

# **ADVISORY NOTICE BUILDING**

**06/13**

*Advisory Notices are issued to assist in the interpretation of the Development Act 1993*

*Replaces 22/04*

## **TECHNICAL:**

### **Building Code of Australia**

### **Minister's Specification SA H3.2 - Concessions and additional requirements for farm buildings**

There has been some uncertainty about the correct Building Code classification of farm buildings, and the application of Minister's Specification SA H3.2 – Concessions and additional requirements for farm buildings (the Minister's Specification).

The Minister's Specification was developed in response to a decision of the Environment, Resources and Development Court (the Court) - P R and R E Schmidt v DC Mount Barker No ERD-01-130 [2001] SAERDC 30 (4 April 2001). The proposed development was a building to be used for raising of chickens. The Council classified the building as Class 8. The appellant appealed against the Classification, contending that the proper classification was Class 10a and that a Class 8 classification was not appropriate. The Court determined that the Council's decision to classify the building as Class 8 was correct. The implications of this decision apply to farm buildings other than just chicken sheds.

In response to this decision, Minister's Specification SA H3.2 was developed because certain types of farm buildings may be classified in accordance with Part A3 of the Building Code of Australia (BCA) as Class 7 buildings or Class 8 buildings, and many of the deemed to satisfy provisions associated with these classifications may not be appropriate.

The Minister's Specification was referenced in SA Part H3 'Farm buildings' of Volume 1 of the Building Code of Australia, by notice published in the SA Government Gazetted of 22 April 2004 which set the operation date for the Minister's Specification as 1 July 2004.

The Working Group that developed the Minister's Specification comprised key stakeholders including the Department of Primary Industries and Resources SA, the South Australian Farmers Federation, Australian Institute of Building Surveyors, SA Fire Services and the Department of Planning, Transport and Infrastructure.

The Minister's Specification provides a standard for assessing and approving applications for Class 7 and Class 8 farm buildings that will achieve uniform and acceptable levels of safety, health and amenity.

Construction of Class 7 and Class 8 farm buildings will be able to incorporate standard designs in accordance with the Minister's Specification and the BCA, which will satisfy the objectives of the BCA and be acceptable to relevant authorities.

Since the commencement of the Minister's Specification in 2004, there has been a trend for the size of some types of farm buildings to be much larger than they were ten years ago. However, the increased size of a building does not impact on the use or classification of the building. In the case of a significantly larger proposed farm building, it is possible that the concessions provided by the Minister's Specification are not as effective or less suitable. In such cases, it may be appropriate or necessary for the applicant to seek approval of an alternative solution.

**The Minister's Specification is available on the SA Government website at [www.sa.gov.au](http://www.sa.gov.au).**

## Further information



Government  
of South Australia

**Department of Planning, Transport and Infrastructure**  
136 North Terrace  
GPO Box 1815 Adelaide SA 5001  
Telephone: 8303 0602  
[www.sa.gov.au](http://www.sa.gov.au)

**Statutory Planning I Planning Division**  
Contact:  
Noel Mensforth  
Chief Project Officer, Building Policy  
kNet: #8122641  
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