



LEGISLATIVE COUNCIL

PUBLIC ACCOUNTABILITY AND WORKS COMMITTEE

Review into the Design and Building Practitioners Act 2020 and the Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020

TERMS OF REFERENCE

1. That in accordance with section 109 of the [Design and Building Practitioners Act 2020](#) and section 69 of the [Residential Apartment Buildings \(Compliance and Enforcement Powers\) Act 2020](#) the Public Accountability and Works Committee is to review both Acts:
 - (a) to consider the functions exercised or delegated by the Secretary, and
 - (b) to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain effective for securing those objectives, and
 - (c) to consider the desirability of establishing an independent NSW Building Commission to instead exercise the regulatory and oversight functions under this Act and other Acts relating to the construction of buildings.*
2. The review is to be undertaken as soon as possible after 30 March 2022.
3. A report on the outcome of the review is to be tabled in the Legislative Council by 30 June 2022 (or by a later day determined by the Committee).
4. The Minister is to table in the Legislative Council a written response to the report within 3 months after the tabling of the report.

The terms of reference for the review were adopted by the Committee on 21 May 2024.

- * The committee notes that the Building Commission NSW was established as the regulator of the state's building and construction industry on 1 December 2023.

Committee membership

Ms Abigail Boyd MLC	The Greens	<i>Chair</i>
Hon Scott Farlow MLC	Liberal Party	<i>Deputy Chair</i>
Hon Mark Buttigieg MLC	Australian Labor Party	
Hon Dr Sarah Kaine MLC	Australian Labor Party	
Hon Mark Latham MLC	Independent	
Hon Sarah Mitchell, MLC**	The Nationals	
Hon Peter Primrose MLC	Australian Labor Party	
Ms Cate Faehrmann MLC*	The Greens	

* Ms Cate Faehrmann MLC is a participating member from 13 June 2024 for the duration of the inquiry.

** The Hon Sarah Mitchell, MLC substituted for Hon Bronnie Taylor MLC from 11 September 2024 until 16 September 2024. The Hon Sarah Mitchell MLC replaced the Hon Bronnie Taylor MLC as a substantive member of the committee from 24 September 2024.¹

¹ *Minutes*, Legislative Council, 25 September 2024, p 1559.