

Building Commission NSW

# Architect and Design Working group

Session 2

Hosted by Tom Kearney

28/02/2025



# Acknowledgement of Country

Building Commission NSW acknowledges, respects and values Aboriginal peoples as the Traditional Custodians of the lands on which we live, walk and work. We pay our respects to Elders past and present. We recognise and remain committed to honouring Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships, and continuing connection to their lands, waters and seas. We acknowledge their history here on these lands and their rich contribution to our society.

We also acknowledge Aboriginal employees who are an integral part of our diverse workforce, and recognise the knowledge embedded forever in Aboriginal and Torres Strait Islander custodianship of Country and cultures.

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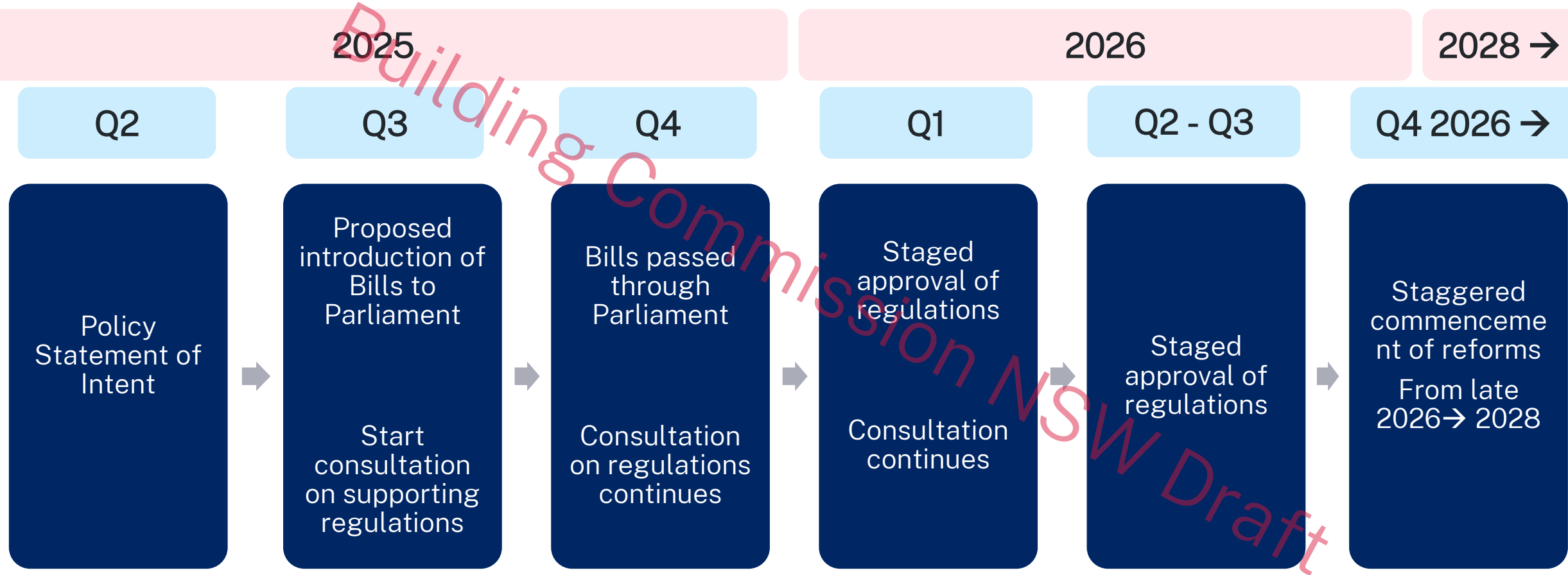
The 'Connecting Communities' artwork used here is by Alison Williams, a proud Gumbaynggirr woman.



# Agenda

Topic	Presenter	Time (Minutes)
Opening and welcome	Tom Kearney	5
Building Bill timelines	Audrey Maag	5
Stakeholder consultation summary	Pauline Lynn	10
BCNSW updated positions	Tom Kearney	15
Next steps	Tom Kearney	5
Close		-

# Proposed timelines for Bills



# Consultation highlights

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- **Targeted consultation from 7 August to 18 October 24**
- **121 total submissions**
- **Support for licensing building designers and interior designers**
- **Licence classes and scope needs further refinement**

# Summary of stakeholder views



**45** targeted stakeholder submissions | **7** Government submissions | **106 total** submissions including other interested parties

## Key themes

- Broad support for the intent of the reforms
- Industry asked for more time to finalise the reforms
- Reform fatigue is an issue, particularly in the context of Housing Accord targets
- Industry is highly engaged – significant volume of detailed comments, particularly in relation to drafting and the content of the regulations

### Development and builder groups

- MBA – support
- HIA – verbally indicated support but concerns over timing - "A failure to consider the pace of change, to assess the industry experiencing regulatory fatigue, and to properly consider the impacts of additional red tape and regulatory burden likely to be caused by the reforms."
- Property Council, Urban Taskforce – broad support but "we caution against allowing a change of this magnitude to be rushed"

### Unions

- CFMEU – "welcomes the establishment of a new framework for regulating building and construction work"; ETU has concerns about proposed new categories of electrical licenses, supports most other elements

### Certifiers

- AAC – strong support, noting the reforms are "an opportunity to help rebuild community and consumer confidence in the construction sector"

### Consumer Groups

- OCN and SCA – support for improvements to quality and consumer protections



# Key themes of feedback from design and architect industry submissions

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Concerns raised about:

- Amalgamation of the Architects Act into the new legislative framework
- Drafting definitions and way in which amalgamation is being completed
- Risks of weakening of national consistency and mutual recognition
- Inability to supervise certain types of projects and contract with trades as principal
- Seeking clarity on what work each profession will be performing, the standard required, and the qualifications needed to obtain registration
- Key defining terms required further clarification
- Professional indemnity insurance requirements

# Information request summary



## Interior designers

Information provided outlining AQF framework proposal and scope of work, including examples of responsibilities

## Architects

National competency framework exists for architects that permits mutual recognition in NZ, USA, UK, Japan and Singapore.

## Building designers

AQF 5-8 framework + experience requirements, ongoing CPD and work experience examples. Proposed scope of work provided.

Accreditation Points Table	
Activity	Points
1. Develop and deliver a minimum of 10 hours of CPD per year	10
2. Participate in a minimum of 5 hours of CPD per year	5
3. Complete a minimum of 10 hours of CPD per year	10
4. Complete a minimum of 5 hours of CPD per year	5
5. Complete a minimum of 10 hours of CPD per year	10
6. Complete a minimum of 5 hours of CPD per year	5
7. Complete a minimum of 10 hours of CPD per year	10
8. Complete a minimum of 5 hours of CPD per year	5
9. Complete a minimum of 10 hours of CPD per year	10
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# BCNSW updated positions

Proposals for licensing are under review and will be refined further in 2025

1. Building designers
2. Architects
3. Restrictions and provisions – class 2, 1
4. Licencing framework for interior designers



# Updated Draft Proposal – full details to be developed with Regulations

Profession	Licence/Registration Class	Building Class
Architects	Architect	All classes - <b>Authorised to</b> create regulated designs and make design compliance declarations provided in connection with the design, planning or construction of buildings that is ordinarily provided by architects
Building Designers	Building Designer (Low Rise)	Class 1 & 10 – general building design work
	Building Designer (Medium Rise)	Class 1 & 10 – general building design work Class 2 in line with Housing SEPP – up to 3 storeys and where there is up to 4 dwellings Class 3 & 9c – up to 3 storeys (current DBP) <b>Authorised to</b> create regulated designs and endorsement needed for design compliance declarations on buildings up to and including three storeys and where Housing SEPP does not apply
	Design Practitioner – Building Design	Class 3 & 9c (current DBP) <b>Authorised to</b> create regulated designs and endorsement needed for design compliance declarations for all class 3 and 9c buildings
Interior Designers	Interior Design	Class 1, 2, 3, 9c & 10 – non-structural work where DBP declarations are not required

# Next steps

Further stakeholder roundtable (likely July, timing TBC)

## Regulation development consultation phase

- Drafting of the Regulations will take place from April 2025 – March 2026 (exact timing TBC)
- Stakeholder groups formed to assist in drafting and provide feedback – iterative process
- Qualification review will commence following completion of regulation drafting phase
- New licensing framework, including propose co-regulatory scheme would commence in around July 2028 (TBC)









# Appendix A

- AQF proposals

# Accreditation Points Table

The table below indicates the minimum requirements for design accreditation in the two pathways. The four columns identify the points allocated for each qualification, each years' worth of experience, agreeing to the Code of Conduct and providing evidence of PII cover.

Accreditation Pathways	Points needed	Design Education points (minimum 7 points)	Experience (Professional min 3 yrs) (Vocational min 5 yrs)	Code of Conduct (minimum 3 points)	Insurance (minimum 2 points)
<b>Pathway One</b>  <b>Professional Skill Level 1</b>	*15	AQF 10 Doctoral = 10 points AQF 9 Masters = 9 points AQF 8 Graduate Cert = 8 points AQF 8 Bachelor (Hons) = 8 points AQF 7 Bachelor = 7 points CPCCWHS1001 <sup>2</sup> = 1 point  Copy of highest-level of design qualification or transcript to be supplied	One point is equated to each year of experience: A minimum of 3 years experience = 3 points Max 15 yrs. = 15 points  CV to be supplied	Agreeing to and abiding by the Code of Conduct = 3 points  Code of Conduct (signed)	Professional Indemnity Insurance = 2 points  Certificate of Currency (from employer or employee)
<b>Pathway Two</b>  <b>Vocational Skill Level 2</b>	*25	AQF 6 Associate Degree = 6 points AQF 6 Advanced Diploma = 6 points AQF 5 Diploma = 5 points AQF 4 Certificate IV = 4 points CPCCWHS1001 <sup>2</sup> = 1 point and / or Completion of exam = 7 points Interview = 5 points  Copy of qualifications and transcript to be supplied	One point is equated to each year of experience: A minimum of 5 years experience = 5 points 10 yrs. exp = 10 points max 15 yrs. exp = 15 points and / or Portfolio = 2 points  CV to be supplied	Agreeing to and abiding by the Code of Conduct = 3 points  Code of Conduct (signed)	Professional Indemnity Insurance = 2 points  Certificate of Currency (from employer or employee)

BDAA proposes the following licensing qualification levels and experience levels:

Category	Qualifications	Education	Experience	Hours
Low-Rise Residential Designer	AQF Level 5	Diploma of Building Design (AQF Level 5)	2 years	2,000 hours
Medium Rise Residential Designer	AQF Level 6	Advanced Diploma of Building Design (AQF Level 6) or Associate Degree of Building Design (AQF Level 6)	3 Years	3,000 hours
Open (Restricted) Residential Designer	AQF Level 7/8	Graduate Diploma of Building Design (AQF Level 8) or Bachelor of Building Design (AQF Level 7) or Bachelor of Design of Architecture (AQF Level 7)	5 Years	5,000 hours
Open (Unrestricted) Architects Only	AQF Level 9	Master of Architecture (AQF Level 9)	7 years	7,000 hours