

Ministerial Building Standard MBS 007 Modifications to the Building Code of Australia

About

The 2022 edition of the National Construction Code (NCC) introduced modern homes (new livable housing design, energy efficiency and condensation management) provisions. The adoption of these provisions was deferred in South Australia acknowledging the pressure on the building and construction sector at the time, including market capacity, supply chain disruption and workforce uncertainty. The modern homes provisions will commence on **1 October 2024**.

The modern homes provisions in the NCC 2022 include:

- improved entry and spaces inside homes, such as wider doors and corridors and step-free access
- requirements to reinforce a bathroom and toilet wall to allow for future installation of grab rails
- an increase from 6 to 7 star for energy related construction requirements under the Nationwide House Energy Rating Scheme (NatHERS)
- adoption of an annual energy use budget related to household building system design (heating and cooling, hot water, lighting)

Additional modifications were made to the MBS to further clarify issues associated with the South Australian variations for flood prone areas, wet areas and the fire safety concession for carports/verandahs.

How we engaged

In late 2023, an implementation working group was established to consider and address industry and sector specific impacts of the modern homes provisions. The group comprised representatives from the state's peak industry bodies, including the Housing Industry Association, the Master Builders Association, the Local Government Association, the Property Council of Australia, the Planning Institute of Australia, the Urban Development Institute Australia, the Australian Institute of Architects, the Surveyors Board, the State Planning Commission, and disability advocates Purple Orange.

The group also considered state specific issues such as small, narrow and irregular blocks, accommodation used by workers or tourists, and areas where geographic conditions are considered to pose challenges.

Accordingly, several concessions were developed to the new provisions and a draft MBS 007 was released for public consultation between 24 April 2024 and 8 May 2024 seeking feedback on the effectiveness and clarity of the new state-based provisions and concessions.

Feedback was received by written submissions via the PlanSA website. Building industry practitioners were advised in the Building Standard and the Planning Ahead PLUS e-newsletters.

Who we heard from

24 submissions were received during the consultation period. Respondents included private certifiers, councils, building professionals including energy assessors, engineers, disability associations, architects and builders.

What we heard

Most feedback centred around how the modern homes provisions will apply to alterations and/or additions to existing residential buildings (this is addressed in a new Ministerial building standard (MBS 013)). Several respondents were supportive of the concessions with minor editorial corrections, and others made suggestions for amendments to the state variation to the wet areas provisions. The remaining feedback was evenly split between support for the adoption of the concessions as drafted, the adoption of the national provisions in their entirety, or the ongoing application of NCC 2019.

As a result of the feedback received, amendments were made to the draft MBS 007, including clarification of entry and wet area thresholds, editorial corrections to definitions, updated expiry dates, and clarification on the provision of at least one compliant sanitary compartment and additional wall reinforcement for future grab rails.

MBS 007 was published in the Government Gazette on 25 July 2024.

Consideration of additional feedback

Following gazettal additional feedback was received. As a result, further amendments have been made to correct editorial errors and the energy efficiency requirements for Class 2 buildings. Further clarification has also been provided on the provisions for shower areas, including definitions and where sanitary compartments must be provided.

MBS 007 (Amendment 1) was published in the Government Gazette on 5 September 2024.

Next steps

A review of the concessions will occur within 18 months to ensure a smooth transition to the NCC 2022 provisions.

Contact

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