

18 July 2018



**Australian Institute of Architects**

Hon Bill Johnston MLA  
Minister for Commerce  
9<sup>th</sup> Floor, Dumas House  
2 Havelock Street  
WEST PERTH WA 6005

Dear Minister

***BUILDING CONFIDENCE REPORT BY SHERGOLD AND WEIR***

The Australian Institute of Architects (Institute) is the peak body for the architecture profession in Australia. It works to improve our built environment by promoting quality, responsible, sustainable design. The Institute also aims to enhance the cultural, environmental and economic well-being of the community by advancing contemporary practice and the professional capability of architects and advocating the value of architecture.

I am taking this opportunity to comment on the recently released report, Building Confidence, authored by Professor Peter Shergold and Ms Bronwyn Weir. At the outset the Institute congratulates the Building Ministers' Forum for commissioning the examination of compliance systems for the building and construction industry. We also welcome the findings of the report, having advocated for some time for changes to the building regulatory environment regarding enforcement and compliance with the National Construction Code (NCC), particularly with regard to compliance failures such as non-conforming building products and fire safety. We have been concerned about the inadequacy of documentation resulting from current cultures within the construction industry that increasingly prioritise cost and time savings at the inception of projects. This has consequential results on building quality and ongoing maintenance, leading to long term negative impacts.

Overall, the Institute supports the findings of the report and would urge Building Ministers to implement the recommendations, in collaboration with industry. The Institute fully supports a national approach to the administration and enforcement of the NCC. Some issues require further discussion as detailed proposals emerge, but this should not delay Ministers agreeing to implement all 24 recommendations. The following provides specific comment on some of the recommendations.

Regarding recommendation 1, we fully support the concept that only registered practitioners perform work for which they hold registration, and only appropriately qualified and registered practitioners prepare performance solutions. Architects are already required to be registered, to hold insurance, and in some jurisdictions such as Western Australia, undertake mandatory continuing professional development. The registration of project managers and building designers has been a position of the Institute for some time to ensure that these significant contributors to the construction process are bound by equivalent professional standards to architects, and this recommendation is welcome.

We also support restricting the development of performance solutions to appropriately qualified and registered practitioners. In our view it is essential to clearly articulate the role and responsibility of each practitioner. This needs to be supported by procedure that ensures that any amendments to performance solutions are checked by suitably qualified practitioners prior to construction.

There is a suggestion that legislation regulating architects should provide the introduction of sub-categories that limit the scope of work that can be performed by architects by reference to classifications or types of buildings. This is an area that requires further discussion, as we would not like to see architects unreasonably branded as purely “domestic” or “commercial”. Rather, we would support an approach that accommodates architects’ engagement across a range of projects where they have the appropriate skill to do so.

The Institute supports recommendation 2 to prescribe consistent requirements for the registration of building practitioners. We have advocated for a national registration system for architects for some time, and this assists with closing the gap between jurisdictional requirements. Many of the proposed requirements already exist for architects. The additional obligation for compulsory training on the operation and use of the NCC is a sensible recommendation and could be addressed for future architects through the education system supplemented by ongoing professional development post-graduation.

The report found that audits of cladding on high rise buildings raised issues around the adequacy of regulatory powers for investigation and to require rectification, and it made recommendations on the power that regulators should hold to monitor buildings and building work. One of the recommended powers is to allow for performance audit of all registered practitioners. Overall, the Institute supports the recommendation, but more detail is required about what the audit may involve. It is expected that this would only occur when a major issue has arisen.

With regard to collecting and sharing data, we fully support the establishment of a building information database that provides a centralised source of building design and construction documentation. This data will be invaluable to architects undertaking renovation and re-use projects provided there are safeguards regarding the replication of intellectual property and the documents are verified as being an accurate record of the finished construction by a suitably qualified practitioner.

The issue around adequacy of documentation in the building approval process has been of concern to the profession for some time. The recommendation to require building approval documentation to be prepared by appropriate categories of registered practitioners, demonstrating that the proposed building complies with the NCC is fully supported.

All other recommendations are supported, and we would encourage the Building Ministers Forum to endorse the findings of the report and work closely with industry in implementing all 24 recommendations.

Yours sincerely



SUZANNE HUNT FRAIA  
**PRESIDENT WESTERN AUSTRALIA**