



New South Wales

# Design and Building Practitioners Amendment (Miscellaneous) Regulation 2024

under the

Design and Building Practitioners Act 2020

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following regulation under the *Design and Building Practitioners Act 2020*.

ANOULACK CHANTHIVONG, MP  
Minister for Better Regulation and Fair Trading

## Explanatory note

The objects of this regulation are—

- (a) to exclude temporary accommodation facilities from being building work for the purposes of the *Design and Building Practitioners Act 2020* (*the Act*), and
- (b) to continue to exclude certain work relating to specified class 3 or 9c buildings from being building work until 30 June 2025, and
- (c) to provide that registered building practitioners are exempt from the insurance requirements under the Act until 30 June 2025.

## **Design and Building Practitioners Amendment (Miscellaneous) Regulation 2024**

under the

Design and Building Practitioners Act 2020

### **1 Name of regulation**

This regulation is the *Design and Building Practitioners Amendment (Miscellaneous) Regulation 2024*.

### **2 Commencement**

This regulation commences as follows—

- (a) for Schedule 1[3]—on the day the regulation is published on the NSW legislation website,
- (b) otherwise—on 1 July 2024.

## Schedule 1 Amendment of Design and Building Practitioners Regulation 2021

**[1] Clause 12 Prescribed classes or types of building—building work**

Insert “other than temporary accommodation facilities,” after “building,” in clause 12(b).

**[2] Clause 12(2)**

Insert at the end of clause 12—

(2) In this clause—

*gross floor area, hotel or motel accommodation* and *serviced apartment* have the same meanings as in the Standard Instrument.

*Standard Instrument* means the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*.

*temporary accommodation facilities* means—

- (a) a class 3 building that is part of a class 9a or 9b building, if the class 3 building comprises less than 10% of the gross floor area of the entire building, or
- (b) a building that is or includes hotel or motel accommodation if no part of the building—
  - (i) contains serviced apartments, or
  - (ii) is the subject of a residential strata scheme under the *Strata Schemes Management Act 2015*.

**[3] Clause 13 Certain work excluded from being building work**

Omit “2024” from clause 13(3A). Insert instead “2025”.

**[4] Clause 28F Application of Division**

Insert at the end of the clause—

**Note—** Temporary accommodation facilities are not prescribed as building work under clause 12.

**[5] Clause 106**

Omit the clause. Insert instead—

**106 Exemption from insurance requirements—the Act, s 107(5A)**

Registered building practitioners are exempt from the insurance requirements under the Act until 30 June 2025.