Fair Trading

Design Practitioners' Handbook

July 2023 Edition

Published by

Better Regulation Division
Department of Customer Service
www.customerservice.nsw.gov.au

Disclaimer

This publication avoids the use of legal language, with information about the law summarised or expressed in general statements. The information in this document should not be relied upon as a substitute for professional legal advice.

Go to the official NSW Government website for online publication of legislation in force in NSW.

1. Glossary of terms 4
2. Introduction 6
3. Regulated designs 7
3.1 What is a regulated design? 7
3.2 Building Work 7
3.3 Prescribed buildings 8
3.4 Regulated design exclusions 9
3.5 Performance solutions 11
3.6 Designs 12
3.7 Integration of designs 13
4. Special requirements 14
4.1 Regulated designs involving performance solutions 14
4.2 Regulated designs involving fire resisting building elements 14
4.3 Regulated designs integrating vertical transportation products 15
5. Other design obligations 16
5.1 Relationship with other design obligations 16
5.2 Fire safety system performance solutions 16
6. Ministerial Order 17
6.1 Additional particulars required of certain designs in Order 17
7. Design Compliance Declarations 18
7.1 What is a Design Compliance Declaration? 18
7.2 What is to be declared? 18
7.3 At what stage does a regulated design need to be declared? 19
7.4 Regulated Designs and Design Compliance Declaration for Building Certificates 20
7.5 Form of Design Compliance Declaration? 20
7.6 Who can make a Design Compliance Declaration? 21
7.7 Scope of Authority for Declaring Designs 22
7.8 Do all regulated designs need to be declared? 29

7.9 Offences related to Design Compliance Declaration....29

8. Variations....32

8.1 What is a Variation to a Regulated Design? 32

8.2 Who can vary a Regulated Design? 32

8.3 Variation of a Regulated Design not connected to a building element or performance solution....32

9. Title Block....33

9.1 What is a Title Block? 33

9.2 How to complete the Title Block?....34

10. Appendix 1 – Regulated Designs Guidelines....35

11. Appendix 2 – Design Compliance Declaration Forms and Guidance....28

12. Appendix 3 – Ministerial Order....29

1. Glossary of terms

Words and expressions used in this handbook have the same meaning as they have in the *Design and Building Practitioners Act 2020* (the Act) and the Design and Building Practitioners Regulation 2021 (the Regulation) unless otherwise specified.

Word or expression used	Meaning
BCA	*Building Code of Australia* – contained within the *National Construction Code* and provides the minimum necessary requirements for safety, health, amenity and sustainability in the design and construction of new buildings (and new building work in existing buildings).
Building Compliance Declaration	The declaration a Building Practitioner is required to make declaring matters such as whether the building works comply with the *Building Code of Australia*, whether building work was built in accordance with the regulated design for that work and whether a registered Principal Design Practitioner was appointed (s 8(3) of the Act sets out the matters to be declared in full).
Building Confidence Report	'*Building Confidence: Improving the effectiveness of compliance and enforcement systems for the building and construction industry across Australia*' report by Professor Peter Shergold AC and Ms Bronwyn Weir, commissioned by the Building Ministers' Forum in 2017.
Building Practitioner	The principal contractor for the building work.
Class 2 building	Class 2 buildings are apartment buildings. They are typically multi-unit residential buildings where people live above and below each other. Class 2 buildings may also be single storey attached dwellings where there is a common space below. For example, two dwellings above a common basement or carpark. A building with a class 2 part is a building of multiple classifications that has a class 2 as well as another class, making it a "mixed class" (for example, a class 2 with a class 5 which are office buildings used for professional or commercial purposes or a class 6, which are typically shops, restaurants and cafés).
Class 3 building	Class 3 buildings are residential buildings providing long-term or transient accommodation for a number of unrelated persons. Class 3 buildings include the following: • A boarding house, guest house, hostel, lodging house or backpacker accommodation. • A residential part of a hotel or motel or school • Accommodation for the aged, children or people with disability. • A residential part of a health-care building which accommodates members of staff • A residential part of a detention centre • A residential care building.
Class 9c building	Class 9c buildings are residential care buildings that may contain residents who have various care level needs.

Construction issued regulated design	A regulated design which has been declared and contains the detail needed for the Building Practitioner to carry out the work and build in compliance with the *Building Code of Australia* (the Dictionary at the end of the Regulation sets out the definition in full).
Design Compliance Declaration	The declaration a Design Practitioner is required to make declaring matters such as whether the design complies with the *Building Code of Australia*, whether the design integrates other relevant designs, whether other standards, codes or requirements have been applied in preparing the design (s 8(1) of the Act (cl 8 & 9 of the Regulation sets out the matters to be declared in full).
EP&A Act	*Environmental Planning and Assessment Act 1979.*
EP&A Reg	Environmental Planning & Assessment Regulation 2000.
Guidelines	*Regulated Design Guidelines for Design Practitioners*
NCC	*National Construction Code* – a performance-based code containing all performance requirements for the construction of buildings.
NSW Planning Portal	The digital portal where documents such as regulated designs and compliance declarations will be lodged.
OBC	Office of the NSW Building Commissioner sitting within the Department of Customer Service.
OC	Occupation Certificate – authorises the occupation and use of a new building or building section.
Residential care building	A Class 3, 9a or 9c building which is a place of residence where 10% or more of persons who reside there need physical assistance in conducting their daily activities and to evacuate the building during an emergency (including any aged care building or residential aged care building) but does not include a hospital.
Registration	means registration granted under the *Design and Building Practitioners Act 2020*.
Regulated design	A design that is prepared for a building element for building work, or a performance solution for building work (including a building element).
SEPP 65	State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development
The Act	*Design and Building Practitioners Act 2020.*
The Regulation	Design and Building Practitioners Regulation 2021.
The Regulator	NSW Fair Trading/Office of the NSW Building Commissioner.
Variation statement	A record of building work that is varied from a regulated design for the work after the commencement of the work but **does not** involve a building element or performance solution (see cl 27 of the Regulation for complete requirements).

2. Introduction

The *Design and Building Practitioners Act 2020* and Design and Building Practitioners Regulation 2021 (the DBP legislation) were established to raise the standards of building design and building work.

This handbook will assist Design Practitioners to identify and meet their obligations in relation to preparing and declaring Regulated Designs under the DBP legislation. The obligations under the DBP legislation are in addition to design requirements under other legislation, including the *Environment Planning and Assessment Act 1979*, *Home Building Act 1989* and *Gas and Electricity (Consumer Safety) Act 2017*.

This handbook explains important information regarding Regulated Designs and Design Compliance Declarations.

The handbook also annexes other important information for preparation of regulated designs such as the *Design and Building Practitioners —Particulars for Regulated Designs Order 2022* and the *Design Practitioners Regulated Designs Guidelines* and the various *Design Compliance Declaration* forms.

3. Regulated designs

3.1 What is a regulated design?

A ‘regulated design’ is a design, including a plan, specification or a report detailing a design, that is prepared for a building element, or for a performance solution, for building work.

The Act (s. 6(1)) defines **building element** to mean any of the following:

a. the fire safety systems for a building within the meaning of the *Building Code of Australia*,

b. waterproofing,

c. an internal or external load-bearing component of a building that is essential to the stability of the building, or a part of it (including but not limited to in-ground and other foundations and footings, floors, walls, roofs, columns and beams),

d. a component of a building that is part of the building enclosure,

e. those aspects of the mechanical, plumbing and electrical services for a building that are required to achieve compliance with the *Building Code of Australia*.

Designs for building elements are considered important as they are likely to have a greater impact on the safety and quality of construction in a building.
There are also requirements for a ‘regulated design’ in the DBP Ministerial Order for shoring and ground anchors (see 6.1 of these Guidelines).

3.2 Building Work

To be a regulated design, the design must be for ‘building work’.

The Act (s 4(1)) sets out that building work means work involved in:

a. the construction of a prescribed class or type of building,

b. the making of alterations or additions to a prescribed class or type of building,

c. the repair, renovation or protective treatment of a prescribed class or type of building.

The work that is deemed to be ‘building work’ is important, as a design is only a ‘regulated design’ if it is for ‘building work’. The Regulation excludes certain work from being considered ‘building work’. This has the effect of narrowing the designs that are ‘regulated designs’ and would otherwise require registered Design Practitioners to provide a compliance declaration.

3.3 Prescribed buildings

The Regulation (Clause 12) sets out the definition of building work under section 4(1) of the Act a building is prescribed if the building, or part of the building is:

a) a class 2 building, or
b) a class 3 building, or
c) a class 9c building.

The Design and Building Practitioners legislation applies to building work when the building or part of the building is one of the prescribed classes of buildings. This means that if a building has a prescribed building class part as well as other classes, all parts of the building, not just the class 2, 3 and 9c part, are subject to the reforms.

The DBP legislation has the following adoption dates for the respective prescribed classes of building:

Since **1 July 2021**, the DBP Act has applied to class 2 buildings and buildings with a class 2 part. This includes the construction of new class 2 buildings and alteration or renovation work for existing buildings.

From **3 July 2023**, the DBP Act also apply to class 3 and 9c buildings and buildings with a class 3 or 9c part. This expansion applies to the construction of new class 3 and 9c buildings only.

From **1 July 2024**, the DBP act will apply to alteration or renovation work for existing class 3 or 9c buildings.

In the example below, where a class 6, class 2 and class 5 part are above a class 7 common carpark, the reforms apply to the class 6, 2, 5 and 7 parts. This means that before building work can commence, construction issued regulated designs containing the necessary detail to produce building work that would achieve compliance with the BCA are required for all building parts.

For example: mixed-use building with a class 2 part

3.4 Regulated design exclusions

The Regulation excludes certain work from being building work under the Act. Regulated designs are only required for building work, so if an exemption applies, regulated designs and declarations are not required. Clause 13 of the Regulation sets out the exemptions, which are summarised below:

Note: If the building work is remedial work, refer to more information in the 'guidance on remedial work' and 'guidance on emergency remedial work' on the NSW Fair Trading website.

Note: From 3 July 2023, the DBP and RAB Acts are being expanded to include class 3 and 9c buildings.
Alterations, additions, repairs renovation and protective treatment of existing class 3 and 9c buildings are not required to comply with the DBP legislation until 1 July 2024.

Exempt development
Work that is carried out as exempt development under the *Environmental Planning and Assessment Act 1979* (except waterproofing).

Waterproofing for a single unit
Work that is waterproofing, if the work is carried out as a result of alterations to a bathroom, kitchen, laundry or toilet, and the alterations are carried out as exempt development. This exclusion only applies if the work, including the agreement to carry out the work, relates only to a single dwelling.

For example, if waterproofing was required in the bathroom of a single unit of a building and was deemed exempt development, this would not be 'building work' for the purposes of the Act. However, if an agreement was entered into by a building owner to rectify waterproofing issues in the bathrooms of several units in the building, this exclusion would not apply, and the waterproofing work would require regulated designs and declarations.

Local Government Order
Work that is carried out in compliance with an order given by a council under s 124 of the *Local Government Act* 1993. However, this exclusion does not apply if the ordered work is for the purposes of repairing, rectifying or replacing the external cladding of a building.

Development Control Order
Work that is carried out in compliance with a development control order under the *Environmental Planning and Assessment Act 1979*. However, this exclusion does not apply if the ordered work is for the purposes of repairing, rectifying or replacing the external cladding of a building.

Work exempt from the BCA

Work that is exempt from complying with the BCA under cl 74, 111 or 117, of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Certain maintenance of a fire safety system

Work that is the repair, renovation or protective treatment of a fire safety system for the purposes of maintaining a component of the fire safety system, except a load-bearing component that is essential to the stability of a building. However, this exclusion does not apply if the maintenance is carried out on a component of a fire safety system (as defined in the BCA) and the maintenance comprises the replacement of the component, and that component is an entire system.

For example, if a fire safety system is comprised of components, including a fire sprinkler system and fire rated doors, the replacement of the fire sprinkler system component is not excluded from being building work because that work would constitute the replacement of a component that is an entire system. However, the exemption would allow the replacement of broken sprinkler heads without being 'building work'.

Maintenance of services

Work that is the repair, renovation or protective treatment of building involving a mechanical, plumbing or electrical service, for the purposes of maintaining a component of a system in the building.

For example, if a component of an air-conditioning unit required repair, this would be excluded as building work.

Non-residential work

Work that is excluded from being residential building work in the *Home Building Act 1989*, Schedule 1, cl 2(3)(a).

HomeBuilder Grant scheme

Work that is carried out under a contract for which a party to the contract received a grant under the HomeBuilder Grant scheme for the work.

Certain electrical and plumbing performance solutions

Electrical or plumbing work that is a performance solution for building work but is not for a building element is excluded as being a regulated design.

Fit-out of office or retail spaces

Work for the fit-out of a class 5 (office) or class 6 (retail) part of a building subject to a separate development consent for the fit-out. However, any structural works for the fit-out are not exempt and will require a registered design practitioner to prepare regulated designs and make a declaration.

Alterations, additions or remedial work for class 3 and 9c before 1 July 2024

Alterations, additions, repair, renovation or protective treatment of class 3 and 9c building are excluded up until 1 July 2024.

3.5 Performance solutions

A performance solution is one of two pathways of achieving compliance with the BCA. While the bespoke nature of a performance solution enables flexibility and innovation, it also requires careful and detailed assessment so that the building solution can meet the performance requirements of the BCA. Extending the operation of the reforms to designs for performance solutions ensures they are properly documented and are a reliable method of compliance.

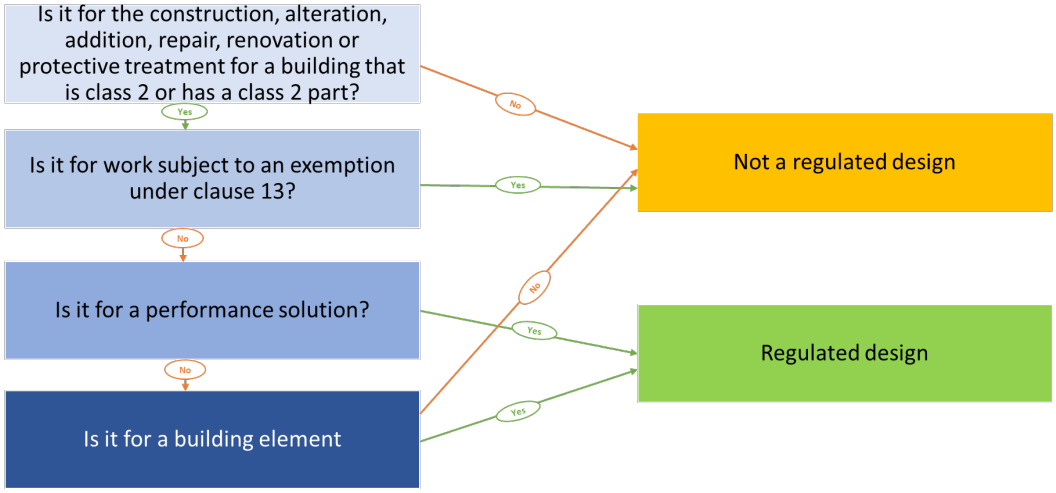
If a design is prepared for a performance solution for building work, it is a regulated design.

The EP&A Reg sets out who is authorised to prepare Performance Solution Reports for certain fire safety systems. These existing requirements will still need to be met in addition to the obligations under the new obligations in the Act and Regulation (see Chapter 6).

There are also additional requirements for Performance Solution Reports to ensure that they comply with the requirements in *BCA*, Vol. 1, Part A2G2 (see 4.1 of these Guidelines).

3.6 Designs

Designs aren't limited to drawings but include plans, specifications and reports detailing a design. Therefore, a report, for example, prepared by a fire safety engineer or geotechnical engineer may be a regulated design. The specifications that accompany plans may also be a regulated design. Exemptions to building work under clause 13 of the Regulation, exclude the work from requiring regulated designs or declarations.



3.7 Integration of designs

Designs prepared by Design Practitioners to construct a building need to be harmonised and integrate with related designs. It is essential that Design Practitioners engaged to prepare designs do not operate in silos. The integration of designs is essential for better designed buildings. Design Practitioners have a positive obligation to integrate details of related building work and other regulated designs. This requirement for integration also applies to designs prepared as part of a staged construction certificate (CC). Designs at each stage must be sufficiently integrated with relevant building elements which may be in subsequent CCs. For example, a modern façade system may include architectural, structural and mechanical elements. The respective designers would therefore collaborate in the development of the façade system. Each design practitioner would make a design compliance declaration for their work and note on the declaration that they have integrated their design with the relevant designs.

Likewise, the architectural plans should coordinate the designs for services that are required to penetrate, in particular, walls, ceilings and floors that are fire rated. Consideration should be provided up front for these services and the respective plans should reflect that. This will minimise the need for variations once building work commences.

Example, in the context of a staged CC, such as ‘structural only’, ‘basement only’, ‘shoring only’, ‘ground anchor only’ etc, the ‘regulated design’ of those staged CC should not be lodged as a regulated design in a silo. A ‘regulated design’ by the structural engineer must be integrated with a ‘regulated design’ by ‘architectural’ or ‘building design’ and ‘fire safety engineer’. There is an example of documents required for staged CC (see 7.3 of these Guidelines).

4. Special requirements

4.1 Regulated designs involving performance solutions

The Regulation specifies additional requirements for certain regulated designs.

A regulated design that is prepared for a performance solution for building work, including a building element, must be in the form of a report that includes the following—

(a) relevant plans that show, or specifications that describe, the physical elements of the performance solution, if any,

(b) a description and justification of the performance solution, including—

(i) the acceptance criteria and parameters on which the justification is based, and

(ii) a description of the physical elements of the performance solution, and

(iii) restrictions or conditions of the performance solution, and

(iv) a copy of the brief on which the justification of the performance solution is based,

(c) a statement that the performance solution complies with the relevant performance requirements of the *Building Code of Australia*,

(d) information that identifies the deemed-to-satisfy provisions of the *Building Code of Australia* being varied, where relevant.

A report for a regulated design that is prepared for a performance solution must comply with the applicable evidence requirements for the design specified in the *Building Code of Australia*, Volume 1, Part A2G2.

4.2 Regulated designs involving fire resisting building elements

A regulated design that includes a building element that is required to have a fire-resistance level under the *Building Code of Australia*, or a floor or ceiling that is required to have resistance to the incipient spread of fire under the *Building Code of Australia* must include information that explains how a fire-resistance level will be achieved and maintained in circumstances where a penetration to a building element occurs—

(a) during the installation or maintenance of services in relation to building work, or

(b) at another time during the building work.

The information may be written or in the form of a drawing.

4.3 Regulated designs integrating vertical transportation products

A regulated design for building work relating to the integration of a vertical transportation product must include the registration number of the product.

This requirement is in addition to existing obligations associated with the authorisation of vertical transportation products as required under section 42 of the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2017*.

5. Other design obligations

5.1 Relationship with other design obligations

Design Practitioners may have existing requirements in relation to certain designs. For example, architects may have obligations under State Environmental Planning Policies and fire system designers may have obligations under the EP&A legislation. The DBP legislation does not override or remove those obligations. Practitioners are required to comply with all other relevant legislative requirements *in addition* to the obligations under the DBP legislation.

5.2 Fire safety system performance solutions

Where the EP&A Reg requires a performance solution report to be prepared by a person who holds a particular qualification,[1] the Design Practitioner must satisfy obligations under both statutory regimes. Therefore, a Fire Safety Engineer who prepares a Performance Solution Report involving certain fire safety systems may require registration under both the *Building and Development Certifiers Act 2018* as well as the DBP legislation.

[1] Section 137 of the EP&A Regulation and section 18 of the EP&A (DCFS) Regulation

6. Ministerial Order

6.1 Additional particulars required of certain designs in Order

Section 5(3) of the Act provides that the Minister may, by order, specify particulars that are additional to those prescribed by the Regulation for regulated designs.

Design Practitioners need to be aware of Ministerial Orders that specify requirements for regulated designs and ensure they comply with the Order if they are preparing a relevant design.

The *Design and Building Practitioners —Particulars for Regulated Designs Order 2022* (Ministerial Order), published on the NSW Fair Trading website, sets out requirements for Design Practitioners who prepare certain regulated designs. The requirement for declared regulated designs to have a Title Block is within the Ministerial Order. The Ministerial Order also contains requirements for regulated designs involving shoring and ground anchors.

7. Design Compliance Declarations

7.1 What is a Design Compliance Declaration?

The Act requires a registered Design Practitioner to provide a 'Design Compliance Declaration' to a person where they provide that person with a regulated design in a form suitable for use in connection with building work.

A Design Compliance Declaration signals to a Building Practitioner that the Design Practitioner has the qualifications, skills, knowledge, competence and experience to prepare the design and it is in a form and contains the level of detail required to be relied upon to be built. The Design Compliance Declaration informs the Building Practitioner that the Design Practitioner has given consideration to the matters within the declaration.

A Design Compliance Declaration must be provided for all building elements and performance solutions before construction can begin.

7.2 What is to be declared?

A Design Compliance Declaration is a declaration by a registered Design Practitioner that the design meets the requirements under the Act and Regulation. The Design Compliance Declaration covers the following:

1. whether or not a regulated design prepared for building work complies with the requirements of the Building Code of Australia,
2. whether or not the design complies with other applicable requirements prescribed by the regulations,
3. whether or not other standards, codes or requirements have been applied in preparing the design,
4. designs must, as far as is reasonably practicable, integrate details of the following—
    a. other aspects of building work to which the design relates,
    b. other regulated designs for the work, including designs prepared by other registered design practitioners for building work.
5. whether or not any building product referred to in the design would, if used in a way that is consistent with the design, achieve compliance with the Building Code of Australia,

6. whether or not the design to which the compliance declaration relates involves a performance solution,

7. whether or not the design accords with these Guidelines,

8. whether or not specialist advice was sought and considered in preparing the design,

Design Compliance Declarations for registered design practitioners in the class of design practitioner—vertical transportation must declare the additional matters:

1. whether or not the design appropriately integrates a vertical transportation product in accordance with the product's authorisation under section 42 of the Work Health and Safety Act 2011, and

2. if the design does not appropriately integrate the vertical transportation product—whether or not the practitioner has advised the designer of the product, within the meaning of the Work Health and Safety Act 2011, section 22, of that fact, and

3. whether or not the integration of the vertical transportation product in the design for building work achieves compliance with the requirements of AS 1735, Lifts, Escalators, and Moving Walks, as in force from time to time.

7.3 At what stage does a regulated design need to be declared?

The regulated design needs to be declared when it is in a form suitable for use for building work. Therefore, early drafts or concept designs prepared by a registered Design Practitioner do not need to be declared.

By declaring a regulated design, a Design Practitioner is signalling that the design is in a form and contains the level of detail to support the building work. Design Practitioners should not declare regulated designs unless they are confident that their designs could be reliably used to support building work that would comply with the BCA.

Building work cannot commence until the Building Practitioner (or their nominee) has lodged the construction issued regulated designs. This set of designs must contain the necessary detail to produce building work that would achieve compliance with the BCA, including detail specifying the proposed dimensions of the completed building, the characteristics and materials comprising the proposed building and the location of the building elements and systems proposed to be built. Remember, where the building is a mixed class, the construction issued regulated designs must be for all parts of the building, not just the class 2 part. The designs must in a form that they are able to

be used by a building practitioner to carry out the work in accordance with the regulated design and the BCA.

Design Practitioners must assume that when they provide a declared regulated design, it may form part of the set of construction issued regulated designs.

Regulated designs and declarations are also to be provided to the certifier for those designs required by the certifier to issue the CDC or CC.

The regulated design in the context of a staged CC also needs to be in a form suitable for use for building work. The regulated design for staged CC should not be lodged as a design in a silo.

For example, if a staged CC is 'structural only', 'basement only', 'shoring only', 'ground anchor only' etc, the associated 'regulated design' to this CC is required to be integrated sufficiently. The regulated design declared for this CC in relation to the load-bearing building element is required from both the design practitioner – structural, as well as design practitioner – architectural / building design. This can be in the form of "architectural / building design general" document consisting of concrete profile / setout drawings. The concrete profile / setout drawings from the design practitioner – architectural / building design, is required to integrate the falls (gradients) in the concrete slabs, services penetrations, fire safety engineer's performance solution, etc.

Note: "architectural / building design general" documents are the general documents by the design practitioner in the class of registration 'architectural' or 'building design' with the design categories in the Regulated Design Guidance Material as follows:

- General arrangement plans
- General elevations
- General sections
- General details

7.4 Regulated Designs and Design Compliance Declaration for Building Certificates

For Construction Certificate or a Complying Development Certificates applied for after 1 July 2021, the certifier must be provided with Design Compliance Declarations and the accompanying regulated designs for building work required to issue the certificate. The certifier is unable to issue the certificate unless these have been provided.

7.5 Form of Design Compliance Declaration?

The Design Compliance Declaration forms are in Appendix 2 of these Guidelines and are available for download on the NSW Fair Trading website.

The Design Compliance Declaration form must be completed by a Design Practitioner and can only cover a single regulated design. This form will allow the Design Practitioner to include information specific to a single design for a single building element or performance solution for building work.

As regulated designs for vertical transportation cover matters that relate only to those designs, there is a specific Design Compliance Declaration form for Vertical Transportation designs.

There are also forms for:

- a declaration by a Principal Design Practitioner, where one is appointed; and
- a Design Practitioner to certify that a design prepared before 1 July 2021 for a class 2 building or 3 July 2023 for a class 3 or 9c building, by a person who is not eligible for registration as a design practitioner complies with the Building Code of Australia.

7.6 Who can make a Design Compliance Declaration?

Registered Design Practitioners must ensure that the designs they are declaring are within their scope of registration. This is in addition to general requirements upon Design Practitioners under the Code of Practice to work within their competence and expertise. There are offences and penalties for making Declarations that a practitioner is not authorised to make or for breaching the Code of Practice.

To make a Design Compliance Declaration for a design, the person making the Declaration must have prepared the design or variation themselves or coordinated or supervised the preparation or variation of the design.

If a registered Design Practitioner makes a Design Compliance Declaration for a regulated design they have coordinated or supervised, they must have a registration that allows them to prepare that design and the Design Practitioner must take responsibility for the matters in the Declaration relating to that design.

The Design Practitioner must declare whether their regulated design integrates details of other aspects of building work to which the design relates, as well as other regulated designs for the work.

If a Design Practitioner has integrated other designs, they are then required to provide details about the other regulated designs that have been integrated into the regulated design for which this Design Compliance Declaration is being made. The requirement to consider other designs is to reflect that in practice, the numerous designs required to construct a building need to be harmonised and integrate with related designs. The intention is to eliminate the preparation of siloed designs which should reduce the need for variations after building commences. If a Design

Practitioner declares that their design has not considered another relevant design, the Building Practitioner will be alerted to this and can then provide the Design Practitioner with the relevant designs to integrate.

The declaration covers whether a building product referred to in the regulated design would, if used in a manner consistent with the design, achieve compliance with the BCA. This has been included to ensure that all materials are suitable for their designated purpose and to cover the emergence of new products and materials that may not have been considered by the BCA.

The declaration also covers whether other standards, codes or requirements have been applied in preparing the design. This only requires the designer to include standards, codes or requirements that are not referenced as the applicable standard for that work in the BCA. For example, if a fire sprinkler system has been designed in accordance with Australian Standard 2118 as referenced in the BCA, the Design Practitioner would not need to reference this standard in the declaration.

7.7 Scope of Authority for Declaring Designs

A Design Practitioner may only declare designs that are within the scope of their class of registration. There are instances where certain designs may be prepared by multiple classes of Design Practitioner. For example, a regulated design for a building façade may be prepared by Design Practitioners in the class of architectural, building design (low rise), building design (medium rise)[2], façade or structural. If a design is permitted to be declared in several classes, a design practitioner need only hold registration in one of those classes to declare the regulated design.
In certain classes of Design Practitioner, the scope of designs a practitioner can declare specifically prohibits designs within the scope of other classes. This is to ensure practitioners who are preparing and declaring specialised designs, have the skills, knowledge and experience and that specific area.

For example, an architect only needs to hold registration in the class of Design Practitioner – architectural to declare a regulated design for a building façade. A mechanical or electrical engineer must hold registration in the class of Design Practitioner – vertical transportation to declare a regulated design for a vertical transportation system as this is specifically prohibited under the scope of Design Practitioner – mechanical engineer and Design Practitioner – electrical engineer.

Schedule 1 of the Regulation sets out the scope of each Design Practitioner, summarised below:

[2] The two classes of Design practitioners – building design may only declare façade designs for certain buildings.

Design practitioner—architectural

A registered design practitioner who holds a design practitioner—architectural class of registration is authorised to prepare regulated designs and make compliance declarations in relation to an architectural service.

Architectural service means a service provided in connection with the design, planning or construction of buildings that is ordinarily provided by architects.

Only the person who will declare or lodge designs will need to register.

Design practitioner—body corporate

A registered body corporate that holds a design practitioner—body corporate class of registration is authorised to do anything that a registered design practitioner who holds any other class of registration can do, but only by way of an individual who is an employee of the body corporate and who holds that class of registration.

The individual practitioner must make the compliance declaration and lodge the regulated designs.

Design practitioner—building design

A registered design practitioner who holds a design practitioner-building design class of registration is authorised to prepare Regulated Designs and make Design Compliance Declarations for building work **other than building work that is, or part of which is, a class 2 building**. For example, a design practitioner- building design is authorised to prepare a regulated design and make DCD for building work in class 3 or 9c building.

Some designs are excluded from the class of registration, design practitioner—building design Excluded designs include:

- a design that would constitute the provision of an architectural service
- a design that would constitute the carrying out professional engineering work
- a design that may be prepared or varied by a design practitioner in the class of:
    - design practitioner—fire systems (detection and alarm systems)
    - design practitioner—fire systems (fire hydrant and fire hose reel) or
    - design practitioner—fire systems (fire sprinkler)
    - design practitioner—fire systems (mechanic smoke control).

Design practitioner—building design (low rise)

A registered design practitioner who holds a design practitioner—building design (low rise) class of registration is authorised to prepare regulated designs and make compliance declarations in relation to the design of a low rise building (subject to the requirements in the *Environmental Planning and Assessment Regulation 2000,* relating to the design of a residential apartment development).

Low rise building means a class 2, class 3 or class 9c building or a building containing a class 2, class 3 or class 9c part that has a maximum gross floor area of no more than 2,000m^2, but does not include a building that is Type A or Type B construction. For further information on how to determine the Type A and Type B of construction of a building refer to Part C2D2 and C2D3 of the Building Code of Australia Volume 1

Some designs are excluded from the class of registration, design practitioner—building design (low rise). Excluded designs include:

- a design that would constitute the provision of an architectural service
- a design that would constitute the carrying out professional engineering work
- a design that may be prepared or varied by a design practitioner in the class of:
    - design practitioner—fire systems (detection and alarm systems)
    - design practitioner—fire systems (fire hydrant and fire hose reel) or
    - design practitioner—fire systems (fire sprinkler)
    - design practitioner—fire systems (mechanic smoke control).

Design practitioner—building design (medium rise)

A registered design practitioner who holds a design practitioner—building design (medium rise) class of registration is authorised to prepare regulated designs and make compliance declarations in relation to the design of a medium rise building (subject to the requirements in the *Environmental Planning and Assessment Regulation 2000,* relating to the design of a residential apartment development).

Medium rise building means a class 2, class 3 or class 9c building or a building containing a class 2, class 3 or class 9c part, limited to:

- a maximum of 3 storeys; or
- a maximum of 4 storeys (where the ground level or first storey is classified as a class 7a building (carpark))

Medium rise building does not include Type A construction for class 4, 5, 6, 7a, 7b and 8. For further information on how to determine the type of construction of a building refer to Part C2D2 and C2D3 of the Building Code of Australia Volume 1

Some designs are excluded from the class of registration, design practitioner—building design (medium rise). Excluded designs include:

- a design that would constitute the provision of an architectural service
- a design that would constitute the carrying out of professional engineering work
- a design that may be prepared or varied by a design practitioner in the class of:
    - design practitioner—fire systems (detection and alarm systems)
    - design practitioner—fire systems (fire sprinkler)
    - design practitioner—fire systems (fire hydrant and fire hose reel) or
    - design practitioner—fire systems (mechanic smoke control)

Design practitioner—civil engineering

A registered design practitioner who holds a design practitioner—civil engineering class of registration is authorised to prepare regulated designs and make compliance declarations in relation to an area of civil engineering.

Area of civil engineering means an area of engineering that involves the research, design, construction and maintenance of the built environment.

Some designs are excluded from this class of registration, including designs relating to the façade of a building, an area of geotechnical engineering, and the integration of a vertical transportation product in a building.

Design practitioner—drainage

A registered design practitioner who holds a design practitioner—drainage class of registration is authorised to prepare regulated designs and make compliance declarations in relation to stormwater drainage and roof drainage systems for a building with a rise in any number of storeys.

Design practitioner—drainage (restricted)

A registered design practitioner who holds a design practitioner—drainage (restricted) class of registration is authorised to prepare regulated designs and make compliance declarations in relation to stormwater drainage and roof drainage systems for a building that has a rise in storeys of no more than 6.

Design practitioner—electrical engineering

A registered design practitioner who holds a design practitioner—electrical engineering class of registration is authorised to prepare regulated designs and make compliance declarations in relation to an area of electrical engineering, including electrical components or systems, or electrical services, of a building, other than those covered by the class of Design Practitioner – Vertical Transportation.

Area of electrical engineering means an area of engineering that involves equipment, devices, plant and systems that use electricity, electronics and electromagnetism.

Some designs are excluded from this class of registration, including designs in relation to the integration of a vertical transportation product in a building.

Design practitioner—facade

A registered design practitioner who holds a design practitioner—facade class of registration is authorised to prepare regulated designs and make compliance declarations in relation to the façade of a building.

Design practitioner—fire safety engineering

A registered design practitioner who holds a design practitioner—fire safety engineering class of registration is authorised to prepare regulated designs and make compliance declarations in relation to an area of fire safety engineering.

An ***area of fire safety engineering*** means an area of engineering that involves the application of engineering principles and rules, including:

- the fire performance of a material, structure or building.
- the selection of a fire system suitable for a particular building, including components of the systems.
- the safety and behaviour of a person in the event of a fire.
- the prevention, detection and suppression of fire.

Design practitioner—fire systems (detection and alarm systems)

A registered design practitioner who holds a design practitioner—fire systems (detection and alarm systems) class of registration is authorised to prepare regulated designs and make compliance declarations in relation to a fire detection and alarm system or an emergency and intercommunication system for a building.

Design practitioner—fire systems (fire hydrant and fire hose reel)

A registered design practitioner who holds a design practitioner—fire systems (fire hydrant and fire hose reel) class of registration is authorised to prepare regulated designs and make compliance declarations in relation to a fire hydrant or fire hose reel system for a building, including a portable fire extinguisher system.

Design practitioner—fire systems (fire sprinkler)

A registered design practitioner who holds a design practitioner—fire systems (fire sprinkler) class of registration is authorised to prepare regulated designs and make compliance declarations in relation to a fire sprinkler system for a building.

Design practitioner—fire systems (mechanical smoke control)

A registered design practitioner who holds a design practitioner—fire systems (mechanical smoke control) class of registration is authorised to prepare regulated designs and make compliance declarations in relation to a mechanical fire control system or mechanical smoke control system for a building.

Design practitioner—geotechnical engineering

A registered design practitioner who holds a design practitioner—geotechnical engineering class of registration is authorised to prepare regulated designs and make compliance declarations in relation to an area of geotechnical engineering.

Area of geotechnical engineering means an area of engineering that involves the mechanics of soil and rock and the application of the mechanics to the design and construction of foundations, retaining structures, shoring excavations and ground bearing structures for buildings and other systems constructed of, or supported by, soil or rock, but does not include activities involving only geology or earth science.

Design practitioner—mechanical engineering

A registered design practitioner who holds a design practitioner—mechanical engineering class of registration is authorised to prepare regulated designs and make compliance declarations in relation to an area of mechanical engineering, and the mechanical systems of a building and the relevant energy efficient provisions of the *Building Code of Australia* that relate to the systems.

Area of mechanical engineering means an area of engineering that involves work carried out in relation to devices, machines, structures, processes and systems involving mechanical elements.

Mechanical systems include systems to facilitate the safe occupation and use of a building associated with heating, ventilation, air-conditioning and air distribution, smoke control and exhaust and stairwell pressurisation.

Some designs are excluded from this class of registration, including designs in relation to the integration of a vertical transportation product in a building.

Design practitioner—structural engineering

A registered design practitioner who holds a design practitioner—structural engineering class of registration is authorised to prepare regulated designs and make compliance declarations in relation to an area of structural engineering.

Area of structural engineering means an area of engineering that involves the understanding, prediction and calculation of:

- the stability, strength and rigidity of built structures, and
- how structures and buildings resist and transfer natural and other forces.

Design practitioner—vertical transportation

A registered design practitioner who holds a design practitioner—vertical transportation class of registration is authorised to prepare regulated designs and make compliance declarations in relation to the integration of a vertical transportation product in a building, including a design that relates to how the vertical transportation product will integrate with an applicable building element of the building to achieve compliance with the *Building Code of Australia.*

Vertical transportation product means a lift, escalator or moving walkway.

7.8 Do all regulated designs need to be declared?

No. It is recognised that regulated designs will at times be prepared by design practitioners from disciplines who are not required to be registered under the scheme. The scheme does not require all regulated designs to be declared. The requirement is for the Building Practitioner to have declared regulated designs to rely upon to carry out the building work. Therefore, the scheme has not sought to register every discipline involved in designing a building.

Registered design practitioners may engage other specialist design practitioners to prepare regulated designs. For example, an architect may engage an acoustic consultant to provide advice on the acoustic aspects of the building design. Acoustic consultants are not a class of design practitioner eligible for registration. The design prepared by the acoustic consultant may be a regulated design if it relates to a building element or performance solution. The acoustic consultant cannot declare the regulated design. The acoustic consultant will provide the advice to the architect, who will incorporate the acoustic consultant's advice into their plans and specifications. The architect will then declare the regulated design that they have prepared, which will be based on advice from the acoustic consultant. The Building Practitioner will be provided with the architect's declared regulated designs. The Design Compliance Declaration accounts for this process by allowing a registered Design Practitioner to specify that their design incorporates specialist advice.

The Building Practitioner must be in possession of declared regulated designs for any building work involving a building element or performance solution. It is completely acceptable if those declared regulated designs incorporate specialist advice, in the form of regulated designs from disciplines where a practitioner is unable to be registered.

For example, an architect may require a performance solution report for disability access requirements. Performance solutions for building work are regulated designs but the disability access consultant engaged to prepare the performance solution report is not a class of design practitioner able to be registered. The disability access consultant will provide the Performance Solution Report (the undeclared regulated design) to the architect. The architect will incorporate the specialist advice from the report into their regulated design which the architect will need to declare. The architect's Design Compliance Declaration will note that the design involves a performance solution and that specialist advice was received for the performance solution. The Building Practitioner will be provided with the declared regulated design in order to be able to carry out the building work.

7.9 Offences related to Design Compliance Declaration

A registered Design Practitioner must provide a Design Compliance Declaration to a person if they provide a regulated design they have prepared, coordinated or supervised and the design is in a

form suitable for use in connection with building work.

Maximum penalty—1,500 penalty units (in the case of a body corporate) or 500 penalty units (in any other case).

There is an obligation upon the Building Practitioner to ensure building work relating to a building element or performance solution for which a regulated design is to be used, is carried out in accordance with the design that has been declared by a design practitioner who is authorised to make the declaration.

If a registered Design Practitioner has previously provided a Design Compliance Declaration for a regulated design and varies the regulated design, they must provide a further Design Compliance Declaration before the building work is commenced.

Maximum penalty—1,500 penalty units (in the case of a body corporate) or 500 penalty units (in any other case).

A registered Design Practitioner must provide a further design compliance declaration to a person if

(a) the practitioner or another practitioner has previously provided a design compliance declaration for a regulated design prepared by either practitioner relating to a building element or performance solution in connection with building work, and

(b) the practitioner provides the person with the regulated design as varied by the practitioner in a form suitable for use relating to the building element or performance solution after the building work is commenced.

Maximum penalty—1,500 penalty units (in the case of a body corporate) or 500 penalty units (in any other case).

A registered Design Practitioner who is required by subsection (1), (2) or (3) to provide a Design Compliance Declaration to a person must also provide a copy of the declaration to the registered Principal Design Practitioner (if any) appointed in relation to the building work to which the declaration relates.

Maximum penalty—1,500 penalty units (in the case of a body corporate) or 500 penalty units (in any other case).

A person must not make a Design Compliance Declaration that the person knows to be false or misleading in a material particular.

Maximum penalty—2,000 penalty units or imprisonment for 2 years, or both.

Design Practitioners must comply with record keeping obligations under Part 7 of the Regulation.

Maximum penalty—200 penalty units (in the case of a body corporate) or 100 penalty units for an individual.

8. Variations

8.1 What is a Variation to a Regulated Design?

The Act requires a registered Design Practitioner to provide a 'Design Compliance Declaration' to a person where they provide that person with a regulated design in a form suitable for use in connection with building work.

A variation may arise because a Design Practitioner updates their design or prepares a new design for a building element or performance solution that is different from a previous design. Variations may occur before or after building work commences.

Building Practitioners must carry out building work for building elements or performance solutions in accordance with declared regulated designs. A variation to a regulated design is required when building work cannot be carried out on the declared regulated design provided to the Building Practitioner.

A variation to a regulated design may require modification of the development consent and or a modified construction certificate before building the variation.

8.2 Who can vary a Regulated Design?

A regulated design can be varied by a registered Design Practitioner but does not have to be the same Design Practitioner who prepared the original design. The Design Practitioner must be able to declare the regulated design, so must be registered and the design must be of a type that the practitioner's registration authorises them to declare.

8.3 Variation of a Regulated Design not connected to a building element or performance solution

A regulated design is a design for a building element or performance solution for building work. However, a declared regulated design may also contain details that are unrelated to either a performance solution or building element. If a variation of a regulated design is sought for building work that is not related to a building element or performance solution, the Building Practitioner is able to carry out the variation but must record it in a Variation Statement.

For example, an architectural drawing for a bathroom in a class 2 building specifies a wall mirror. The design also includes waterproofing elements, making it a regulated design. The Building Practitioner seeks to change the specified mirror for a slightly different size. The variation sought by the Building Practitioner is unrelated to a building element or performance solution.

The Building Practitioner is able to make the variation to the building work without requiring a varied

regulated design and declaration of the Design Practitioner. The Building Practitioner is required to record details of the variation in a Variation Statement that will need to be lodged on the NSW Planning Portal before an application for an Occupation Certificate is made.

9. Title Block

9.1 What is a Title Block?

The Act requires a registered Design Practitioner to provide a 'Design Compliance Declaration' to a person where they provide that person with a regulated design in a form suitable for use in connection with building work.

Each regulated design that is to be declared by a registered design practitioner must have a title block on the design. A title block is a table of information containing details about the design and the building the design is for. The title block will be used by the NSW Planning Portal to extract data relating to the design. The title block must be included in the top left-hand corner of each design.

The title block is available for download on the NSW Fair Trading website in .dwg format. The cells may be manipulated to fit on the page so long as the order of the information does not change.

Regulated Design Record				
Project Address:				
Project Title:				
Consent No:		Body Corporate Reg No:		
Drawing Title:		Drawing No:		
Rev	**Date dd.mm.yy**	**Description**	**DP Full Name**	**Reg No**

Form cell title	Description of information required
Project address:	The address of the project for the designed building works.
Project Title:	The project name.
Consent No	The Construction Certificate or Complying Development number. If there is no CC or CDC (ie Crown building work, the Development Application). Will need to be prefixed with either DA or CC or CDC.
Body Corp Reg No	If the design has been prepared and declared on behalf of a registered body corporate design practitioner, the registration number of the body corporate.
Drawing Title	Must correspond with the drawing title referenced in the Design Compliance Declaration. The drawing title must remain the same for variations of the same drawing. If the design is not a drawing, the Report name.
Drawing No	Must be a unique number to identify it from other regulated designs by the Design Practitioner for the building. Must correspond with the drawing number referenced in the Design Compliance Declaration.
Rev.	The version of the design. The original will be 1 or A. The first variation will be 2 or B, which may be regulated or non-regulated. If the variation affects a building element or a performance solution then the variation is regulated. Details of the variation will be shown in the cells and details of the previous versions of the design will be shown in the cells above. If the variation does not affect a building element or a performance solution then the variation is non-regulated. To show this is a non-regulated variation, you will need to cover the regulated title block with a 'non-regulated issue' stamp, a watermark or simply delete the title block. When the rows are full, information from the earliest design will need to be removed.
Date	This date should be the same as the corresponding Design Compliance Declaration for the design. The date must be completed in the dd.mm.yy format.
Description	Description of the design/variation.
DP Full Name	This is the name of the individual design practitioner who has prepared the design and must be the same individual who made the declaration for the design (including where the declaration has been made on behalf of a body corporate)
Reg No	The registration number of the individual design practitioner referred to in the previous cell.

9.2 How to complete the Title Block?

The title block must be placed in the top left-hand side of each regulated design. For regulated designs that are in the form of a report, the title block should be placed on the top left-hand side of the cover sheet of the report.

The title block should be completed in Arial font, in a size no smaller than 8pt.

The date must be in dd.mm.yy format.

The drawing title needs to remain unchanged for variations of the same design.

The title block has been designed to capture up to eight versions of a design. When more than eight versions are prepared of the same regulated design, details from the oldest version should be removed so that the details from the eight most recent remain.

10. Appendix 1 – Regulated Designs Guidelines

Regulated Design Guidance Material

This Regulated Design Guidance Material is approved by the Secretary of the Department of Customer Service (the Secretary), under clause 9(1)(c) of the Design and Building Practitioners Regulation 2021.

Introduction

Under the *Design and Building Practitioners Act 2020*, registered design practitioners are required to provide design compliance declarations when they provide a person with a regulated design prepared by the practitioner and the design is in a form suitable for use by that person or another person in connection with building work.

Regulated designs are designs prepared for a building element or a performance solution for building work. Please refer to the *Design Practitioners Handbook* for more information on how to determine whether a design is a regulated design, including *building elements* and *building work*.

A design compliance declaration is a declaration regarding a number of matters. One of those is, under clause 9(1)(c) of the *Design and Building Practitioners Regulation 2021,* whether the design accords with relevant elements of this Regulated Design Guidance Material.

Persons preparing regulated designs must therefore ensure that the designs accord with relevant elements of this Regulated Design Guidance Material.

Structure of this Guidance Material

This Guidance material is comprised of a table identifying a number of classes of designs.

- Architectural / building design
- Structural
- Façade
- Geotechnical
- Vertical transportation
- Mechanical
- Mechanical or fire systems – mechanical smoke control
- Fire safety engineer
- Fire safety systems
- Drainage
- Electrical

Note: It is up to the design practitioner to determine whether the design they are preparing is a regulated design. The Design Practitioners Handbook provides further guidance on how to determine this.

Each row of the table is a category of design within that class. The table then identifies, in relation to each category, the:

1) Minimum scale of design for that category;
2) “design aspects and details” for that category, noting not all designs will be relevant for a particular project; and
3) Minimum requirements for that category.

Class of design: architectural / building design

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
Class of design: Architectural/Building Design (prepared by a registered design practitioner in the class of architectural/building design, with support from specialised consultants)			
1:100	General Arrangement Plans [Architectural / General]	The General Arrangement Plan set should consist of: – A cover page that identifies the drawings in the set and includes the site and building details. – A site plan that shows the building in the context of the site, such as location from boundaries and fire source features and reduced levels. – A site setout plan appropriately dimensioned with grids and survey points. – Floor plans for each floor of the building, including roofs and basements, with the detail listed below. – Elevations of each aspect of the building, with the detail listed below. – Appropriate dimensioned sections and details commensurate to the building design. The General Arrangement Plans should: – demonstrate coordination with services and structural documentation. – show relevant elements of performance solutions as necessary. – Include appropriate notes, annotations, legends and the like specific to the plans set and design – Include references, tags, and callouts to relevant sections, details, schedules and specifications. Where matters are unable to be shown these can be detailed in specifications or schedules.	**Minimum requirements for design category:** all designs must at a minimum include a site plan, floor plans for each level, elevations of each aspect, and appropriate sections and details, which are appropriately scaled, dimensioned and suitable for construction. Location of all expansion, movement and control joints when they are located in an element of the building which is exposed to rainwater, groundwater, shower water or garden watering device. Joint to be shown as red dotted line on architectural drawings. Joint to have predicted 10 year movement marked

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
1:100	General floor plans [Architectural / General]	Floor plans should include the general layout and elements of each floor of the building to show compliance with the regulated building elements. Floor plans are also critical for coordinating other regulated designs. Floor plans should include: – The layout of each floor plate, including location of walls, columns, doors, windows and the like – The dimensions of elements and rooms of the floor plate – The layout and location of all shafts (e.g. stair and lift shafts), service risers and the like – Floor levels e.g. finished floor levels, slab levels – Reference to integrated designs, setout plans, service designs – Each room name/use on the floor plate – The layout and location of exits e.g. stairways, passageways, ramps, doors Layout and location of areas/rooms required to be fire separated e.g. fire services, plant rooms, substations	**Minimum requirements for design category:** floor plans are provided for each level of the building including roofs and basements. Floor plans must be suitable for construction and sufficiently detailed and dimensioned.
1:100 (or 1:200 if detailed Facade Documentation is provided)	General elevations [Architectural / General]	Elevations will show the external appearance and elements of the building. Elevations should include: – Proposed external materials and finishes, with particular consideration for BCA requirements e.g. fire protection, weatherproofing and energy efficiency requirements. – Locations and sizes of window and door openings, balconies and other external features. – Heights of floor levels dimensioned Overall heights e.g. ground levels and roof levels.	**Minimum requirements for design category:** elevations are provided for each external aspect of the building. Elevations must be suitable for construction and sufficiently detailed and dimensioned with grids.

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
1:100 (or 1:200 if details are provided)	General sections [Architectural / General]	Sections should include at least two intersecting sections through the building. Sections should include: – Grid lines, key dimensions e.g. floor/ceilings heights, ground levels etc. – Room names/uses Callouts to detailed drawings	**Minimum requirements for design category:** at least two intersecting sections should be provided for each building. Sections must be suitable for construction, sufficiently detailed, dimensioned, and integrate (coordinate) other relevant designs.
1:20, (for some design, 1:10, 1:5 will be appropriate)	General details [Architectural / General]	Details should be provided for all construction methods that cannot be shown on the plans, elevations and sections. Details should include: – Junctions and interfaces between and within key parts of the building e.g. external wall interface with floor slabs – Strip wall details for differing external wall construction Egress system design: – Riser and going dimensions, stairway widths, landing location and sizes, head clearance – Ramp gradients – Barriers and handrails – Doorway details e.g. direction of swing, door hardware, hold open devices etc. Door hardware schedule and door schedule	**Minimum requirements for design category:** details must be suitable for construction and sufficiently comprehensive and dimensioned.
	Reflected ceiling plans [Architectural / Fire safety system]	Showing emergency lighting and exit signs.	
	Specific regulated designs [Other / Other]	There are specific building elements that are required to demonstrate compliance with the BCA. The plans can be incorporated into the general architectural plans or as separate sets.	

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
1:100, (for some designs 1:50, 1:20 or 1:10 will be required to present the detail required)	Passive fire safety [Architectural / Fire safety system]	The passive fire safety designs must show all elements that relate to fire safety systems such as to restrict the spread of fire. Passive fire includes, but not limited to: – Fire-resisting elements (FRL), incipient spread ceilings, non-combustibility (i.e. external), concrete/masonry. – Compartmentation fire and smoke, bounding construction. – Shafts – fire isolated exits, lifts, services. – Fire separation e.g. spandrels, substations, equipment etc. – Openings in fire resisting and bounding construction e.g. doors, windows, shaft openings. – Protection of penetrations through fire resisting construction. – Finishes and linings. The passive fire safety set should include: Plans that show: – the location and layout of fire-resisting walls, columns, shafts, risers etc. – the minimum fire-resistance levels to be achieved for construction – walls that are required be non-combustible, concrete or masonry – fire/smoke compartments and bounding construction – location and types of openings e.g. doors, windows – that reference wall construction e.g. wall type drawings Sections that show: – horizontal elements e.g. floor slabs, ceilings etc. – through fire-resisting construction e.g. walls, shafts, scissor stair fire separation etc	**Minimum requirements for design category:** The passive fire safety designs must be suitable for construction.

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
		– junctions between fire resisting construction Details that show: – junctions between fire resisting construction – protection of penetrations (fire stopping) through fire-resisting construction – minimum fire-resistance levels to be achieved for wall, floors, columns etc. – openings in fire-resisting construction – Construction of fire-resting doorsets Schedule that: – Detail each proposed wall type and how the passive fire safety requirements are to be met. – Identifies where services are to be protected within a shaft or at the floor. – Identifies doorset types including details of fire/smoke resistance etc. Specifications/schedules – detailing the methods of protecting each type of penetration through fire-resisting elements. Information that explains how an FRL will be achieved and maintained where a penetration occurs e.g. a fire matrix, reference to specifications, details.	

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
1:50 (for some designs 1:20, 1:10 or 1:5 will be appropriate)	Waterproofing [Architectural / Waterproofing]	Internal wet areas – bathrooms/laundries Plans that: – Identify areas that require waterproofing – Specify floor gradients – Locations of floor wastes Elevations/Sections/Details that show: – Floor and wall construction/substrates – Waterproofing membrane/system and extent of coverage – Location and type of water stops – Intersection of wall/floors e.g. bond breakers – Shower screen types e.g. enclosed/unenclosed – Detail of waterproofing fixtures – Detail of termination of membrane into floor wastes – Details of bathtubs e.g. intersection of wall/bathtub External waterproofing - balconies/roofs/planters Plans that: – Identify areas that require a waterproofing membrane e.g. balconies, roofs, planter boxes – Specify balcony/roof gradients – Location of floor wastes/overflow Elevations/Sections/Details that show: – Extent of waterproofing membrane to balcony/roof/planter box – Termination of waterproofing membrane – Overflow details – Podiums - Expansion joint - section – Podiums – Planter box - section Waterproofing membrane around fixtures	**Minimum requirements for design category:** details must be suitable for construction.

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
	Building enclosure [Architectural / Building enclosure]	Components of the building enclosure include external walls, roofs, and basement construction Plans that show: – Construction methods/materials of external walls/systems – Construction methods and materials of roofs – Details of basement wall construction – Water stop details of basement walls/piling – Tanking/waterproofing required to basement walls – References to wall schedule/details – Cladding – Slab edge details e.g. where façade is supported – Weatherproofing of external walls – Details of insulation, sarking, weepholes etc. – Details external window weatherproofing, e.g. head, jamb and sill flashings, weepholes. – Details of external door weatherproofing, e.g. flashings, sill heights – Details of external flashing – Details of external wall and floor/balcony interface – Details of interface between different external wall building materials – Parapet and eave details Building sealing, energy efficiency	**Minimum requirements for design category:** design must be suitable for construction.

Back to top

Class of design: structural

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
Class of design: Structural (prepared by a registered design practitioner in the class of structural engineering)			
1:200	Structural concept plans [Structural / Load bearing and shoring]	– Structural systems – Typical foundation, column grid and framing systems – Proprietary/subcontracted floor/wall systems (including PT and precast)	
1:100	Structural design plans and details [Structural / Load bearing and shoring]	Detailed load drawings outlining the design loads adopted for each floor and roof area, as well as formwork and propping stripping assumptions, including for: – foundation plans (including any piles and temporary or permanent shoring) – flooring plans and structure, including walling plans and framing plan – roof plans and structure – prestressed detailed design drawings – balustrade structural design (including load category considered and nominated concrete fastenings) – support and lateral resisting structure plans – seismic restraints for all building elements and services with actions determined in B1.2 – provision for lightning protection interfaces, if required., with finials, down conductors, ties to the reo etc	**Minimum requirement for design category**: detailed structural drawings are required to show location, section, and detail of all structural and loadbearing members, components and connections, plus a construction specification to clearly articulate material and testing requirements for construction. Location of all expansion, movement and control joints when they are located in an element of the building which is exposed to rainwater, groundwater, shower water or garden watering device. Joint to be shown as red dotted line on architectural drawings. Joint to have predicted 10 year movement marked
1:100	Structural design sections [Structural / Load bearing and shoring]	Detailed section drawings outlining the following: – Reinforcement detailing – Relationship to external building elements such as Facade cladding – Post Tensioning details – Structural connections for Balustrades and other critical elements	**Minimum requirements for design category:** design must be suitable for construction.

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
1:100	Structural elevations [Structural / Load bearing and shoring]	Detailed elevation drawings outlining the following: – Reinforcement detailing – Relationship to external building elements such as Facade cladding	**Minimum requirements for design category:** all elevations must include the geographical orientation for the Project. All elevations should include a 'mini' block plan to cross-reference the location of elevations on plan. Elevations must also show the aesthetic qualities of the proposed design and must be sufficiently annotated and/or coloured to communicate the external materials and finishes. They must also have the movement joints and control joints marked. Structural engineer to provide a movement report which includes but not limited to horizontal and vertical movement of building elements, including any differential movements over the life of the building.
1:100	Design loads [Structural / Load bearing and shoring]	– Detailed load drawings outlining the design loads adopted for each floor and roof area, as well as formwork and propping stripping assumptions – Earthquake, snow, wind and cyclone resilience designs – Movement report – Wind report/ air pressurisation details – Environmental Exposure category – Design Life	**Minimum requirements for design category:** details must be suitable for construction.

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
1:100	Flood hazard area designs [Structural / Load bearing and shoring]	– Flood resistance requirements including reference to Authority overland flow contours	
1:100	Design fire ratings [Structural / Load bearing and shoring]	– Structural adequacy of each Fire Rating Level – Designs specifying compliance with bushfire requirements in the BCA	
1:50	Penetration plans coordinated with services [Structural / Load bearing and shoring]	– Services penetrations, shafts and horizontal reticulation	**Minimum requirements for design category:** All penetrations requiring fire safety considerations be documented and declared accordingly. Should include corridor ceiling zones showing structural fixings for services and penetrations with fire collars etc

Back to top

Class of design: facade

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
Class of design: Façade			
	Weatherproofing plans [Facade / Waterproofing]	– Clarification whether the façade is a pressure equalised system or a face sealed system. – must account for the wind, roof/wall junctions, façade types including interfaces, eaves width, envelope complexity, decks, porches and balconies – Must account for all junctions between systems (where testing does not occur) – Wind report – Design life – Service life – Warranties – Maintenance – Cyclone and level of importance requirements – Durability of façade and façade components – Provision for lightning protection interfaces, if required., with finials, down conductors and earthing pits, etc – External drenchers through the façade – Signage details	**Minimum requirements for design category:** design must be suitable for construction.
	Elevations and sections [Facade / General]	– Coordination with relevant designs such as Architectural, Mechanical, Structural, Electrical, Drainage and Fire Safety Engineer – Details of all external façade types. Elevation and sections	**Minimum requirements for design category:** all elevations must include the geographical orientation for the Project. All elevations should include a 'mini' block plan to cross-reference the location of elevations on plan. Elevations must also show the aesthetic qualities of the proposed design and must be sufficiently annotated and/or coloured to communicate the external materials and finishes. All façade types to be

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
			clearly labelled and coordinated with the Architect. They must also have the movement joints and control joints marked. Each joint should be labelled with the expected 10-year movement (expansion or contraction), with overflow for external balconies specified. All elevations should show façade types and include detail of all interfaces between systems
1:100	Design fire ratings [Facade / Fire safety systems]	– Fire rated structural elements – Designs specifying compliance with bushfire requirements in the BCA	
1:100	Structural designs [Facade / Load bearing]	– External wall and façade details, including showing sun protection and external glazing. Needs to include detail of interface between elements for waterproofing – Membrane systems, junctions and bond breaker compatibility – Façade framing elements including non-load bearing walls and glazing – external loadbearing components, including walls, columns, beams and the like. – flooring plans and structure, including walling plans and framing plan relevant to the external façade – roof plans and structure – balustrade structural design (including load category considered and nominated concrete fastenings) – Confirmation of design for building movement in accordance with the structural engineer's movement report (aiming to ensure all projections / screens /	**Minimum requirements for design category:** design must be suitable for construction.

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
		operable elements are designed for building movement)	
1:5	Detailed drawings for waterproofing/weatherproofing [Facade / General]	Façade – All façade types – Interface details between façade types and façade types with superstructure. – Joint design – Facade/ balcony junction section – including setdowns – Facade podium junction Balconies and external floor-to-wall details: – External wall to floor detail at glazing - Section – External wall to floor detail at solid wall - Section – Door threshold detail - Section – Balcony edge + overflow detail – Section – Courtyard drainage details – Interface between all façade systems / types Podiums – Main facade junction with podium section Roof Parapet/perimeter detail junction to roof - Section	**Minimum requirements for design category:** Weatherproofing to be assessed between façade systems
	Thermal Compliance [Facade / Building enclosure]	Provide thermal targets	**Minimum requirements for design category:** Statement confirming facades meet the thermal requirements of the NCC / minimum requirements in Basix / NatHERS.

Back to top

Class of design: geotechnical

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
Class of design: Geotechnical (prepared by a registered design practitioner in the class of structural engineering with geotechnical expertise and/or by a class of geotechnical engineering)			
N/A	Overall development design [Geotechnical / Load bearing and shoring]	The structural engineering report must detail an accurate geometry of the retention scheme, load and design assumptions, load cases, structural section properties / material parameters including analysis output (such as moment and shear envelopes and deflections). Cross sections at critical sections of the proposed excavation showing the geotechnical model used for design must be clearly indicated. The geotechnical report on which the design is based must be provided with the design documentation. The design report must include both temporary and permanent structures where applicable	
	Shoring design (relating to the 'below grade wall' element) [Geotechnical / Load bearing and shoring]	N/A	**Minimum requirements for design category:** Compliance with requirements set out in Ministerial Order regarding section drawing, showing shoring design, boundary and neighbouring footings
	Ground anchor design [Geotechnical / Load bearing and shoring]	The prediction of vertical and horizontal deflections of the proposed retaining structure for each stage of construction and in the long term	**Minimum requirements for design category:** Compliance with requirements set out in Ministerial Order relating to verification of easements
	Earthworks design [Geotechnical / Load bearing and shoring]		
	Geological assumptions [Geotechnical / Load bearing and shoring]		

Back to top

Class of design: vertical transportation

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
Class of design: Vertical Transportation (prepared by a registered design practitioner in the class of vertical transportation)			
1:500	Services masterplans [Vertical transportation / Building services]	Design report identifying the end user's requirements, and the scope and details of the vertical transportation services to be provided to meet the requirements. Details to include number of lifts, speed, size of lift car and type of loads expected to be transported in lifts, including furniture sizes, material access for repairs and maintenance to building plant.	N/A
1:50	Vertical transportation (i.e. lifts) [Vertical transportation / Building services]	– Details of lift car numbers, types, speed and car sizes (to align with 1:200 and 1:500 architectural plans), lift shaft, lift pits, overruns, levels served, machinery access and lift travel distance. – Lift car interior finishes with compliant fire indices, lighting and passenger signalling equipment – Emergency lifts and Stretcher lifts – Provide access to building plant levels where possible for building maintenance personal and materials. – Redundancy during maintenance or repair outage. – Provisions for accessibility including lift cars, landings, operating and safety facilities – Lift pit access / egress doors (where lift over run pits are 2.5 m or deeper) – Lift pits that do not extend to solid earth – Lift blind shaft emergency egress doors – Access and egress to and from lift entrance landings, lift machine rooms and plant rooms to emergency egress stairs – Access for persons and materials for maintenance and or repair of Lift plant – Design that integrates products in accordance with their authorisation under s.42 Work Health and Safety Act	**Minimum requirements for design category:** Design details must include reference to earthquake forces, and address building specific fire safety engineering requirements, including those for emergency evacuation for ambulant and non-ambulant people. Access for plant and material to include safe lifting points, hatches, lift car loading and size to suit building plant items required to be transported. Maximum blind shaft travel 11.0m

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
		– Permanent means of Emergency communication systems and WIP	
	Escalators, Moving Walkways and service hoists [Vertical transportation / Building services]	– Design report identifying the end user's requirements, and the scope and details of the vertical transportation services to be provided to meet the requirements. Details to include number of Escalator, Moving Walkways, speed, transition type, – Establish fall protection system adjacent to escalator and or Moving Walkways including intersection to building balustrades with minimum height of 1.4m – Details for Commissioning and project completion documentation	Design details must include reference to earthquake forces, and address building specific fire safety engineering requirements
1:50	Service hoists, Car Storage Systems (Stackers). [Vertical transportation / Building services]	– Design specification to identifying the end user's requirements, and the scope and details of the vehicle movement demand, number of cars to be stored. – Method of entry and exist of the system to be documented setting out emergency retrieval of vehicles. – Details of car numbers, types, and car sizes (to align with 1:200 and 1:500 architectural plans), shaft, pits, overruns, levels served, machinery access and travel distance. – Design of automated parking systems to be treated as registrable Plant. – Entrance doors to be integrated in to the storage system safety monitoring system and be of a robust design. – Integration to other services and operation for Security, BAS and emergency power (if provided) Details for Commissioning and project completion documentation	**Minimum requirements for design category:** Design details must include reference to earthquake forces, and address building specific fire safety engineering requirements, Vehicle lift capable of carrying passengers must include safety systems in accordance with AS1735

Back to top

Class of design: mechanical

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
Class of design: Mechanical (prepared by a registered design practitioner in the class of mechanical engineering)			
1:500	Services masterplans [Mechanical / Building services]	– Routes of pipework, pits and cabling on the site – Identify those services that are unable to be concealed – All distribution methods and arrangements for Utilities required for compliance with the BCA – Controls to emergency management systems (EMS) items, including fire and life safety and mechanical	
1:100	Mechanical Ventilation plans [Mechanical / Building services]	Details demonstrating compliance with mechanical ventilation in accordance with F4.5, F4.11 and F4.12 – Heating Ventilation and Air Conditioning (HVAC) plans for all systems, including: o Bathroom, laundry and rangehood exhaust and make-up air solutions o Outdoor air ventilation solutions o Corridor and lobby ventilation solutions o Car park ventilation solutions o Plant and utility room ventilation solutions o Any commercial kitchen ventilation provisions for associated retail spaces o Ducted and non-ducted air conditioning systems o Filtration provisions, including the requirements of AS 1668.2 and the NSW Public Health Regulation. o Refrigerant, heating water and chilled water pipework systems serving the air conditioning, including details of all insulation requirements. o Coordinated condensate drainage provisions o Coordinated intake, exhaust and make-up openings through the façade o Provisions for maintenance access, balancing and commissioning	**Minimum requirements for design category:** design must be suitable for construction.

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
		○ Coordinated details and finishes of non-mechanical building elements used as shafts and plenums to convey air ○ Occupant control interfaces – Schematic representation of air-side, water-side and refrigeration systems, (but only) where necessary to convey the requirements of the design. – any provisions for supplementary tenancy services, including future board/meeting rooms heat loads and air pressurisation systems – Scaled elevations, sections and details where necessary to convey the requirements of the design. – Mechanical services switchboard schedules, single line diagrams and interfaces for coordination – Heating water and chilled water layouts, equipment and infrastructure, including: – chilled water pipes supply and return from plant rooms to relevant floor take-offs ○ domestic hot water generation (if not provided under the plumbing trade) – Details of equipment supports, including seismic restraints required by AS 1170.4 – Functional Control Description Operating instructions for occupants, including identification of design assumptions and expectations relating to their use of the space.	

Back to top

Class of design: mechanical engineering or fire systems-mechanical smoke control

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
Class of design: Mechanical (prepared by a registered design practitioner in the class of mechanical engineering or fire systems -mechanical smoke control)			
1:100	Fire and Smoke Control Systems (Mechanical Services) [Mechanical / Fire safety systems]	– Methods of protecting penetrations in elements required to have an FRL, including fire dampers, subducts and enclosed ductwork construction, all coordinated with associated trades – Details of all smoke hazard management systems in accordance with E2, including all required fire and smoke control systems in accordance BCA Specifications and AS 1668.1 including: o Stair pressurisation and relief o Shutdown systems o Miscellaneous ventilation systems o Carpark ventilation control o Any commercial kitchen ventilation provisions for associated retail spaces o Coordinated interfaces with fire safety design including a Fire Matrix – Details of all fire and smoke control systems required by a Performance Solution applicable to the development – Baseline Data design documentation in accordance with AS 1668.1	**Minimum requirements for design category:** design must be suitable for construction.

Back to top

Class of design: fire safety engineer

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
Class of design: Fire Safety Engineer			
N/A	Fire Safety Engineering Report [Fire Safety Engineer / Report]	Report prepared in accordance with NCC A2.2, the ABCB NCC Guidance Document; Performance Solutions Process, and the International Fire Engineering Guidelines (IFEG) (soon to be replaced by the AFEG).	**Minimum requirements for design category:** Elements requested in the FER must be integrated with relevant designs such as the architectural, structural and engineering services plans.

Back to top

Class of design: fire safety systems

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
Class of design: Fire safety systems (prepared by a registered design practitioner in the relevant class of fire safety system design)			
1:500	Fire Safety Services masterplans [Fire Safety / Fire safety systems]	– For hydraulic fire systems: System block plans and system schematics showing water supplies, pumps, booster connections and other arrangements to the satisfaction of the Water Authority, the Fire Brigade and BCA. – For detection and alarm systems: system block plans – Fire systems control matrix	**Minimum requirements for design category:** design must be suitable for construction.
1:100	Water supply for fire systems, including reduced pressure zone devices (RPZs) [Fire Safety / Fire safety systems]		**Minimum requirements for design category:** design must be suitable for construction.
1:100	Fire safety systems generally [Fire Safety / Fire safety systems]	– Plans – Scaled sections and elevations – Specifications – Controls and single line diagrams – Baseline data	**Minimum requirements for design category:** This covers the systems listed in detail below including extinguishers, hydrants, hose reels, sprinklers, tanks and pumps, detection & alarm systems, BOWS and interface to BMS and other systems controlled by the detection system, mechanical services, duct dampers, magnetic hold open devices, lifts and any other essential fire safety measure listed in Clause 166 of the EP&A Reg.
1:100	Portable fire extinguishers [Fire Safety / Fire safety systems]	– Locations, specifications, Warning and operational signs	**Minimum requirements for design category:** design must be suitable for construction.
1:100	Fire hydrant system plans and hose reel and hydrant coverage [Fire Safety / Fire safety systems]	– Fire hose reel systems – Fire hydrant systems	**Minimum requirements for design category:** design must be suitable for construction.

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
		– For combined systems: Completed hydrant and sprinkler pipework layout internal plans, including fire hydrant, fire hydrant head locations, hose reel and sprinkler pipes' risers supply and return from intake valves or plant rooms to relevant floor take-offs and associated isolation valves for fire sprinklers, hydrants and hose reels, boosters, as required Warning and operational signs	
1:100	Sprinkler system plans [Fire Safety / Fire safety systems]	– For combined systems: Completed hydrant and sprinkler pipework layout internal plans, including fire hydrant, hose reel and sprinkler pipes' risers supply and return from intake valves or plant rooms to relevant floor take-offs and associated isolation valves for fire sprinklers, hydrants and hose reels, as required Scaled sprinkler valve rooms, including risers supply and return from intake valves or plant rooms to relevant floor take-offs and associated isolation valves for fire water, and fire sprinkler control valves, isolation valves and drain down points, including water capture and recycling	**Minimum requirements for design category:** design must be suitable for construction.
1:50 or 1:20	Fire water supply tanks and pumps [Fire Safety / Fire safety systems]	Pump rooms and infrastructure	
1:100	Fire detection, alarm and evacuation systems [Fire Safety / Fire safety systems]	The following items may form part of the overall system, depending on the detail of the design, the requirements of the Building Code of Australia and the local fire brigade: – Smoke and heat detection – Emergency Warning and Intercommunication System or Building Occupant Warning (BOWs) speakers or alarm sounders – Strobes	**Minimum requirements for design category:** design must be suitable for construction.

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
		– Fire brigade intercoms – Master Emergency Control Panel, fire fan control panel, location of fire control rooms and sprinkler control room/valves and manual call points – Fire brigade/warden intercoms points – Magnetic hold open devices for smoke and fire doors plans – Warning and operational signs – Smoke alarm systems if provided in lieu of AS1670 installation	
1:100	Automatic smoke-and-heat vents [Fire Safety / Fire safety systems]	– Automatic smoke exhaust system or automatic smoke and heat vents – fire compartments – Fire and smoke damper locations	**Minimum requirements for design category:** design must be suitable for construction.
	Special hazards plans [Fire Safety / Fire safety systems]		**Minimum requirements for design category:** design must be suitable for construction.

Back to top

Class of design: drainage

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
Class of design: Drainage (prepared by a registered design practitioner in the class of drainage design)			
1:500	Services masterplans [Drainage / Building services]	– Routes of pipework, pits and cabling on the site – Identify those services that are unable to be concealed – All distribution methods and arrangements for the Utilities	
1:100	Stormwater systems designs [Drainage / Building services]	– Downpipes – Rainwater harvesting – Stormwater connection (prepared by a civil engineer) – Designs to demonstrate compliance with any special planning permit conditions – Single line diagrams for rainwater and stormwater infrastructure mains plans and building servicing – stormwater drainage stacks dropping to points of discharge – stormwater overflow path	**Minimum requirements for design category:** design must be suitable for construction.

Back to top

Class of design: electrical

Min scale	Design category [NSW Planning Portal Folder / Document Type]	Design aspects and details	Minimum requirements for design category
Class of design: Electrical (prepared by a registered design practitioner in the class of electrical engineering)			
1:500	Services masterplans [Electrical / Building services]	– Routes of pipework, pits and cabling on the site for electrical services required for compliance with the BCA – Identify those services that are unable to be concealed – All distribution methods and arrangements for the Utilities	
1:50	Electrical services [Electrical / Building services]	– Layout plans of all major electrical plant/equipment including for major equipment served such as automated vehicle storage systems, loading dock lifters, lifts, fire safety equipment, security systems and other engineering services equipment required for compliance with the BCA	**Minimum requirements for design category:** design must be suitable for construction.
1:100	Emergency and exit lighting layouts and emergency warning systems [Electrical / Fire safety system]	– Emergency lighting systems and lightning protection system (if required) – Smoke alarm system – Smoke detection system – Building Occupant warning system – Emergency warning and intercom system – Exit signs	**Minimum requirements for design category:** design must be suitable for construction. Designs should specify lightning protection on parapets
1:100	Controls systems for emergency management systems (EMS) [Electrical / Building services]	– Power supplies and controls to relevant fire safety system) items, including fire and life safety, lifts and mechanical – Standby generation plant details (if required)	**Minimum requirements for design category:** design must be suitable for construction.

Back to top

11. Appendix 2 – Design Compliance Declaration Forms and Guidance

Forms and guidance for Design Compliance Declarations can be found on NSW Fair Trading's design practitioner obligations website.

For direct access to editable online forms, click on the form title below:

1. Design Compliance Declaration – single regulated design
2. Certificate of Design Compliance with Building Code of Australia
3. Design Compliance Declaration – Vertical Transportation
4. Principal compliance declaration – principal design practitioner

12. Appendix 3 – Ministerial Order

Government Gazette

of the State of

New South Wales

Number 78–Parliament, Ministerial, Courts and Police
Wednesday, 2 March 2022

The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, non-government and other notices.

Each notice in the Government Gazette has a unique reference number that appears in parentheses at the end of the notice and can be used as a reference for that notice (for example, (n2019-14)).

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW legislation website (www.legislation.nsw.gov.au) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

To submit a notice for gazettal, see the Gazette page.

ISSN 2201-7534

By Authority
Government Printer

New South Wales

Design and Building Practitioners — Particulars for Regulated Designs Order 2022

under the

Design and Building Practitioners Act 2020

I, the Honourable Eleni Petinos MP, Minister for Fair Trading, make the following Order under section 5(3) of the *Design and Building Practitioners Act 2020*.

Dated, this 24 day of February 2022.

ELENI PETINOS, MP
Minister for Fair Trading

Published _____

Contents

			Page
	1	Name of Order	3
	2	Commencement	3
	3	Repeal of previous order	3
	4	Particulars	3
	5	Title block	3
Schedule 1		**Particulars for regulated designs – shoring**	4
Schedule 2		**Particulars for regulated designs – ground anchors**	6

Design and Building Practitioners — Particulars for Regulated Designs Order 2022

under the

Design and Building Practitioners Act 2020

1 Name of Order

This Order is the *Design and Building Practitioners —Particulars for Regulated Designs Order 2022*.

2 Commencement

This Order commences on 2 March 2022 and is required to be published in the Gazette.

3 Repeal of previous order

This Order repeals and replaces the *Design and Building Practitioners — Particulars for Regulated Designs Order 2021* dated 10 June 2021.

4 Particulars

The particulars set out in clause 5, Schedule 1 and Schedule 2 are specified for the purposes of section 5(3) of the *Design and Building Practitioners Act 2020.*

5 Title block

All regulated designs for which a compliance declaration is made or is to be made, must include the following particulars:

a. a north point and the orientation of the design, unless the design is a report or specification,
b. a scale, unless the design is a report or specification; and
c. a completed title block published in the top left-hand side of the design document.

Note. The Title Block can be downloaded from the departmental website.

Title Block

Regulated Design Record				
Project Address:				
Project Title:				
Consent No:			Body Corporate Reg No:	
Drawing Title:			Drawing No:	
Rev	**Date dd.mm.yy**	**Description**	**DP Full Name**	**Reg No**

Schedule 1 Particulars for regulated designs – shoring and underpinning

clause 3

1 Application of Schedule

This Schedule applies to regulated designs prepared for shoring where the boundary of a neighbouring property is within the zone of influence of a designed excavation.

2 Definitions

(1) In this Schedule—

the Act means the *Design and Building Practitioners Act 2020* and includes the regulations made under the Act.

Note. The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Schedule.

designed excavation means the excavation of soil and rock required on a site to construct the design including the design bulk earthworks level and any local or detailed excavations.

services means underground services for the supply of gas, water, sewerage, telecommunications, electricity, chemicals, fuel or refrigerant in pipes or lines.

(2) Words used in this Schedule that are defined in the Act have the same meanings as they have in the Act.

3 Specified particulars

The following particulars must be included in a regulated design to which this Schedule applies:

(a) evidence that all reasonable steps have been taken to verify:

(i) the footings of all structures within the zone of influence of the designed excavation, including (for example only):

A. the results of a *Government Information (Public Access) Act* request to the relevant local council or other relevant authority; and

B. evidence of investigations undertaken on the neighbouring property to verify the nature and extent of any footing system present, or evidence that permission for such investigations to be carried out was sought from and denied by the neighbouring property owner or occupier, and

(ii) the plan location and depth of any services, and

(b) a plan at a minimum scale of 1:100 identifying the:

(i) site boundaries,

(ii) shoring and/or underpinning location,

(iii) top of shoring levels and the extent of any underpinning,

(iv) location and use of existing structures on the neighbouring property within the zone of influence of the designed excavation, including surface and roof levels, and

(v) locations where any on-site exploratory works were undertaken, and

(c) Cross-section drawings at a minimum scale of 1:100 identifying the:

(i) shoring and underpinning system,

(ii) site boundary,

(iii) offsets to the shoring system from the boundary, including the construction tolerance,

(iv) neighbouring site's surface level within the zone of influence of the proposed excavation,

(v) details (including size and levels) of any structures on the neighbouring property including, without limitation, footing systems, retaining walls and services,

(vi) surcharge pressure assumed to be applied to the ground by the footing system(s) of any neighbouring structures,

(vii) any levels of construction stages or inspection points in the excavation process for any props or anchors included in the design, and

(viii) assumed geological profile of the ground material surrounding the shoring and underpinning system, and

(d) elevation drawings of the shoring system at a minimum scale of 1:100 identifying the:

(i) shoring and underpinning system, including levels of the base and top of the shoring system and, for underpinning, the extent (depth) of works

(ii) design bulk earthworks level,

(iii) level of excavation for any footing beams or localised excavations within the passive 'zone of influence' on the excavation side of the shoring system, including for any footing edge beam, lift or stormwater drainage pit or services excavation,

(iv) location, extent and reduced levels of any footing systems including underpinning within the zone of influence of the excavation on the neighbouring property,

(v) any levels of construction stages or inspection points in the excavation process for any props or anchors included in the design, and

(vi) location and extent of any services within the zone of influence of the excavation on the neighbouring property.

Schedule 2 Particulars for regulated designs – ground anchors

clause 3

1 Application of Schedule

This Schedule applies to regulated designs prepared for building work involving a ground anchor if any part of the ground anchor will extend onto a neighbouring property.

2 Definitions

(1) In this Schedule—

the Act means the *Design and Building Practitioners Act 2020* and includes the regulations made under the Act.

Note. The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Schedule.

services means underground services for the supply of gas, water, sewerage, telecommunications, electricity, chemicals, fuel or refrigerant in pipes or lines.

(2) Words used in this Schedule that are defined in the Act have the same meanings as they have in the Act.

3 Specified particulars

The following particulars must be included in a regulated design to which this Schedule applies:

(a) a specification of the ground anchor including all the requirements contained in AS 4678 Clauses B4.4, B4.5 & B4.6,

(b) a plan at a minimum scale of 1:100 identifying:

(i) the site boundaries,

(ii) the location of all ground anchors, including their full installed length, and

(iii) the construction tolerance on the location of all ground anchors, including their full installed length, and

(c) a cross section of the anchors at a minimum scale of 1:200 showing:

(i) the anchor (without break lines over the anchor length),

(ii) the boundary location,

(iii) any associated shoring or retaining wall system,

(iv) excavation level for hold points prior to anchor installation,

(v) anchor installation angles to the horizontal,

(vi) the neighbouring site's surface level within the zone of influence of the proposed excavation and the anchorage zone of the ground anchor,

(vii) the details (including size and levels) of any structures on the neighbouring property including, without limitation, footing systems, retaining walls and services, and

(viii) the assumed geological profile of the ground materials around each ground anchor, and

(d) elevation drawings of the anchor system at a minimum scale of 1:200 identifying:

(i) the anchor locations,

(ii) the design bulk earthworks level,

(iii) excavation level for hold points prior to anchor installation,

(iv) the location, extent and reduced levels of any footing systems within the zone of influence of the excavation on the neighbouring property,

(v) the location and extent of any services within the zone of influence of the excavation and the anchorage zone of the ground anchor on the neighbouring property, and

(e) detail drawings at a minimum scale of 1:20 of the structural connection between the anchor system and any wall or shoring system.