



Australian Institute of Architects

RESPONSE TO THE SHERGOLD WEIR REPORT – BUILDING CONFIDENCE July 2018

The following was forwarded to the Chair of the Building Ministers Forum in July 2018. Similar letters were forwarded by Chapter Presidents to State and Territory Ministers who are members of the Building Ministers Forum.

We are writing on behalf of the Australian Institute of Architects (the Institute) concerning the recently released report, *Building Confidence*, authored by Professor Peter Shergold and Ms Bronwyn Weir. The Institute congratulates the Building Ministers' Forum for commissioning the examination of compliance systems for the building and construction industry.

As you would be aware, the Australian Institute of Architects is the peak body for the architectural profession in Australia, representing 11,000 members. The Institute works to improve our built environment by promoting quality, responsible, sustainable design. Through its members, the Institute plays a major role in shaping Australia's future.

The Institute welcomes the findings of the report. We have 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 particularly concerned about the inadequacy of documentation resulting from current cultures within the construction industry, which increasingly prioritise cost and time savings at the inception of projects. This has consequential results on building quality and ongoing maintenance, which have 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 Building 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 have mandatory CPD requirements. 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 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 an unreasonable compartmentalisation of architects into purely “domestic” and “commercial” architects. Rather, we would support an approach that accommodates architects’ engagement across a range of projects where they have the appropriate skills 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 requirement 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 regulators’ powers 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, provided there are safeguards regarding the replication of intellectual property and the documents are verified as being as accurate record of the finished construction by a suitably qualified practitioner. This data will be invaluable to architects undertaking renovation and re-use projects.

The adequacy of documentation in the building approval process has been an issue 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 National Construction Code 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.