

5 June 2000

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SA

Architects Inquiry Productivity  
Commission LB2, Collins Street  
East MELBOURNE VIC 8003

To whom it may concern,

**RE: REVIEW OF LEGISLATION REGULATING THE ARCHITECTURAL PROFESSION**

**Following** a review of the Draft Report issued by the Productivity Commission on 2 May 2000, I make the following submission in response to this Draft Report.

I am extremely concerned with the Commission's general apparent view that the present Statutory provisions are restrictive on competition, and it appears that the Commission's view is that this restriction outweighs the public benefit. Being a registered Architect, I will be very saddened if and when the Architectural profession is deregulated, as this will have the effect of any building designer or builder, irrespective of qualification, using the title of Architect and consequently lowering the standard of the Architectural profession.

The following are my concerns with the review together with my view of current regulatory provisions.

1. The Architects Act in South Australia identifies persons who can use the term Architect, based on prescribed qualifications, and establishes the Architects Board who administers a code of professional conduct. The Act is a strong Statutory basis for regulating the Architectural profession, which assures the public that they are receiving Architectural services from appropriately qualified professionals. When Clients engage Architects, there is an expectation that a high level of service will be provided, which is reflected in the level of qualification required to be registered as an Architect.
2. There is no present restriction on who can provide design services with the public being able to choose from Architects, Building Designers and Builders. Through the present legislation, the public are assured that persons providing Architectural services are appropriately qualified. The public generally understands that they are receiving design service commensurate with the professional they are engaging. It is understood that a Drafter or Building Designer provides a basic design services, whilst an Architect provides a more advanced architectural design service. I reiterate, the public expect Architects to provide this high level of service and expect the quality of the built environment designed by Architects to be of the highest standard (within a defined budget of course).
3. The qualification standard to allow registration as an Architect under the Architects Act is very high. This includes extensive academic training in architectural design, theory and history, building technologies and contract administration, 2 years of approved practical experience and undertaking of an examination for registration. This demonstrates the high level of qualification required and the subsequent high level of service provided by Architects, which is an expectation of immediate clients and the general public. It appears that this level of service has been trivialised within the Commission's Draft Report.
4. This review of the Architects Act should consider strengthening present Statutory requirements, whilst tightening and identifying qualification requirements for persons providing any building design services, in particular, building designers and builders. I cite the European experience, where building design is predominantly carried out by Architects and any design undertaken by building designers must be signed off by Architects. This system provides a check for design quality and results in a better standard of built environment. The commission should consider the

value adding' component in utilising a highly qualified professional. The retention of a regulated system ensures that essential standards within the profession are maintained, and that this expertise level is utilised to add value to projects with Architectural input, by the adoption of innovative design solutions to produce efficient building solutions of the highest possible quality. Present market-driven methods of selecting consultants means that architects are being selected on lowest fee basis resulting in less time being spent on projects and consequently less innovative design solutions being adopted, as more basic solutions are used.

5. The negative criticism we hear about the quality of our built environment, particularly by prominent political leaders, must consider the a considerable portion of buildings designed by non-Architects. We could have a better quality built environment if more emphasis were placed on the design of buildings, and Architects, with their strong architectural design training, are certainly best qualified to address this problem and make a positive contribution to its solution.
6. At the very least, the present Statutory qualification requirements should be maintained to ensure the highest possible standards are maintained within the architectural profession. The great shame of opening up the architectural profession to less qualified individuals would be the subsequent lower standard requirements in the architectural profession. In addition, present architects would be forced to compete with less qualified persons, consequently reducing the level of service provided to the public. We must value the term of Architect to reflect the complexity and high level of skill required to create high quality buildings, that is, Architecture.
7. The Architectural profession is presently very competitive. This must also consider that fees are time related, and lower fees equate to less time spent on the project and a lower level of service. The effect of more time invested in a project results in a better designed and better constructed building, in terms of client requirements, cost effectiveness and life cycle building costs. The time invested in the design phase of a project can result in substantially reduced recurrent costs to building owners and occupants.
8. In scrutinising Architects' services, it is important to recognise the high level of expertise and service offered by the Architectural profession which translates into better designed and better constructed buildings. The Engineer, for example, typically works within the Project Team and it is the Architect's role to coordinate and integrate the many disciplines involved in designing and constructing a building. The Engineer has the responsibility to ensure that their respective component complies with Codes, and is consistent with the construction of the building. In bringing these various disciplines together, the Architect can produce a design solution which is cost effective, and reduces the recurrent costs and also facilitates the use of the latest technologies where appropriate. The Architect, in leading the design process, can produce the most effective design solution.
9. The provision of best possible service by highly qualified professionals, supported by Statutory regulation, should be an important consideration to ensure best practise standards are maintained. Legislation should support, maintain and strengthen Australia's professional base. Deregulation of the architectural profession can only reduce the standard of the profession and level of service.
10. Control of an Architectural firm should be by Architects, who abide by the Architects Act's code of professional conduct to protect the public. If a firm of Architects were controlled by non-Architects, a Builder or Developer for example, commercial interests could override the Client's or general public's interests, which are considered by Architects as part of the design process. Architects have an impartial role within the building process, which is critical in ensuring that Builders' and Proprietors' responsibilities are upheld. This role is central to the Architect's role in monitoring and administering the building process. A company of Builders calling themselves Architects provides misleading information to the public and specific Clients, as this impartiality will most likely be overridden by commercial interests.
11. Architects provide the following typical services throughout a project: briefing, high standard design, design development, contract documentation, calling competitive tenders, quantitative

and qualitative , monitoring and administration of the construction process. Many Clients undertake a building project once in their lifetime and do not understand the services offered by Designers and Architects. In many instances, they rely on the integrity of the professional providing the service. Regulation of the Architectural Profession ensures that the service provided is of an acceptable minimum standard.

12. If we are to provide quality information to the public, any person using the title Architect should have a qualification in Architecture, which should be a Bachelor of Architecture. This is consistent with the Engineering profession where the public understand that an Engineer has a qualification in Engineering. The fact that any person can use the title Architect does not give a clear indication to the public of the level of qualification.
13. The Draft Report makes reference to the costs of Regulation and notes that alternative providers are discouraged from registering. It must be noted that they are still able to provide design services and these services can be marketed. Surely this is commensurate with the level of qualification and level of service offered by these providers.
14. In considering the 'quality of information' provided to the public, current regulation ensures that the public are not misled in who provides Architectural Services, and the level of service they provide. Present regulation leads to the following levels of service offered:
  - Architects - provide architectural design and primary consultant service
  - Building Designers - provide a basic building design service for simpler projects
  - Drafters offer a drafting service
  - Builders construct buildings.This is what I consider to be quality and clear information to the public. In a deregulated profession, any of these service providers could use the term 'Architect' which would not give the public of the qualification of the person offering this service. This would mean that lower quality and ambiguous information would be offered to the public.

I trust these concerns will be considered as part of this review, and that the following regulatory provisions will be maintained:

- Statutory regulation of the Architectural profession
- the present high qualification standards required by regulation, which in turn protect the public
- the present qualification requirements to ensure the highest standards are maintained within the architectural profession.

Yours faithfully

(signature)

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