



Industry Bulletin 142

Building Services (Registration) Amendment Regulations (No 2) 2021: Temporary builder registration exemption for certain building work for sheds in disaster areas

The Building Services (Registration) Amendment Regulations (No 2) 2021 (Amendment Regulations) were published in the Government Gazette on 8 October 2021 and have commenced operation.

The Amendment Regulations amend regulation 13(1) of the Building Services (Registration) Regulations 2011 to temporarily exempt building work for the construction of a shed in specified circumstances from the requirement for the builder to be registered. This will mean that **builder work** does not temporarily include construction of an “exempt shed”.

This exemption will apply in respect to the construction of an “exempt shed”:

- for which an application for a building permit application is made on or before 1 October 2024; and
- with a value of less than \$40,000; and
- carried out in the local government districts of Chapman Valley, Greater Geraldton, Mundaring, Northampton or Swan.

An “exempt shed” is a non-habitable building and does not include a garage or carport.

The effect of the Amendment Regulations is that, if the building work for the “exempt shed” meets these requirements, the builder named on the building permit is not required to be a registered builder.

The Amendment Regulations will assist rebuilding and recovery efforts in areas affected by the Wooroloo bush fire and Severe Tropical Cyclone Seroja by assisting owners in areas affected by these disasters to quickly build sheds to store farm and other equipment while rebuilding destroyed homes.

Building and Energy may use this temporary exemption for builder registration to gauge whether the monetary threshold in regulation 13(1) for building work with a value of \$20,000 or more continues to have merit.

It should be noted that a building permit will continue to be required for the construction of high risk “exempt sheds” of specified dimensions which are not exempted from the requirement for a permit under the Building Regulations 2012.

Disclaimer – The information contained in this fact sheet is provided as general information and a guide only. It should not be relied upon as legal advice or as an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations, you should obtain independent legal advice.

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