



**REGIONAL  
ARCHITECTURE  
ASSOCIATION**

Submission to the  
NSW Government  
Design and Building  
Practitioners Act 2020

**15th December 2021**

**Regional Architecture Association**

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At no point in modern  
Australian history has the  
role of the regional architect  
been as crucial as  
it is today.

**VIRGINIA WONG-SEE**  
**RAA FOUNDING MEMBER**

[ARCHITECTUREATALTITUDE.COM.AU](http://ARCHITECTUREATALTITUDE.COM.AU)

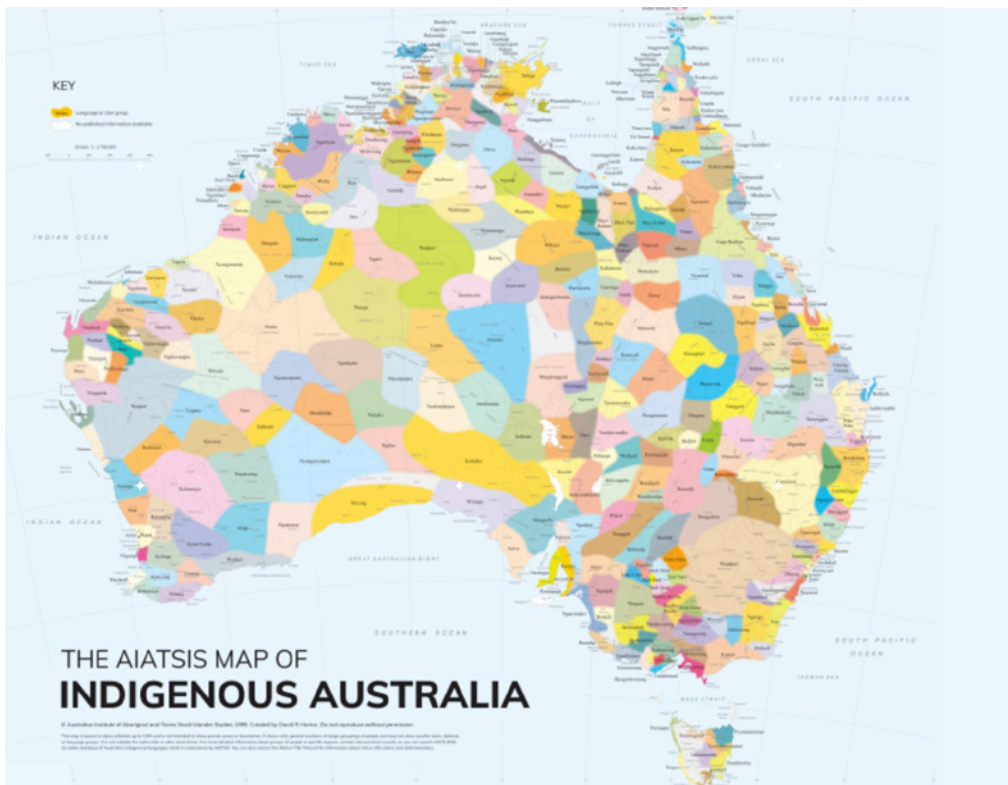
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The Regional Architecture Association acknowledges the Traditional Custodians of country throughout Australia and their connections to land, sea and community.

We pay our respect to their elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

Understanding our ancient landscape as a fine grained regional tapestry informs the need for nuanced regional thinking for the future - today.



Over the last 6 months the RAA have been engaging extensively with our regional membership in various area of regional, architectural practice . We have been hearing regularly that the new Design and Building Practitioners Act, recently introduced, is causing great concern and numerous issues for a large number of practices.

The RAA welcomes the movements made by the NSW Government to tighten the regulation of the building and construction industry, however we wish to make a submission in relation to the impacts of the new legislation on regional, registered architects, a profession that is already tightly regulated with a requirement for skill and experience.

The following document contains our submission and invites you to engage us in your decision making process.

FOR THE ATTENTION OF

**Mr David Chandler OAM**

NSW Building Commissioner, NSW Customer Service

**Re: Submission to the NSW Government in relation to the  
Design and Building Practitioners Act 2020  
by the Regional Architecture Association**

**Dear Mr Chandler,**

This letter is written on behalf of the Founding Committee of the recently formed Regional Architecture Association (RAA). We thank you and the NSW Government for extensive work and research to tighten the regulation of the building and construction industry in NSW. The new legislation will be critical in ensuring construction quality and authority oversight is returned to all aspects of the construction industry. As a formation of regional architects, RAA welcomes the opportunity to contribute towards NSW Government's process in improving construction quality.

The Regional Architecture Association is a newly formed Association that supports regional Architectural practitioners to collectively strengthen the practice of architecture and advocate for a better understanding of the value and benefits of architecture. We have been receiving a large amount of correspondence from our regional members raising concerns around the impact of the legislation on regional, architectural practice. We wish to raise the following points for further consideration in relation to the Legislation.

**Key points in relation to our submission are:**

**01 - DOUBLE REGISTRATION**

- Architects are already registered and legislated under specific regulations within the Architects Act. Architects are required to perform to a higher standard of practice when compared against Building Designers and Draftspersons. This legislation is also imposing additional fees onto Practices who already pay higher registration and insurance fees. An additional registration for Architects under the act is unnecessary.
- Unlike building designers, Registered Architects are required to have PI insurance cover which is commensurate with the value of work which they undertake.
- Registered Architects are required to undertake Mandatory Annual Formal CPD.
- Regional Architects tend to be small multi skilled practice, which cover a multitude of building types, unlike some city based practices that specialise in Class 2 buildings.

**02 - DIFFICULT PATHWAYS TO REGISTRATION**

- There appears no current on ramp for Architects to register who don't meet the recent experience requirements other than joint venturing. This has certain risks especially for regional practices and can also be difficult to address in regional areas.
- We are receiving reports of some Architects deciding not to take on traditional Class 2 projects because of the new registration requirements, some have practiced for over 35 years so this doesn't come down to experience.
- You can currently include 2 years of experience pre architectural registration. This experience would be as a less experienced architect as an observer. More recent experience on building classifications not currently included in criteria would be more valuable than these 2 years of preregistration experience. In many regional areas there is only one architect, so this option brings an unreasonable burden to bear for our clients.

- Many regional architects (and builders) have decided that the complex, onerous and costly registration process for Class 2 work, is not worth pursuing because Class 2 only represents a small and infrequent proportion of their work. As a result, Class 2 work will become the domain of city based architects and builders.
- Architectural skills are only developed and refined by practice. If regional architects are unable to undertake Class 2 work, they will be unable to develop the skills of young architects.

### **03 - BUILDING CLASSIFICATIONS NOT INCLUDED AS EXPERIENCE**

- Class 9b buildings are not included in the experience categories. Class 9b buildings can have similarly complex requirements and should therefore be considered for inclusion as relevant experience.
- Architects are well trained to deal with complex design, documentation and coordination processes, whether on Class 2 buildings or any building classification.
- In regional areas, the frequency of Class 2 building commissions can vary dramatically, as it follows economic cycles.
- Historically, the market for Class 2 buildings (apartments) in many regional areas is very limited. Only a few Class 2 commissions proceed from DA approval to construction, because of the length of time required to gain DA approvals. Often by the time DA approval is achieved, the real estate market and/or construction cost has turned, and the project may no longer be viable, and therefore does not proceed to construction.
- Many regional architects were engaged in the Building Education Revolution (BER) without having to prove competency in the design and documentation of complex educational buildings. We are unaware of any problems which arose from the engagement of regional practitioners in this extensive project.

### **04 - BUILDING SCALE AND COMPLEXITY NOT CONSIDERED IN THE REGISTRATION REQUIREMENTS**

- A large percentage of Architects work on small renovations or extensions to existing Class 2 apartments. Under current requirements some Architects are now being locked out of these projects as they do not qualify. In a lot of cases these are very simple projects. This is particularly true with small mixed use heritage buildings and renovations in small regional towns. I.e a small renovation involving a Class 2 building in a town of less than 2000 people. In this example the additional fees imposed on the project are significant and potentially not viable in some cases. These smaller projects could traditionally be handled competently and economically by a local regional practice, however in some cases this will no longer be possible. This is not in the interest of regional towns and communities if projects become unfeasible and serviceable. Regional Towns and Communities should not be disadvantaged by distance and time.
- This also applies to mixed use projects where by the class 2 part may be a very small part of the overall project.
- In regional areas Class 2 buildings are often part of a low rise, mixed use development eg. shop top housing.
- Registration is required regardless of the fact that an architects commission may only extend to works on the Ground Floor, of a building which may contain Class 2 above, eg. retail, office or hospitality.
- Many regional practitioners may not have specific Class 2 experience, however they may be able to demonstrate extensive experience with other more complex building types, like medical centres, community buildings, schools, restaurants and the like.

**05 - ALTERNATE PATHWAYS FOR REGISTRATION THAT COULD BE CONSIDERED**

- Is there the possibility to have a more flexible course requirement that needs to be met to satisfy the competencies required for a Class 2 building instead of demonstrating experience? The feedback from our members is that a dedicated, detailed course would be far more useful and relevant compared with the current requirements that accept historical experience within 10 years, or as an observer pre registration.
- Is there the potential to utilise the Government Architect to assist in tutoring Architects through a pre registration program in areas of concern?

On behalf of our members in the Regional Architecture Association we would love the opportunity to discuss the importance of these matters raised above further. We cannot stress enough, that the current legislation is placing unnecessary restrictions on skilled and competent practitioners and builders, some of which are choosing to no longer work on Class 2 buildings after long, successful careers. We believe outcomes like this are detrimental to our regional towns and communities and the viability of traditional, regional architectural practice.

If it would be possible to discuss any of the above further please don't hesitate to call.

Regards

**Cameron Anderson**

President – Regional Architecture Association  
Registered Architect NSW 8560

On Behalf of the Regional Architecture Association Committee



As committed regionalists we understand that whilst change in the built environment is inevitable, it should occur in a way that celebrates the uniqueness of each place, is considerate of and caters for the true diversity of community life.

The key offerings architects and our associates provide within our communities are:

- A critical understanding of the importance of housing in the regions – past, present and future – for cultural, community, commercial and environmental benefit.
- Engagement with design review panels across regional NSW.
- The shared and collegiate relationship of regional architects across NSW is invaluable to government in offering on-the-ground knowledge, experience and solutions.
- Inherent understanding of the value of Heritage and its commercial and cultural implication on Place – communicated to all stakeholders from Government, Council and community.
- Potential, through our growing membership and network, to establish design, heritage and subdivision advisory committees with local understanding and respect.
- Early design intervention providing practical solutions, fit for place and purpose, that ensure positive outcomes for all stakeholders, including residents.
- The ability to connect and collaborate with others within the profession be they regional or elsewhere on the planet – providing a global perspective through our thorough education in and understanding of place making.
- The ability to source and provide examples of proven solutions through our Global and local lens.
- Resident contributors to local community.

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## The Regional Architecture Association (RAA) was founded by:

<b>Sarah Aldridge</b>	Byron Bay
<b>Cameron Anderson</b>	Mudgee
<b>Scott Carpenter</b>	Casuarina Beach
<b>Brent Dunn</b>	Thirroul + Moruya
<b>Tricia Helyar</b>	Bellingen
<b>Katharina Hendel</b>	Thirroul + Moruya
<b>Chris Jenkins</b>	Port Macquarie
<b>Stephen Johansson</b>	Shoalhaven
<b>Marcus Piper</b>	Moruya
<b>Virginia Wong-See</b>	Armidale + Sydney

On behalf of the Regional Architecture Association,  
thank you for accepting our submission.

We look forward to future engagement.

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