the Statement. 1. The building work described above (disregarding any variation of a minor nature that has no adverse effect on the structural soundness of the building, or on the health of the occupants of the building, or any variation undertaken with the consent of the relevant authority) has been performed in accordance with the endorsed set of approved plans (including satisfying all conditions relevant to the building work the subject of this Statement of Compliance) and other relevant documentation under regulation 57(4)(a) of the Regulations; For a Class 1 building, the building: completed by (a) has required fire separation between the adjacent building(s) or adjoining building(s) and allotment boundaries to ensure setbacks are achieved (b) has all construction associated with fire separation in place as required by (c) has all required smoke alarms installed, interconnected (where required) (d) has all relevant bushfire protection requirements installed and operations as approved, including on-site water supply, pumps, pipework, hoses and

Published: 5 April 2024

Statement of Building Occupancy Requirements

STATEMENT OF BUILDING OCCUPANCY REQUREMENTS FOR **CLASS 1a BUILDINGS** Planning, Development and Infrastructure Act 2016 This Statement constitutes the Statement of Building Occupancy Requirements for Class 1a Buildings under the Building Code for the purposes of regulation 103B of the Planning, Development and Infrastructure (General) Regulations 2017 (the Regulations) and the requirements in this Statement are prescribed requirements for the purposes of section 152(6) of the Planning Development and Infrastructure Act 2016 (the Act) This statement of building occupancy requirements will take effect on 1 October 2024 PART A - Chief Executive's occupancy requirements for class 1a buildings For the purposes of section 152 of the Act and regulation 103B of the Regulations, the Chief Exec determined that a building must comply with the following requirements before a Certificate of Occupancy may be 1. Other than where regulation 103A(3) of the Regulations applies, the building must have a duly completed a. Part A has been signed by the licensed building work contractor responsible for carrying out the relevant building work or, if there is no such person, by a registered building work supervisor or a building certifier; and b. Part B has been signed by the owner of the relevant land, or by someone acting on his or her c. All aspects have been completed (meaning all items in Part A have either been marked as 'Yes', 'N/A' or 'To be completed by owner' as the case may be); and 2. Non-conformances or issues identified during construction of the building through council inspection that are relevant to the suitability of the building for occupation have been rectified or satisfactorily addressed; 3. Where the building is in the Hazards (Bushfire - Hish Risk) Overlay of the Planning and Design Code and item (d) relating to class 1a buildings in Part A clause 1 of the Statement of Compliance (regarding bushfire protection) has been identified as 'To be Completed by owner', the owner has provided a statutory declaration and/or such other evidence to the satisfaction of the relevant authority confirming all relevant bushfire protection requirements have been installed and are operational as approved, including on-site water supply, pumps, pipework, hoses and fittings as applicable; and 4. Where item (c) relating to class 1a buildings in Part A clause 1 of the Statement of Compliance (regarding smoke alarms) has been identified as 'To be Completed by owner', the owner has provided a statutory declaration and/or such other evidence to the satisfaction of the relevant authority confirming the smoke alarms have been installed, are interconnected (where required) and are operational

Certificate of Occupancy

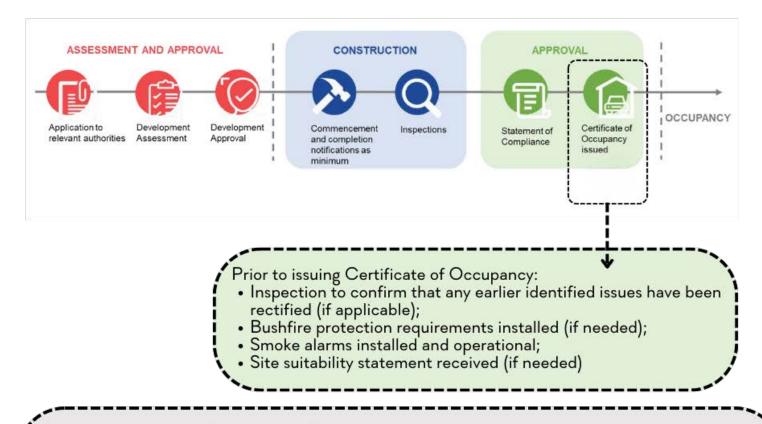
	CERTIFICATE OF OCCUPANCY
	Planning, Development and Infrastructure Act 2016
with r	orm is the approved form for a certificate of occupancy as determined by the Chief Executive in accordance guilation 103E(4) of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> (the lations).
This (Certificate of Occupancy is issued for the building described below:
Add	ress or location of building: Click here to enter text.
Des	cription of building work: Click here to enter text.
Date	of development authorisation: Click here to enter text. Development number: Office here to enter text.
Date	of previous Certificate of Occupancy issued (if relevant): Click here to enter text.
Date	the previous Certificate of Occupancy was revoked (if relevant): Click here to enter text.
Build	ting classification: Click here to enter text.
	ang classification: Click here to enter text.
text.	immum number of building occupants (not required to be completed for class fa building): Click here to enter a signing and issuing a Certificate of Occupancy, the following checklist must be completed:
Sefore The	imum number of building occupants (not required to be completed for class of a building): Click here to enter
The For	mmm number of building occupants (not required to be completed for class fa building): Click here to enter e signing and issuing a Certificate of Occupancy, the following checkist must be completed: following requirements have been met (lick the relevant boxes): all classes of buildings: Other than where regulation 103A(3) of the Regulations applies, duly completed Statement's of Compliance for the completed building work has been received Part A of the Statement was signed by click here to enter text. who is: a licensed building work supervisor; or a building certifier. Part B of the Statement was signed by Click here to enter text. who is:

From 1 October 2024

From 1 October 2024

What is required to issue a Certificate of Occupancy?





Councils must issue a Certificate of Occupancy when a building meets the requirements.

Councils may choose to inspect a building prior to issuing a Certificate of Occupancy; however, this is at the discretion of the Council.

Private Certifiers may issue a Certificate of Occupancy. If it is a private certifier is used, they need to make sure that a copy of the certificate and relevant documentation are also provided to the council.

Applications and Exclusions



- A Certificate of Occupancy will apply for all Class 1a buildings and building work where the application for building consent is lodged and verified on or after 1
 October 2024.
- Class 10 buildings do not require a Certificate of Occupancy.
- A Certificate of Occupancy will be required for applications involving alterations and additions where building work involves the construction, demolition or removal of a building including where there are:
 - Additions to the existing floor area; and/or
 - Where there is a change in building classification (i.e. conversion of a shed to a habitable room)

FAQ - Scenarios



Q - A building is constructed in the *Hazards* (*Bushfire* – *High Risk*) overlay of the Planning and Design Code. Most of the work is complete, however the owner is responsible for the installation of the bushfire tank, and it is not yet delivered to the site. Can a Certificate of Occupancy be issued with conditions?

A - No. In this scenario the Statement of Building Occupancy Requirements for a Class 1a building have not been met and the Certificate of Occupancy should not be issued until the relevant authority for issuing the Certificate of Occupancy confirms that the tank has been installed and is operational. This can be done through a statutory declaration or a Statement of Compliance or any other evidence the authority is willing to accept.

Q – During a building inspection the council identified a structural issue, and the builder did not notify that rectification works had occurred. An application for a Certificate of Occupancy has been received How is this resolved?

A – The Certificate of Occupancy cannot be issued until the council is satisfied that the outstanding structural defect has been addressed. This may involve seeking a structural engineering report or by requiring the builder to expose the work that was rectified so that Council can adequately undertake a reinspection.

FAQ - Scenarios



Q - A Certificate of Occupancy has been issued for a dwelling. The homeowner has now made council aware that the dwelling has not been built in accordance with the approved plans or conditions have not been complied with. Should council have inspected the house prior to a Certificate of Occupancy being issued?

A – No. It is not always necessary to inspect a house prior to a Certificate of Occupancy being issued. Assessors need to be reasonably satisfied that the requirements for issuing a Certificate of Occupancy have been met, however council is still able to undertake enforcement action at <u>any</u> stage. If the non-compliance relates to a matter related to occupancy requirements, council may need to consider if the Certificate of Occupancy should be revoked.

DAP Updates and Enhancements

New **Certificate of Occupancy** form

Enhancements Scheduled for release 2024

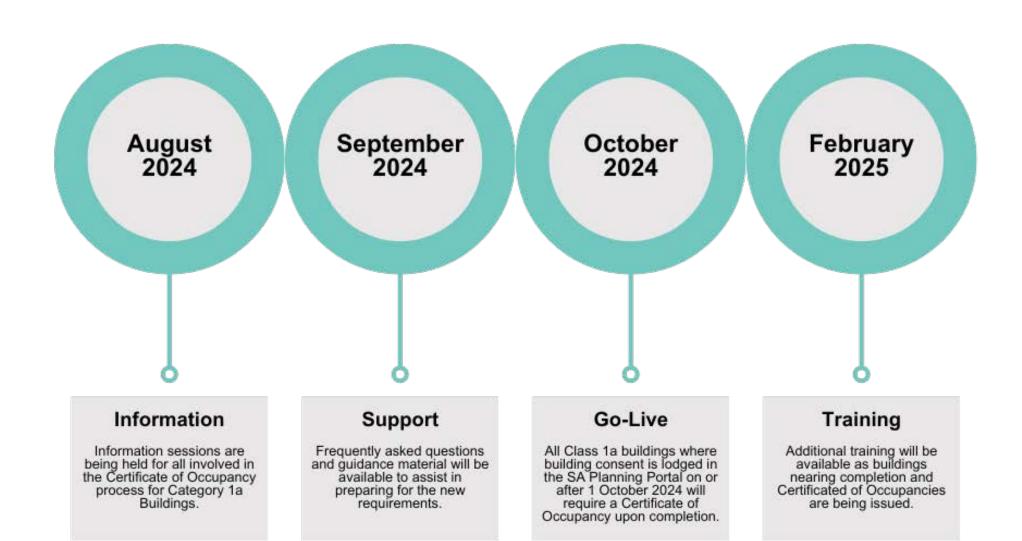
- Interface updates to improve information available to assessors
- Updates to email and letter templates
- Workload management updates to include ability to assign the CoO to assessor
- Improvements to validation process
- Improvements to inspections and unsatisfactory inspections/rectifications

Enhancements Scheduled for early 2025

- Beta dashboard for CoO
- Alternative ways to apply for CoO
- Clock fixes and expired CoO applications

Timeline and Key Dates





Training and Resources



Training and Resources

- Training will be available in early 2025 as buildings are nearing completion and a Certificate of Occupancy needs to be issued.
- Regular updates will be made to the Certificate of Occupancy page on the PlanSA website.
 - Training opportunities
 - FAQ & Guides for building professionals and homeowners
 - Planning Ahead and Building Standard newsletters

A survey will be circulated along with the slides within the next week so that we can tailor the training to meet your needs.

Contact Us:

If you have any questions, please contact us on 1800 752 664 or email PlanSA@sa.gov.au

PlanSA

NCC – Livable housing and energy efficiency provisions

NCC 2022 Modern Homes provisions



- NCC 2022 adopted on 1 May 2023 except for modern homes provisions.
- NCC 2022 modern homes provisions to be adopted on 1 October 2024.
- Concessions were developed in consultation with an implementation working group to consider and address industry and sector specific impacts.
- Implementation of the new provisions will be monitored.
- National and State reporting requirements related to NCC 2022 implementation.
- Practice updates and/or regulatory updates will be provided when required.
- Concessions / implementation of new provisions to be reviewed after 18 months.
- Commitment to housing sector that current energy efficiency and livable housing thresholds won't be increased for 10 years.

NCC 2022 Modern Homes provisions



- Energy efficiency (Section J or Part H6):
 - o increased thermal construction requirements to 7-star energy ratings.
 - o new whole-of-home annual energy use budget for selection of domestic services (heating / cooling, hot water, lighting, pool / spa pumps).
- Condensation management (Part F8 or H4 H4P7 / H4V5 / H4D9).
- Livable housing design (Part G7 or H8) to improve accessibility:
 - o step-free access paths and entrances, minimum door and hallway widths.
 - o accessible sanitary facility (entry level) and step-free shower, future grab rails.
- Class 1 buildings and sole-occupancy units of Class 2 buildings or Class 4 parts.

Ministerial Building Standards



- MBS 007 consultation 24 April to 8 May 2024.
- MBS 013 consultation 4 to 25 July 2024.



Modifications to the Building Code of Australia (MBS007)

- Modifies the NCC to provide SA concessions in relation to the provisions.
- Gives effect to the concessions to the liveable housing and energy efficiency provisions as of 1 October 2024.



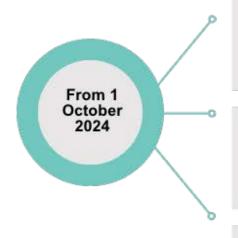
Application of NCC modern homes provisions to existing class 1 buildings (MBS013)

- MBS 013 specifies energy efficiency and livable housing design deemed-to-satisfy provisions for new building work to existing Class 1 dwellings to support compliance with the requirements of the National Construction Code (NCC) modern homes provisions where assessment is difficult due to the disparity between new and existing standards of construction.
- MBS013 is likely to be ratified early September 2024.

Energy Efficiency concessions

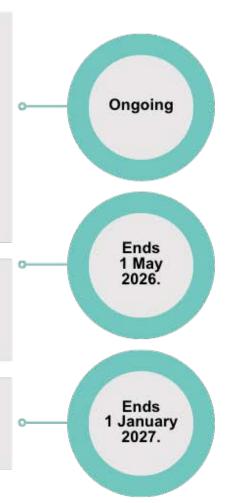


Concessions applying to Class 1a and 1b buildings:



- Concessions apply to Class 1 buildings that are buildings subject to development applications lodged before 1 October 2024.
- Building to be constructed as of 1 October 2024, on a small or irregular allotment.
- Building to be used as workers' accommodation or tourist accommodation.
- Transportable buildings with a floor area less than or equal to 60sqm.
- Transportable building located in Climate Zone 4, a specific local government area, or an area not located within a local government area.
- Building that is the subject of an application for building consent lodged prior to 1 May 2026 within the Master Planned Neighbourhood Zone in Mt Barker.
- Building on a small or irregular allotment that is the subject of an application for development for land division lodged before 1 January 2024 AND

 Building consent lodged before 1 January 2027.



Livable Housing concessions



Concessions applying to Class 1a buildings:



NCC 2022 H8D2 access path exemptions may apply.

Part H8 LHD does not apply to Class 1b buildings (Part D4 access for people with a disability)

- Subject to a development application lodged before 1 October 2024.
- Allotment on which class 1a building is to be constructed was a small or irregular allotment existing as of 1 October 2024
- Class1a transportable or small building that has a floor area less than or equal to 60sqm.

 Subject to an application for building consent lodged before 1 January 2027 on a small or irregular allotment for which an application for land division was lodged before 1 January 2024.

Ongoing Ends 1 January 2027.

Note:

- All building applications lodged after 1 October 2024 need to still comply with Part 6 of the Livable Housing Design Standard.
- A compliant toilet must be provided on the ground or lowest floor. There are no requirement to install a toilet on an entry level where no habitable rooms are located on that level.

Alterations & Additions – MBS 013



- Disparity between new provisions for alterations and additions and past standards applying to existing class 1 buildings will make compliance difficult.
- Recently engaged stakeholders on MBS 013 public consultation held in July.
- Currently revising MBS 013 based on feedback layout changed with tables and explanatory information as appendices. Additional online resources to be provided.
- Specific feedback relating to a range of technical requirements is being considered.
- Publication anticipated mid-September subject to Ministerial approval.

Alterations: Definition



- **Alteration** any change to an existing dwelling involving building work within the curtilage of the existing walls floor and roof or the relocation of a building on land that is required by the *Regulations* to comply with the *Building Rules*. An alteration can include:
 - o rearrangement of any space by constructing walls or partitions or by changing ceiling height
 - o addition or elimination of any door or window in a wall providing lateral load resistance
 - o change in roofing material
 - o work or actions that reduce the load-bearing capacity of a primary building element
 - o installation of additional equipment or fixtures, work or actions that impose additional loads on a primary building element.
 - o relocation of an existing dwelling that is re-erected, moved from one allotment to another or relocated on the same allotment.

(an alteration does not include repairs or minor alterations)

Alterations: Energy Efficiency



- Alterations, including to existing building fabric, must preserve or improve overall energy efficiency.
- Specific requirements and methods detailed in MBS 013 Energy Efficiency provisions.
- New domestic services must comply with ABCB Housing Provisions Part 13.7.

Relocated building considered an alteration – must comply with applicable MBS 013 provisions.

- Whole of home energy usage requirements apply when all domestic services are being replaced.
- Allowed energy usage applies when heating and cooling and heated water supply upgraded.

Additions: Energy Efficiency



• Addition means an extension or increase in floor area, number of storeys, or height of an existing dwelling.

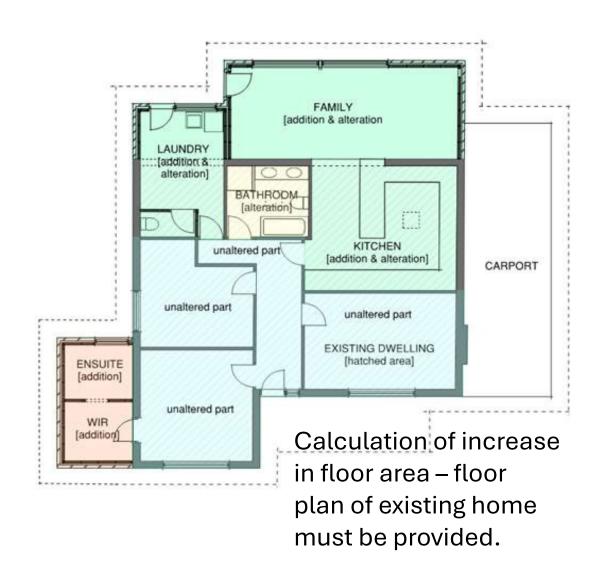
- Additions to existing homes must comply with NCC 2022 7-star energy efficiency provisions with performance requirements for additions detailed in MBS 013.
- Acceptable methods for connections to existing building fabric detailed in MBS 013.
- New building fabric must generally comply with the NCC 2022 provisions, with acceptable methods detailed in MBS 013.
- New domestic services must comply with ABCB Housing Provisions Part 13.7.

• Requirements for Class 10a garage converted to conditioned space or Class 1a habitable room.

Additions: Energy Efficiency



- Addition that increases floor area by up to and including 50%:
 - o Comply with NCC 2022 Energy Efficiency
 - Comply with MBS 013 Energy Efficiency
 - Use NatHERS (Specification 01) with specified MBS 013 DTS provisions.
- Addition that increases floor area by more than 50%:
 - Comply with NCC 2022 Energy Efficiency
 - Comply with MBS 013 Energy Efficiency



Alterations and Additions: Livable Housing Design



- Unaltered parts of an existing home need not comply with MBS 013.
- Alterations to an existing home that meets the NCC 2022 LHD provisions, must maintain compliance.
- Any new or altered dwelling access, dwelling entrance, internal door, corridor, toilet (sanitary compartment) or shower must comply with the NCC 2022.
- Specific requirements and methods detailed in MBS 013 Livable Housing Design provisions.

• Relocated building considered an alteration – must comply with applicable MBS 013 provisions.

Alterations and Additions: Livable Housing Design



- Step-free access path
 - New access path, allotment entry, garage or carport or parking space.
 - NCC 2022 exemption conditions.
- Parking space incorporated into step-free access path.
- Dwelling entrance.
 - o Connected to step-free access path.
 - Not required if existing complies.
- Internal doors and corridors.
 - o Path of travel to listed facilities.

- Compliant sanitary compartment
 - At least one located on ground or lowest level with habitable room.
 - New or alteration that increases floor area to achieve circulation space.
 - o Reinforcement of walls.
- Shower
 - At least one shower on any level.
 - Hobless and step-free entry.
 - o Reinforcement of walls.

Next steps and Further Information



- New NCC 2022 Modern Homes landing page on PlanSA website.
- Links to relevant advisory and guidance information / FAQs / training resources.
- Links to this page recommended in preference to duplicating information on other sites.
- We will continue to update you via this forum as well as Building Standard and Planning Ahead newsletters.
- Let us know what resources and training you need and any questions you would like answered through the PlanSA Service Desk PlanSA@sa.gov.au.
- A survey will also be circulated following this presentation.
- For more information, please see the <u>PlanSA website</u>

PlanSA **Questions**