

Update for Applicants and Industry

NCC 2022 Modern Homes Transitional Arrangements

26 September 2024



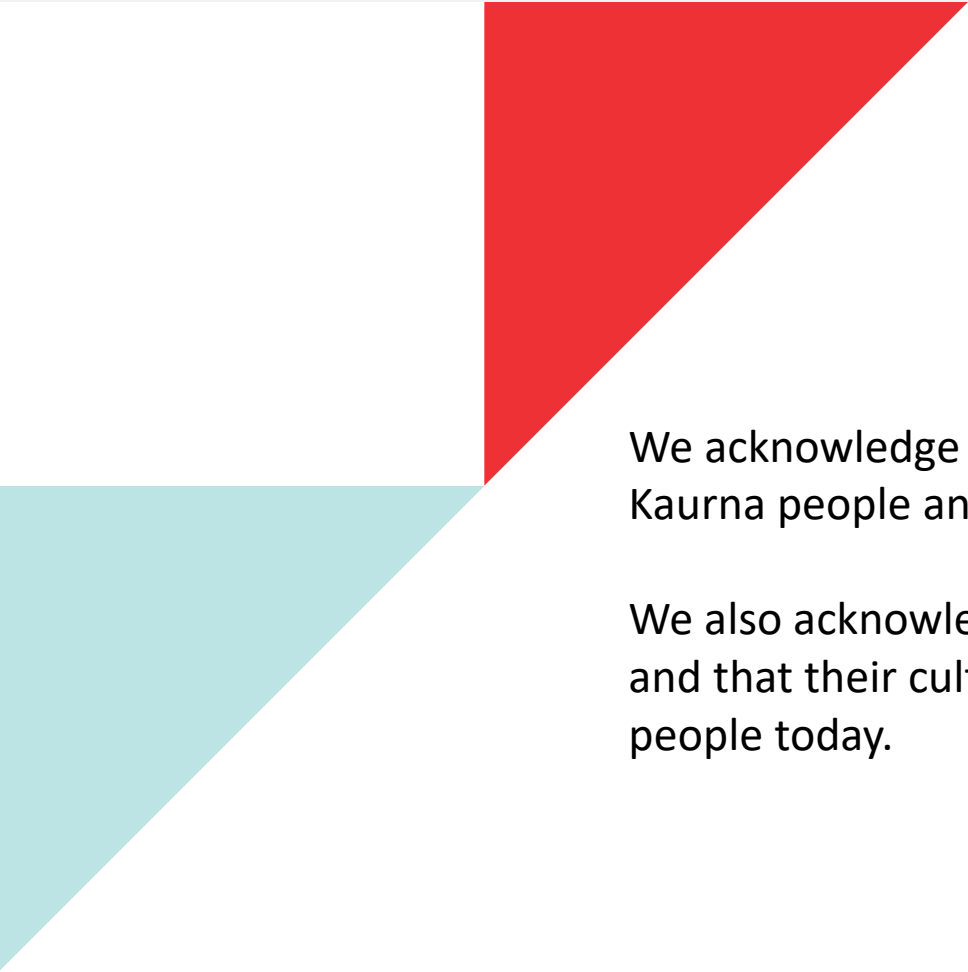
Welcome

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- 2 Transitional Arrangements
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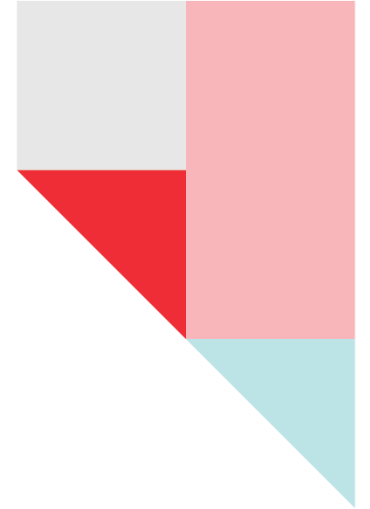
Acknowledgement of Country

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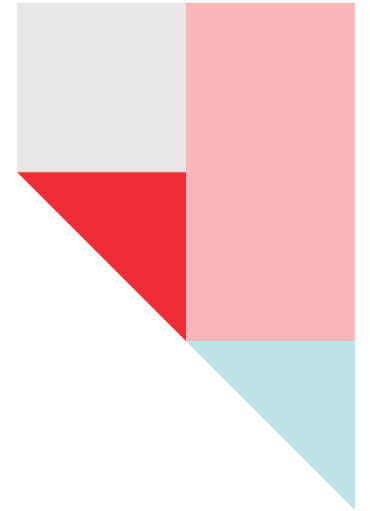


We acknowledge this land that we meet on today is the traditional lands for the Kurna people and that we respect their spiritual relationship with this Country.

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



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NCC 2022 – Modern Homes provisions

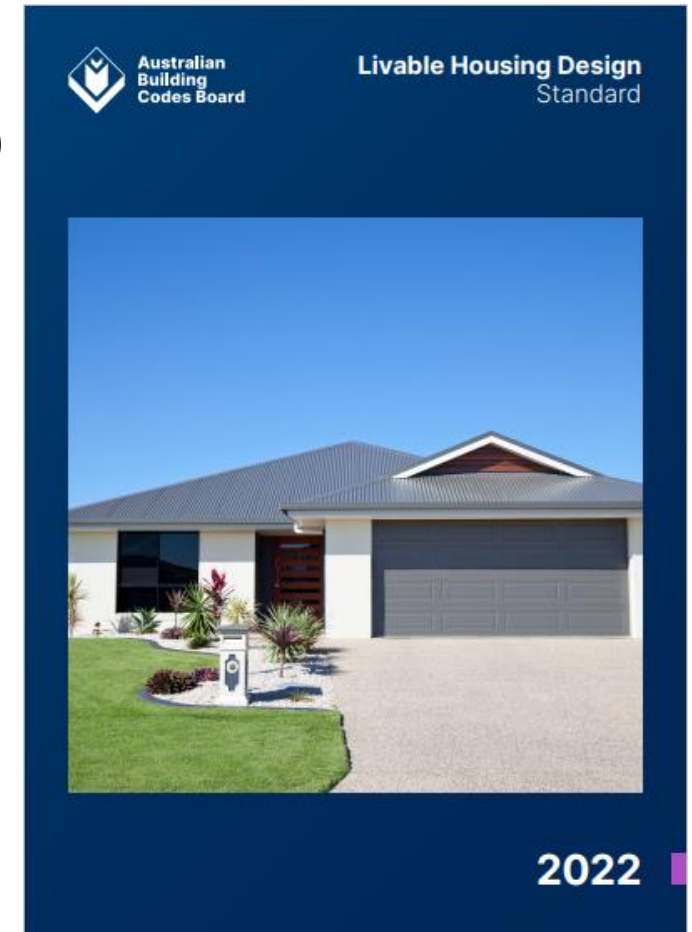
- NCC 2022 was adopted nationally on 1 May 2023 except for modern homes provisions (deferred nationally until 1 October 2023).
- South Australia provided additional 12-month transition period.
- NCC 2022 modern homes provisions to be adopted on 1 October 2024.
- Implementation for alterations and/or additions to existing Class 1 dwellings has been delayed to 1 May 2025 (announced 18 September 2024).
- 10-year moratorium on NCC provisions that may impede housing affordability announced August 2024 – minimum requirements will remain at NCC 2022 levels:
 - ✓ 7-star equivalent for energy efficiency (thermal performance)
 - ✓ ‘silver’ level for livable housing design.

- Transitional arrangements were developed in consultation with NCC 2022 Implementation Working Group to consider and address industry and sector specific impacts.
- Minister for Planning confirmed agreed outcomes following the Ministerial Liaison Group meeting on 6 November 2023.
 - ✓ General concession
 - ✓ Energy efficiency concession
 - ✓ Livable housing design concession
- Concessions and implementation of new provisions to be reviewed 18 months after implementation (mid 2026).

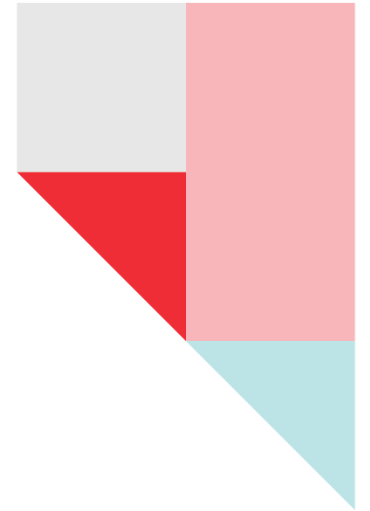
- **Energy efficiency** (Section J or Part H6):
 - ✓ increased thermal construction requirements to 7-star energy ratings
 - ✓ new whole-of-home annual energy use budget for domestic services (hot water, lighting, pool / spa pumps) for Class 1 buildings
 - ✓ Energy use requirements for key equipment for Class 2 buildings.
- **Condensation management** (Part F8 or Part H4 – H4P7 / H4V5 / H4D9).
- Apply to Class 1 buildings and sole-occupancy units of Class 2 buildings.
- ABCB Housing Provisions (Class 1 buildings)
- Guidance material available from www.abcb.gov.au
 - ✓ ABCB Housing Energy Efficiency Handbook
 - ✓ ABCB Apartment Energy Efficiency Handbook

NCC 2022 Modern Homes provisions

- **Livable housing design** (Part G7 or Part H8) to improve accessibility:
 - ✓ step-free access paths and entrances
 - ✓ minimum door and hallway widths
 - ✓ compliant toilet (entry or lowest level with habitable room)
 - ✓ step-free shower
 - ✓ wall reinforcement for future grab rails.
- Apply to Class 1a buildings and sole-occupancy units of Class 2 buildings (Class 1b - Part D4 access provisions)
- ABCB Standard for Livable Housing Design
- NCC 2022 access path exemptions
- Guidance material available from www.abcb.gov.au
 - ✓ ABCB Livable Housing Design Handbook



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Transitional Arrangements



Ministerial Building Standard 007

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.

Amendment 2 (planned gazettal 26 September 2024).



Ministerial Building Standard 013

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

- MBS 013 specifies energy efficiency and liveable 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.

MBS 013 will apply from 1 May 2025

New *Advisory Notice* to provide guidance in using MBS 013
(*Advisory Notice 03/12* remains for applying 6-star requirements).

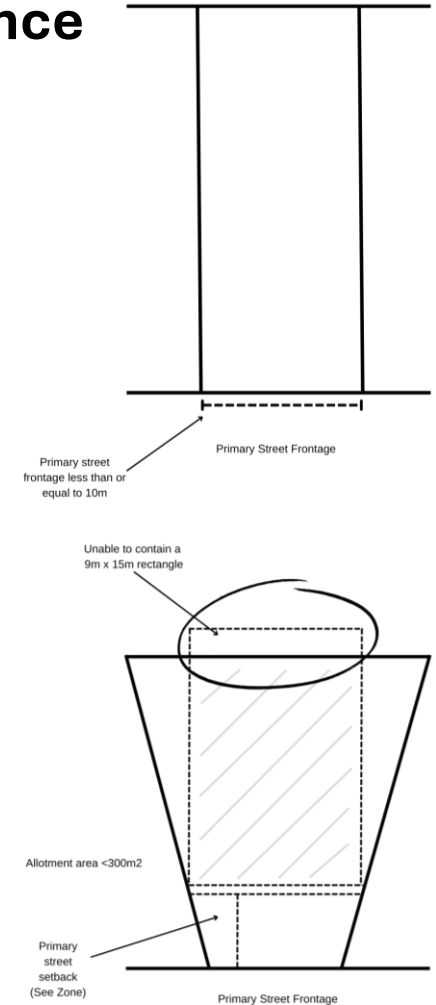
- Applies where a development application (for planning or building consent)
 - ✓ lodged prior to 1 October 2024 for new Class 1 homes
 - ✓ lodged prior to 1 October 2024 for individual apartments in Class 2 apartment buildings
 - ✓ lodged prior to 1 May 2025 for new building works to existing Class 1 homes (alterations and additions).
- Can be assessed under relevant parts of NCC 2019:
 - ✓ energy efficiency under NCC 2019
 - ✓ condensation management under NCC 2019
 - ✓ livable housing design provisions do not apply.

- For the purposes of MBS 007, **lodged** means an application has been lodged electronically via the SA planning portal, lodged with the relevant authority at the principal office of the relevant authority, or lodged with an accredited professional in such manner as the accredited professional may require as per regulations 29(1) and 29(2) of the *Planning, Development and Infrastructure (General) Regulations 2017*.
 - ✓ [Lodge online | PlanSA](#)
 - ✓ At principal office of [Relevant authority](#) (council or private certifier)
 - ✓ In manner required by [Accredited professional](#) (planning or building)
- Relevant authority or accredited professional must lodge application on SA planning portal within 5 business days after receipt (as per regulation 29(4)).
- Due to high volumes around 1 October 2024, processing of applications by the relevant authority can be expected to take longer than normal.

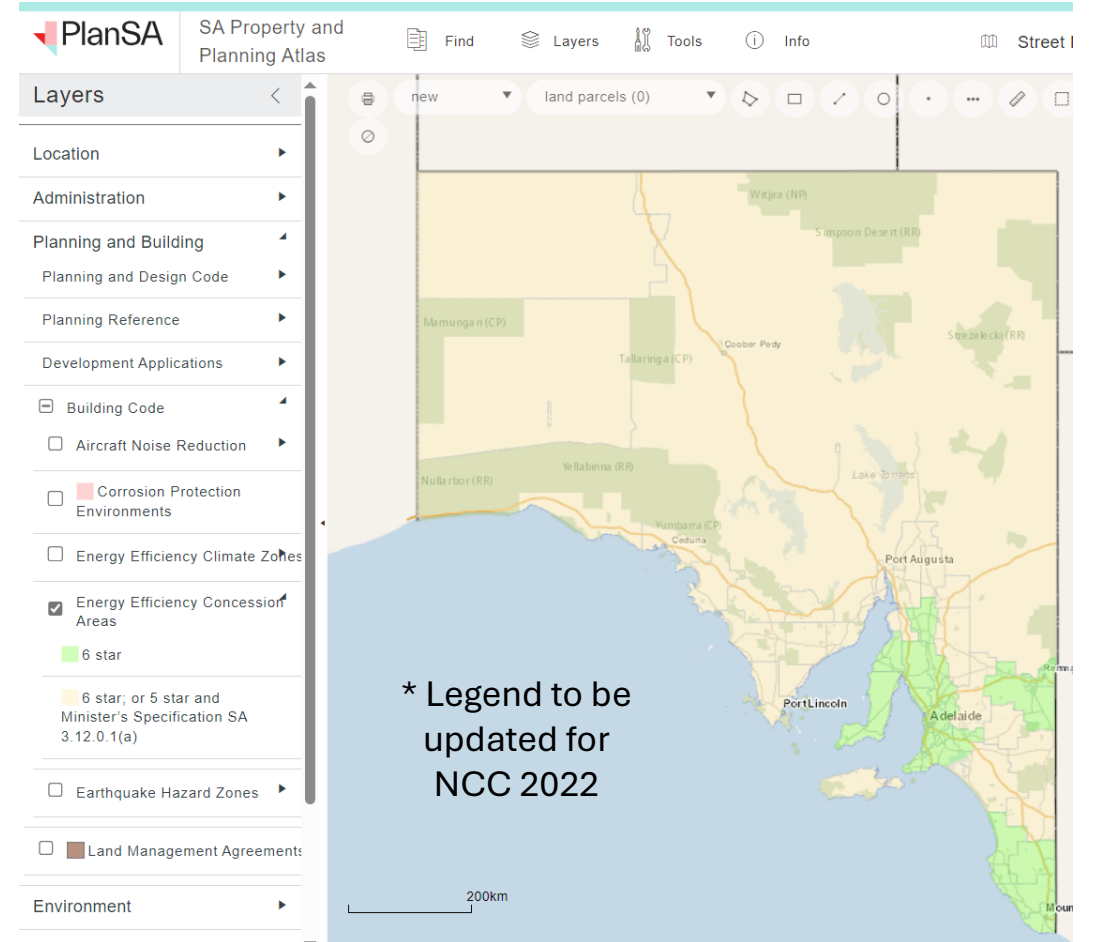
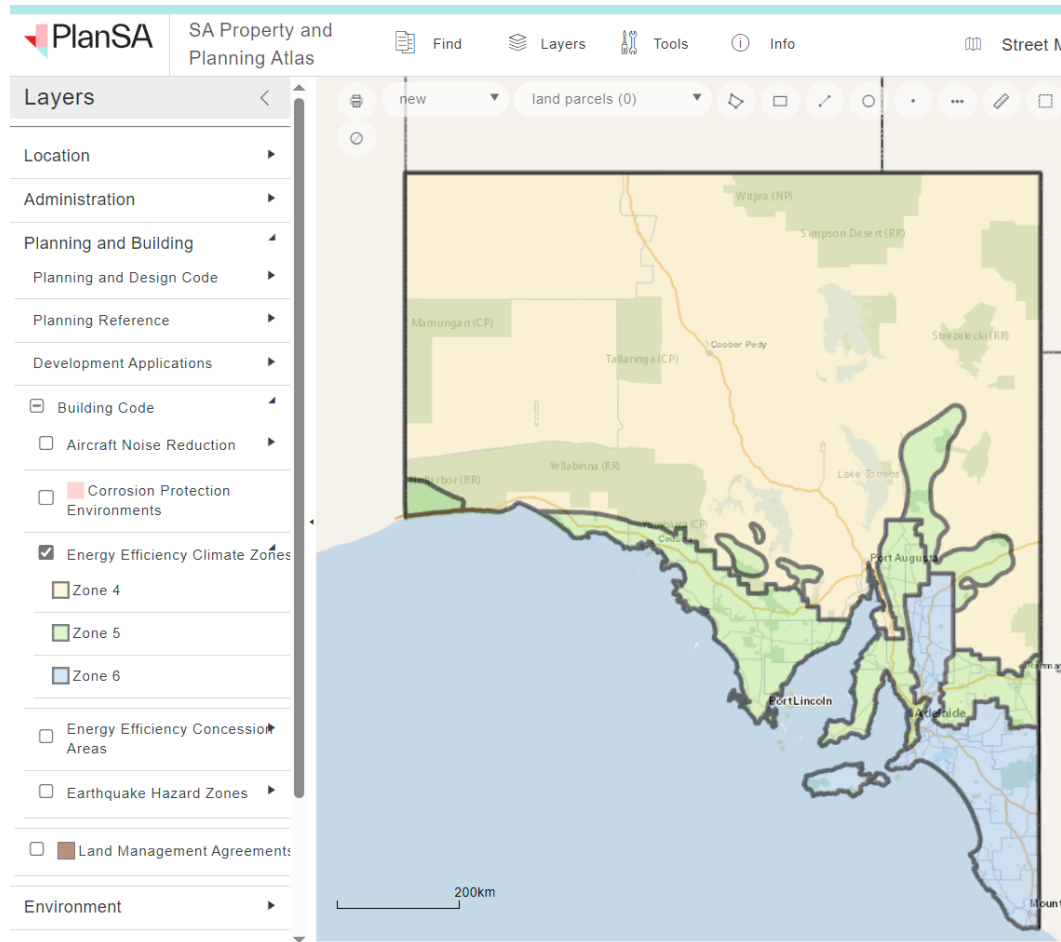
- Applications to vary a consent issued under general concession reviewed to confirm if they can be assessed as a variation or require a new application.
 - ✓ Variations can be assessed under relevant parts of NCC 2019.
 - ✓ New applications must comply with NCC 2022.

Energy Efficiency concession

- **Allows some homes to be built to the NCC 2019 thermal performance requirements (6-star) instead of NCC 2022 (7-star).**
 - Must comply with NCC 2022 energy usage and condensation management requirements.
 - Applies to Class 1a and Class 1b homes:
 - ✓ constructed on existing small or irregular allotment (as of 1 October 2024)
 - ✓ used as workers' accommodation or tourist accommodation
 - ✓ manufactured off site with a floor area of 60 sqm or less
 - ✓ manufactured off -site and located in a designated location.
- (Refer to MBS 007 for definitions)*



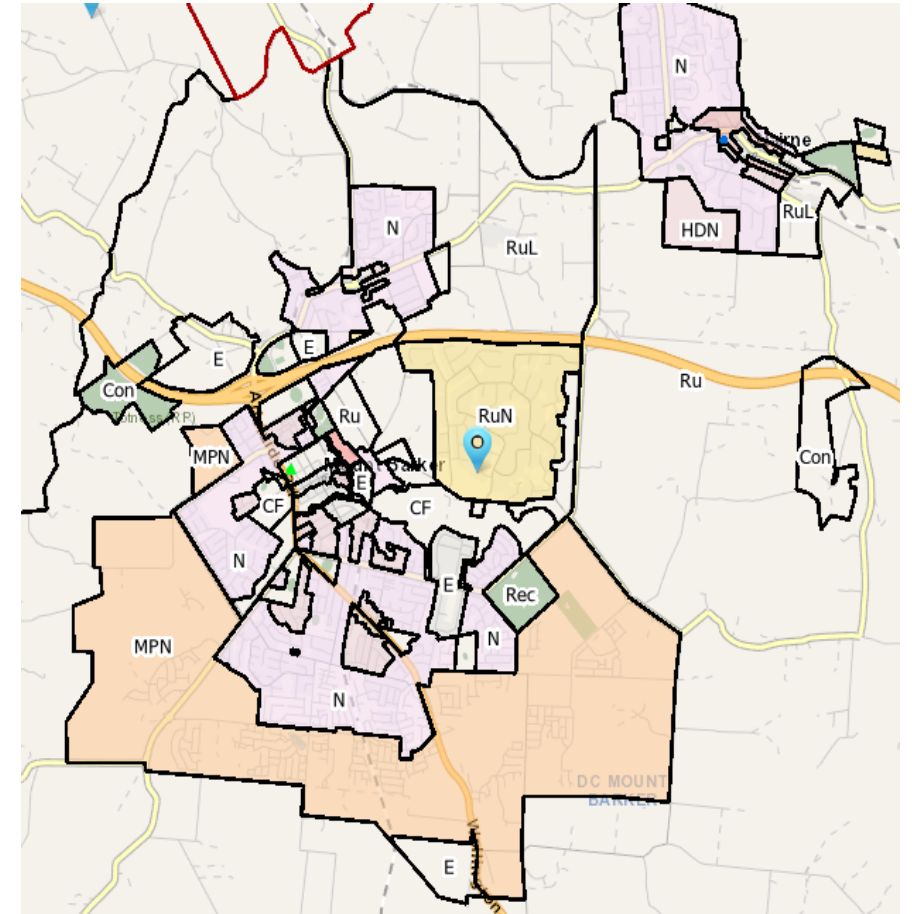
Energy Efficiency concession



- Instructions on how to use SAPPA can be found at [South Australian property and planning atlas | PlanSA](#).
- Zoning for a property is covered under the Layers to explore drop-down (to find Master Planned Neighbourhood Zone at Mt Barker).
- Energy efficiency layers can be found via Layers button at top of SAPPA window:
 - ✓ Layers > Planning and Building > Building Code > Energy Efficiency Climate Zones
 - ✓ Layers > Planning and Building > Building Code > Energy Efficiency Concession Areas
- Mapped Energy Efficiency Concession Areas will not change
 - ✓ legend to be updated to replace 6 star with 7 star and 5 star with 6 star
 - ✓ reference to Minister's Specification SA 3.12.0.1 (a) will become *Ministerial Building Standard MBS 007*.

Energy Efficiency concession

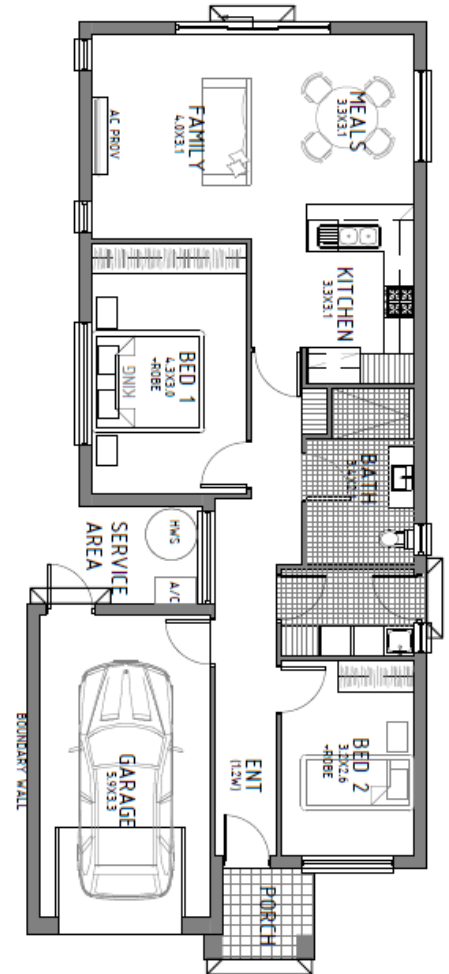
- Applies to Class 1a and Class 1b homes (time-limited):
 - ✓ constructed on small or irregular allotment created as part of land division lodged prior to 1 January 2024 – application for building consent must be lodged prior to 1 January 2027
 - ✓ located in Master Planned Neighbourhood Zone of Mount Barker – application for building consent must be lodged prior to 1 May 2026



Livable Housing concession

- **New livable housing design requirements will not apply to some homes.**
- Must still provide wall reinforcement to facilitate future grab rails.
- Applies to Class 1a homes:
 - ✓ constructed on small or irregular allotment created as part of land division lodged prior to 1 January 2024 – application for building consent must be lodged prior to 1 January 2027
 - ✓ constructed on existing small or irregular allotment (as of 1 October 2024)
 - ✓ used as workers' accommodation or tourist accommodation
 - ✓ manufactured off-site with a floor area of 60 sqm or less.

(Refer to MBS 007 for definitions)



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Further Information

Further Information

- **NCC Modern Homes landing page**

plan.sa.gov.au/en/ncc-modern-homes

- ✓ Links to relevant advisory and guidance information / FAQs / resources.
- ✓ MBS 013 update early 2025.
- ✓ Let us know what information and resources you would like to see
DHUD.BuildingConsultation@sa.gov.au

- Updates via Building Standard and Planning Ahead newsletters.

- Queries through the PlanSA Service Desk PlanSA@sa.gov.au for response.



The screenshot shows the PlanSA website header with navigation links: Development applications, State snapshot, Have your say, Our planning system, and Resources. Below the header is a breadcrumb trail: Home > Resources > NCC 2022 modern homes provisions. The main heading is "NCC 2022 modern homes provisions". The text below reads: "The Modern Homes provisions in the [National Construction Code \(NCC\) 2022](#) commence in South Australia on 1 October 2024. The new provisions will ensure that our homes are more comfortable for our changing climate, as well as easier to use and more adaptable to our changing needs, supporting housing choice and ageing in place for everyone." To the right, under "Related content", there are links for [Building](#), [Building Code](#), and [Certificate of Occupancy](#).