



Australian  
Institute of  
Architects

Independent Review  
of the Building  
Professionals Act  
2005

**Submission to Building  
Professionals Board**

**21 September 2015**

## **SUBMISSION BY**

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## **PURPOSE**

This submission is made by the NSW Chapter of the Australian Institute of Architects (the Institute) to the Building Professionals Board in response to the Independent Review of the Building Professionals Act 2005.

At the time of the submission the office bearers of the NSW Chapter are:

Shaun Carter (President), Joe Agius (Immediate Past-President), Sarah Aldridge, Melonie Bayl-Smith, Nigel Bell, Callantha Brigham, Jacqui Connor, Chris Jenkins, Alex Kibble, Debra McKendry-Hunt, Andrew Nimmo, Kirsten Orr, Shahe Simonian, Howard Smith, Ksenia Totoeva, Paul Walter.

The Office Manager of the NSW Chapter is Audrey Braun. This paper was prepared by Murray Brown, Policy Advisor, and the NSW Chapter Practice Committee for Chapter Council.

## **INFORMATION**

### ***Who is making this submission?***

- The Australian Institute of Architects (the Institute) is an independent voluntary subscription-based member organization with approximately 11,553 members who are bound by a Code of Conduct and disciplinary procedures.
- The Institute, incorporated in 1929, is one of the 96 member associations of the International Union of Architects (UIA) and is represented on the International Practice Commission.
- The Institute's New South Wales Chapter has 3,348 members, of which 1,951 are registrable architect members – representing 43% of all registered architects in NSW.

### ***Where does the Institute rank as a professional association?***

- At 11,553 members, the RIAA represents the largest group of non-engineer design professionals in Australia.
- Other related organisations by membership size include: The Design Institute of Australia (DIA) - 1,500 members; the Building Designers Association of Australia (BDAA) - 2,200 members; the Australian Institute of Landscape Architects (AILA) - 1,435 members; and the Australian Academy of Design (AAD) - 150 members.



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The Institute commends this well-argued, comprehensive report. Our responses to specific sections of the report are as follows:

**1. Exempt development** (pp 185-6)

This category of development includes elements that need to meet safety and performance standards, such as balconies, carports, pergolas and fences.

The report proposes that an independent building assessment be undertaken for these types of exempt development and that a complying development or construction certificate be issued before work can commence.

The Institute supports this proposal.

**2. Changes of existing building or use** (pp 186-7)

The report notes: 'When an existing building has its use or form changed or if changes are proposed to key regulated building services, the changes needs to be properly assessed' and proposes that all changes that significantly affect building safety and performance require approval.

The Institute supports this proposal.

**3. Quality of building and critical element design and certification of design**  
(pp 187-8)

The report notes the SEPP 65 requirement that only persons specified in the SEPP can design apartment buildings, but observes that, in relation to other buildings, 'the lack of requirements for either building design or the design of critical building elements can result in poorly designed buildings' and the failure of critical elements.

It proposes extending certification to the design of complex buildings and critical elements by accrediting 'suitable professionals to undertake the certification ..... Consideration should be given to providing BPB accreditation to persons that are accredited by the Board of Architects and Building Designers Australia'.

The Institute agrees that architects should be given the opportunity to certify building plans BUT we consider that only architects have the training and skills to certify the plans of complex buildings and critical elements.

**4. Development Approvals** (pp 188-9)

The report proposes that the approvals system should return to the old development application / building application model so that there is a clear separation between the concept requirements at development application stage and the more detailed design and building standard requirements at the building application stage.

The Institute endorses this sensible approach.

**5. Imposing standards in excess of the BCA (pp 189-90)**

The report proposes that 'councils that wish to apply a standard higher than the BCA to a class or classes of building must establish a case for so doing, supported by a benefit cost analysis and the review must be published and submitted for assessment by a suitably independent party'.

The Institute supports this proposal.

**6. Accessibility of building plans (p 195)**

The report recognises that 'it is important that the builder has the development consent, including any and all 'Section 96' modifications, the CC and the CDC and associated building documentation and plans. This does not always occur, with builders sometimes working on a different version of the plan to that certified'.

The report proposes that:

- a fully specified building plan accompany all CCs and CDCs; and
- it is the owner or developer's responsibility to provide the builder with the approved plan at the time of certification.

The Institute supports this proposal.