

Why do we need a registered Design Practitioner?

A guide for NSW strata committees

SHORT ANSWER: For certain work in a Class 2 apartment building, NSW law requires a registered professional to prepare and declare the design before the work starts. This is a compliance step - not an optional upgrade.

What does the Design Practitioner do?

- Prepares or supervises the regulated design for the proposed work.
- Checks the design against the Building Code and other applicable requirements.
- Signs a design compliance declaration. The registered Building Practitioner then lodges the design and declaration on the NSW Planning Portal before the relevant work starts.

When might one be needed?

Stop and obtain written project advice where:

- the building is Class 2, or a mixed-use building with a Class 2 part; and
- the repair, alteration or upgrade affects structure, the building enclosure or facade, waterproofing, fire safety, building services, lifts or another vertical transportation system, or uses a performance solution; and
- no lawful exclusion or emergency pathway applies.

IMPORTANT - THE \$5,000 RULE: Work costing less than \$5,000 may be excluded. However, a price above \$5,000 does not automatically decide the answer. It means the committee should stop and have the actual scope assessed. The building class, type of work and exclusions also matter.

Why is there an additional cost?

The committee is paying for professional accountability and a clear record of what must be built. A contractor's quote explains the price and scope; it does not necessarily replace a regulated design or compliance declaration.

- It helps prevent work proceeding from a vague or incomplete scope.
- It creates a traceable design for the builder, committee and future owners.
- It reduces the risk of delays, rework, disputes and enforcement action caused by an incorrect process.

Five questions before approving the work

- 1 What is the building classification?
- 2 Does the scope affect a regulated building element or use a performance solution?
- 3 Has a suitably registered Design Practitioner confirmed what is required?
- 4 Who is the registered Building Practitioner responsible for the work and lodgement?
- 5 What evidence will the owners corporation receive before work starts and at completion?

What records should the owners corporation keep?

- Before work: the written scope advice, declared designs, compliance declarations and evidence of NSW Planning Portal lodgement.
- At completion: final or as-built designs, declarations, variation records, certificates, warranties and contractor documents.

DESIGN. DECLARE. LODGE. THEN BUILD.

Committee safeguard: The committee and strata manager should not make the technical determination alone. Obtain written advice based on the actual building, scope and approvals before authorising work.