



This practice direction is issued by the State Planning Commission (the Commission) under section 153 of the *Planning, Development and Infrastructure Act 2016* (the Act) to ensure that staged occupation of multi-storey buildings takes place in a safe and co-ordinated manner.

Introduction

Section 42 of the Act allows the Commission to issue practice directions for the purposes of the Act. Generally, practice directions specify procedural requirements or steps in connection with a matter arising under the Act. In certain cases, the Act requires a particular matter to be addressed or dealt with by a practice direction.

Section 153 provides for the temporary occupation of buildings, subject to approval of the council, prior to a certificate of occupancy being issued. This Practice Direction supersedes Minister's Specification SA 83, issued under the *Development Act 1993* in June 1995.

Section 154 provides that a building certifier may exercise the powers of a council under section 153 in relation a building owned or occupied by the Crown or an agency or instrumentality of the Crown; or a building to which the building certifier has issued a building consent.

Practice direction

Part 1 – Preliminary

1 – Citation

This practice direction may be cited as the *State Planning Commission Practice Direction 10 (Staged occupation of multi-storey buildings) 2020*.

2 – Commencement of operation

This practice direction commences operation on the day the Phase Two (Rural Areas) Planning and Design Code Amendment comes into effect pursuant to section 73(12) of the *Planning, Development and Infrastructure Act 2016*.

3 – Object of practice direction

The object of this practice direction is to enable the staged occupation of a partially completed building takes place in a safe and coordinated manner so that the part of the building to be occupied is as safe as if it was a building in its own right and is adequately separated from construction areas.

4 – Interpretation

In this practice direction, unless the contrary intention appears –

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

Regulations means the Planning Development and Infrastructure (General) Regulations 2017

Fire brigade means the South Australian Metropolitan Fire Service or the Country Fire Service, as applicable.

Note: Section 14 of the Acts Interpretation Act 1915 provides that an expression used in an instrument made under an Act has, unless the contrary intention appears, the same meaning as in the Act under which the instrument was made.

Part 2 – Staged occupation of multi-storey buildings

5 – Conditions that must be met for the staged occupation of a partially completed building

- (1) The occupation of the building must be from the ground floor upwards with no construction space between the occupied levels. Basement levels may be used as construction administration areas as per clause (4) below.
- (2) The lower floors of a partially completed multistorey building must not be occupied unless all of the following requirements are met:
 - (a) The council or building certifier has agreed to such partial occupancy.
 - (b) A clearly defined main entrance is provided for occupants and emergency services to access the building.
 - (c) All required internal fire safety facilities are operational and accessible, including fire control rooms, fire indicator panels, main switch room, emergency lifts, sprinkler valve and pump rooms.
 - (d) The lifting of all heavy equipment for the building is complete. All in-situ concrete, precast concrete, steelwork, plant and machinery are installed.
 - (e) All occupied areas are separated from construction areas by appropriate hoardings and barriers. Any necessary temporary alterations to sprinklers, hydrants and hose reel coverage required to accommodate such separation barriers have been made.
 - (f) Operational hydrants, hose reels and extinguishers are provided to all floors including construction levels.
 - (g) Any vehicular access required for *fire brigade* access to the building must be maintained at all times.
 - (h) All external huts and storage areas are located not less than 6 metres from any window serving an occupied area.

- (3) In addition to the above requirements, all floors up to and including the highest occupied level must comply with the following:
- (a) All required fire isolated stairs are complete including any required stair pressurisation.
 - (b) Not less than 2 fire isolated stairs are provided, each being available for emergency egress. Not less than one of these stairs is reserved for the sole use of the occupants and not less than one stair for the use of both occupants and construction workers during normal operation.
 - (c) The stair reserved for the sole use of occupants must discharge into a public place, however, a construction stair may discharge into a builders yard at ground level provided access from this yard to a public place is maintained at all times when the building may be legally occupied.
 - (d) All required stairs are to be maintained in a clean and useable condition at all times.
 - (e) All required fire services are to be fully tested, maintained and operational at all times.
 - (f) All mechanical services are fully operational.
 - (g) All required fire separation is complete, including the fire stopping of all service penetrations, within the occupied areas.
 - (h) All required fire services and egress provisions are complete for those rooms containing electrical, mechanical, lift and other services, necessary for the occupied floors.
- (4) Basements may be used as construction administration areas provided they are fully sprinklered in accordance with *AS 2118.1:2017: Automatic fire sprinkler systems*, including internal sprinklering of any site hut and office, and an approved system of smoke hazard management is operational.

Issued by the State Planning Commission on 18 June 2020

Note: This practice direction commences operation in accordance with clause 2 'Commencement of operation'