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Submitted to **Discussion paper: National Registration Framework for Building Practitioners**

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Information Collection

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Personal Information

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What is your organisation?

Organisation:

Australian Institute of Architects

Which best describes your industry sector?

Which best describes your industry sector?:

Architecture and design

Please select your State or Territory

State or Territory:

ACT

On whose behalf are you making this submission?

I am making this submission on behalf of an industry body

General Questions

Does the proposed NRF deliver an appropriate and proportionate response to BCR Recommendations 1 and 2?

No

If No, please provide reasons and suggestions.:

The National Registration Framework for Building Practitioners (NRF) is welcomed as a necessary enabler to ensure that all practitioners have the appropriate qualifications and competence to undertake work in the building sector. However, we believe the NRF, as currently proposed, will have unintended consequences and will result in poorer quality and a less safe outcome for the public – the end users of buildings.

The Institute believes there needs to be a focus on the competency of practitioners rather than solely on education level and years of experience. We also believe that the levels of education and assessment of experience set out in the NRF are inappropriate with regard to the skills required to deliver safe buildings and buildings that comply with the NCC in all of its aspects.

The (proposed) NRF is not based on assessment of competency, which is a well-recognised high-quality benchmark for assessment that results in better building outcomes. Experience does not equal competence. Experience equals merely experience and can relate to someone who has done something for a long time, and not necessarily well. There must be an underpinning robust assessment process of experience levels that translate to competencies. These competencies from different types of practitioners in the levels outlined in the NRF must be comparable.

For instance, there are increasing professional registration, mandatory training and experience requirements for registered architects. It appears that the NRF is reducing the level of education, experience and skill required to design and document buildings in the building designer category of the NRF, at level 1 in particular, but also in level 2.

The NRF allows building designers with a diploma in building design (a 1 to 2 year course) with 3 years post qualification experience to be able to undertake a good proportion of building types that currently require a registered architect. Registration requirements for architects relate to education, experience and demonstration of competency through an examination and interview against national competency standards that are recognised internationally. There is currently no comparable assessment process for building designers.

Will the NRF, if implemented, enhance confidence in the building industry by ensuring that key practitioners in the building process are registered?

No

If No, please provide reasons and suggestions.:

The concept of a national registration framework and registration of all key practitioners is supported and would ideally enhance confidence in the building industry. However, the current proposals, particularly in terms of building designers and project managers, are insufficient to raise confidence in the building industry, because the bar has been set at a level that is too low to ensure quality outcomes.

The stated objectives of the Building Confidence Report is to 'enhance public trust and confidence in the building industry'. This will be best achieved through prioritising professionalism and higher levels of competence for all practitioners.

It is reasonable to state that there would be a significant reduction in public confidence in the Australian medical system if registered medical practitioners were considered equally qualified to people holding bachelor degrees in medicine or degrees in health sciences. Similarly, we do not allow graduates with a medical degree who have not successfully completed the prescribed post graduate training to have the same responsibilities within medical practice. However, the NRF does not recognise the significant differences in education and mandatory practical experience between registered architects and others providing building design services. This lack of regulatory recognition corresponds to confusion within the community as to the role and capabilities of an architect as opposed to a designer/drafter and can result in poor quality outcomes and risks to safety.

Do you foresee any risks in implementing this proposal, noting that the states and territories are responsible for implementation of the NRF?

Yes

Please explain your reasoning.:

In its present form, Table 01 NRF Taxonomy Level 1, has the potential to reduce the accreditation requirements of a registered architect by allowing a comparison of a person with a degree in architecture plus NCC training to a registered architect.

This document and the support of the ABCB may become an influential document in allowing the establishment of "building designers" to a lesser level than a registered architect but by association suggesting a person with a degree in architecture plus NCC training is equal to a registered architect.

Given that the funding of University courses in architecture are tied to the requirements of practice, if the equivalent NRF registration requirements are lowered to undergraduate degree plus honours, the federal funding and HECS for masters of architecture may be removed.

There are also risks that the lack of distinction between a registered architect and a registered building designer may impact on international trade in architectural services which are currently covered by mutual recognition agreements with other countries.

Another risk is that each state and territory will implement the NRF in a different way and assign different responsibilities and accountabilities to practitioners within building approval systems.

The consequence of not having the appropriate level of competence will result in more design errors, higher costs to consumers and potential impacts on the cost and availability of insurance in the future.

Do you think the proposed NRF will improve compliance with the NCC?

Yes

Please explain your reasoning.:

The Institute has long held the view that all practitioners in the building industry must have the appropriate education, experience and competence to undertake their assigned activities. A registration framework is a means to ensure that only those practitioners with the appropriate skills and competence deliver buildings that comply with the NCC. Each practitioner must be held accountable for the work that they undertake, and this framework should assist with accountability issues. However, it is vital that the NRF attribute the appropriate permitted work and not introduce a "lowest common denominator" approach.

NRF Discipline Specific Comments

Please provide your comments below.

Your comment relates to::

Building design

Registration levels:

A building designer registered at the relevant level is permitted to design and document building design work using Performance or Deemed-to-Satisfy Solutions. The three levels of registered building designer are:

1. Registered building designer level 1 All buildings
2. Registered building designer level 2 Medium rise buildings
3. Registered building designer level 3 Low rise buildings

An individual registered as an architect under architect's legislation will meet the requirements to be registered as a building designer level 1.

The Institute does not have an issue with having levels in the NRF. However, we would strongly recommend that they be described as follows:

1. Registered Architect – All Buildings
2. Registered building designer level 2 Medium rise buildings (with medium rise being defined as two storeys rather than three – and with qualifications on it depending on the number of consultants that are required to deliver the building).
3. Registered building designer level 3 Low rise buildings

This would then prevent the necessity of requiring registered architects (noting they are already registered to practice) to also be registered as building designers. It would also differentiate between skill level of an architect and building designer and provide greater confidence and understanding for the public.

The issue we have relates to the scope of work in each level and the qualifications and experience requirements in each level. Design of buildings of type A should be restricted to registered architects and the management and coordination of design follows that same logic through various classes of building designer. Class A buildings are the source of the most drastic failures and risks.

Architects are the profession who would, traditionally, provide expert and impartial input in relation to design, regulatory compliance and construction quality. Architects are required by (legislated state) Registration Acts to be professional providers of design and documentation services as well as independent arbitrators between the client and contractor during construction. The knowledge and capability of designers who have not completed the prescribed tertiary education and post graduate architectural registration requirements are significantly less than those of a registered architect. In addition, designers are also not required to be insured (increasing community risk) or to abide by a code of ethics, which are both requirements of architectural registration.

Descriptions/definitions:

Medium rise definition

The Taxonomy defines permitted work for level 2 as NCC Class 2 to 9 buildings - performance and DTS to a maximum of three storeys above a storey used for parking vehicles.

We strongly believe that the definition should be restricted to a maximum of two storeys rather than three. The three storey definition conflicts with the NSW SEPP 65, which defines apartment buildings 3 storeys or more to be designed by an architect.

As well, the NRF should be required to deliver a robust system with the capability to handle the future of construction in Australia, which will be considerably more complex. The below examples are areas that already exist. The 'normal' future of construction in Australia will include buildings which have:

- o BIPV building cladding / facades generating power (it will look like normal cladding and will not be noticeable as solar panels)
- o Battery Power storage for Zero Carbon
- o Mass Food generation in basements
- o Roof top gardens for communal, social and environmental benefits
- o Food generation as a communal benefit on those roof tops
- o Recycling of Food Waste within that building to reduce garbage collection
- o Building Management Systems that Open Windows/Louvres automatically to reduce the need for artificial air-con
- o Complex Security systems without the use of cumbersome keys
- o No-car cities
- o Self-charging driverless cars
- o Passive house
- o Pre-fabrication

For example, a 2 storey residential complex (eg a string of townhouses) with underground car parking, we can expect in the near future to also include all the items listed above. However, we would consider this a complex building and requiring a Level 1 training to design, co-ordinate and manage. The Level 2 definition does not comprehend this type of construction.

We recommend that there should be an additional qualifier on Level 2 dependant on the number of specialist consultants required, once more than a few specialist consultants are required (eg more than Structural, Mechanical, Hydraulic) a Level 1 Architect should be the designer.

Page 22 - 1, 2 & 3 Building Design (includes architect & draftsman)- Energy efficiency

There appears to be a misunderstanding of the role of architects and building designers with regard to commercial energy efficiency design work.

Some architects do specialise in energy efficiency, however it (and energy rating) does not naturally sit within the architectural discipline. Typically, commercial energy modelling is undertaken by specially trained practitioners who may be architects, but who are more likely to be engineers or scientists. Residential energy modelling requires specific training that is not ordinarily included in architectural education. The training is state based and licenced. Practitioners come from architectural, engineering, science and building certification backgrounds.

The draft NRF suggests that a person should be a level 2 building designer before being able to be qualified as a level 2 energy efficiency designer. This is an overlap of professions that shouldn't be expected or suggested. Level 2 energy efficiency design (commercial) is quite different to level 3 energy efficiency design (residential). A level 2 energy efficiency designer must not automatically qualify as a level 3 energy efficiency designer.

Level 3 energy efficiency design (residential), certificate IV in NatHERS aligns with current requirement for accredited assessors. Energy efficiency design

should be its own discipline, and should be categorised by 'residential' and 'commercial', rather than a number system that suggests a commercially endorsed specialist can automatically qualify as residentially endorsed.

Page 23 - 1, 2 & 3 Building Design (includes architect & draftsman) - Access Consulting

There appears to be a misunderstanding of the role of architects and building designers with regard to access consulting.

Some architects specialise in access design; however, it does not always sit within the architectural discipline. Often specialist access designers are required. This work is undertaken by specially trained practitioners who may be architects but could also be practitioners from building certification backgrounds. Architectural education includes access design, however, Certificate IV in disability access consulting is not ordinarily included. The training is state based and licenced. Registered architects may not have the required training or experience to perform this role at the level required by state licencing or Certificate IV in disability access consulting.

Clarity is required as to "normal" access design performed by architects, and those cases where licenced access experts should be engaged.

Building types

The definition of building types, complexity and size will require further discussion. Small buildings can be significantly complex requiring sophisticated design practitioners, for example a Physical Containment laboratory 1 to 4 is not necessarily large but has high level of design features in both the architectural and engineering requirements. Refurbishment and additions/alterations to complex building types, hospitals, education facilities and the like again may not be large but require higher level design skills

Scope of work:

The NRF views architects as largely equal to building designers and other lesser qualified practitioners offering building design services. This does not provide clarity regarding the relative capabilities of an architect as opposed to a building designer or drafter and will not result in improved public confidence, which is the core objective of the Building Confidence Report.

The NRF and Taxonomy provide a register of individuals in core disciplines. This will only be effective providing each core discipline is appropriately framed.

The Taxonomy lists people qualified to undertake Design Level 1 as having an 'Approved degree in architecture, architectural science or architectural design'. This demonstrates a fundamental misunderstanding of the difference between the education pathway required by a registered architect and that required for other designers within the building sector.

Building science and building design degrees do not provide an equivalent scope or standard of education to that attained by a graduate of an accredited architectural program. It is therefore not reasonable to expect the same standard of service to be provided by a building or other designer as can be expected from a registered architect.

We also note that architectural science and architectural are not terms supported by various Architectural Registration Acts in Australia. The restriction of the term architect is stipulated so that the public and consumers of architectural services have confidence in the standard of professionalism and expertise that they can reasonably expect an architect. This benefit is diminished when a system such as the NRF implies that people with lesser qualifications are capable of providing equivalent expertise to a registered architect.

Using the term 'architect' in relation to people who are not registered is misleading and diminishes the very real distinction between the capability of an architect as opposed to a designer. This will not achieve the objective of the NRF, which is to clearly articulate the different roles that specific groups of people can undertake within the construction sector to a suitable standard. Incorrect use of the term architect also contradicts the Restrictions and Protections section of the NRF.

Therefore, it is recommended that this distinction is expressed:

- Through the removal of the use of the term 'architect' from the NRF, except where it refers to a person who is a registered architect.
- in the Taxonomy, with registered architects being listed as the only practitioners suitably qualified to undertake Design Level 1.
- In the education requirements, with Building Design Level 1 requiring an AQF Level 9 qualification, which is the level of education required to satisfy the architectural registration requirements.

Building designers and drafters would remain able to undertake Building Design at other levels, which are better aligned to their level of expertise.

The NRF recognises the suitability of the existing architectural registration system in Australia, on the basis that it already meets the objectives of the NRF in relation to education, accreditation and mutual recognition. The benefits inherent in architectural registration should not be diminished by the failure of the NRF to clearly distinguish between architects and others involved in the design of buildings.

Permitting Level 2 building designers to design all buildings apart from type A construction will not give the required protection the public require.

Qualification requirements:

Academic qualifications identified in the draft NRF appear out of step with the current framework for Architectural Qualifications. The Schools of Architecture in Australia deliver a two-tier degree programme with a Master's Degree required to qualify for registration (AACA Accreditation 2019). This is equivalent to the AQF 9 not AQF 8 as set out in the NRF.

AQF level 9 criteria provides that graduates at this level will have specialised knowledge and skills for research, and/or professional practice and/or further learning. Graduates at this level will have advanced and integrated understanding of a complex body of knowledge in one or more disciplines or areas of practice.

Graduates at this level will have expert, specialised cognitive and technical skills in a body of knowledge or practice to independently:

- analyse critically, reflect on and synthesise complex information, problems, concepts and theories
- research and apply established theories to a body of knowledge or practice
- interpret and transmit knowledge, skills and ideas to specialist and non-specialist audiences

Graduates at this level will apply knowledge and skills to demonstrate autonomy, expert judgement, adaptability and responsibility as a practitioner or learner

The knowledge and skill outlined above is appropriate for level 1 and is particularly relevant to developing performance solutions under the NCC.

Architects have completed an accredited program in architecture at AQF level 9, a mandatory period of two years minimum of relevant work experience and the Architectural Practice Examination prior to applying for registration as an architect.

Each of the assessment programs on the pathway to registration are benchmarked against the National Standard of Competency for Architects. All assessment programs use the context of a complex project for assessment of competency.

For experienced design practitioners who have not utilised the conventional pathway to registration as an architect there are a number of pathways to registration available to relevantly experienced practitioners.

The NRF should be lifting the competency of professionals across the spectrum of building designers to an equivalent level with Architects, rather than proposing a scheme that would lower the standards across the industry and increasing risks for poor outcomes for consumers by having less qualified practitioners. This proposed NRF proposes registration of building designers before they have developed the required competencies to practice in projects of high complexity or at large scale for class 3-9 buildings.

Experience requirements:

The Institute believes there needs to be a focus on the competency of practitioners rather than solely on education level and years of experience. We also believe that the levels of education and assessment of experience set out in the NRF are inappropriate with regard to the skills required to deliver safe buildings and buildings that comply with the NCC in all of its aspects.

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Any other comments for this discipline:

Supporting documentation

File Upload:

AQF level - capability.pdf was uploaded

Would you like to comment on another discipline?

Yes

NRF Discipline Specific Comments

Please provide your comments below.

Your comment relates to::

Project management

Registration levels:

Architects frequently act as Superintendents and Lead Project Consultants delivering projects of various complexities. As such it is important that this continues to be recognised.

The definition of Project Co-ordination requires all individuals engaged in project management should be registered in this discipline unless they are working under the direct supervision of a registered project manager.

This definition ignores architects' capacity developed through education and experience in project delivery across design and construction phases engaged by the client/owner.

As the proposed NRF encourages utilisation of existing regulatory frameworks, the Institute concurs with the AACA and recommends that architects should be automatically endorsed as meeting the criteria as project manager within the Project Co-ordination category.

Descriptions/definitions:

Scope of work:

Qualification requirements:

Project Managers are responsible for project managing the project. This includes managing the program, the scope, the inclusions of all the consultants, as well as managing the cost of the project and keeping the client well informed throughout the project.

Without a deep understanding and knowledge of:

- a) all of the consultants on the project,
 - b) the future complexity of construction in Australia, and
 - c) the importance of the building to the public/urban design and other social implications,
- the project manager can be driven purely by time and cost.

We recommend the Project Manager should be AQF9 qualified and minimum 2 years post graduate experience, have a code of conduct and be required to hold PI insurance and do ongoing CPD annually.

Experience requirements:

Any other comments for this discipline:

Supporting documentation

File Upload:

No file was uploaded

Add another comment?

No

Other Comments

The ABCB is specifically interested in your comments on the registration levels for building surveyors. Do you agree with the criteria used to distinguish between with the two levels of registration for building surveyors and does it adequately accommodate the different levels of risk?

Not Answered

Please provide your reasoning.:

Are there any other matters you wish to comment on?

Comments:

The NRF makes statements about grandfathering, recognition of prior learning and accreditation of courses. The Institute is of the opinion that grandfathering has not been well managed in the past. There must be a robust system for assessing whether a person has the competence to undertake the permitted work. The aim of the NRF should be to improve competency of all building practitioners over time to an appropriate minimum standard.