

ANNEXED REPORTS



COLA annual report

Construction Occupations (Licensing) Act 2004 Annual Report 2010–11

This annual report has been prepared according to *Construction Occupations (Licensing) Act 2004* (section 112 Annual Report by registrar) and *Construction Occupations (Licensing) Regulation 2004* (section 44 Information in report to Minister).

Complaints

Below are the details of the complaints against each construction occupation under the *Construction Occupations (Licensing) Act 2004*.

Builders

Table: Complaints relating to builders

No. of complaints received	No. of complaints against former licensees	No. of complaints against current licensees	Brief description of the kinds of complaints received
313		313	<ul style="list-style-type: none"> ▪ breach of Building Act ▪ non-compliance with approved plans ▪ pools and spas ▪ poor standard of work ▪ safety issue ▪ stormwater ▪ structural ▪ unauthorised building work ▪ unfinalised building work

Building surveyors

Table: Complaints relating to building surveyors

No. of complaints received	No. of complaints against former licensees	No. of complaints against current licensees	Brief description of the kinds of complaints received
17		17	<ul style="list-style-type: none"> ▪ breach of planning laws ▪ unlawful building approval ▪ poor quality outcome, breach of building code ▪ refusal to lodge papers for certificate of occupancy and use ▪ improper association with builders

Asbestos removalists

Table: Complaints relating to asbestos removalists

No. of complaints received	No. of complaints against former licensees	No. of complaints against current licensees	Brief description of the kinds of complaints received
1		1	<ul style="list-style-type: none"> ▪ unlawful removal

Asbestos assessors

Table: Complaints relating to asbestos assessors

No. of complaints received	No. of complaints against former licensees	No. of complaints against current licensees	Brief description of the kinds of complaints received
1		1	<ul style="list-style-type: none"> ▪ breach of Building Act

Electricians

Table: Complaints relating to electricians

No. of complaints received	No. of complaints against former licensees	No. of complaints against current licensees	Brief description of the kinds of complaints received
33		32	<ul style="list-style-type: none"> ▪ photovoltaic installations ▪ faulty wiring ▪ overdue CESs for house extensions ▪ defect reports not rectified ▪ incomplete installations due to contractual breaches ▪ switchboard upgrades

Plumbers

Table: Complaints relating to plumbers

No. of complaints received	No. of complaints against former licensees	No. of complaints against current licensees	Brief description of the kinds of complaints received
9		9	<ul style="list-style-type: none"> ▪ general ▪ sewer drainage ▪ water plumbing ▪ rainwater installations ▪ greywater installations ▪ bathroom renovations ▪ combined drainage systems

Disciplinary actions

Below are the details about occupational discipline under the *Construction Occupations (Licensing) Act 2004*.

Asbestos removalists

Table: Disciplinary actions relating to asbestos removalists

Name of licensee/former licensee	Type of contravention	Disciplinary action taken	Result of any review of the decision to take disciplinary action
Francis Christopher Williams	Contravention of section 42(1)(d)(ii) of the <i>Building Act 2004</i> ; failure to ensure building approval and relevant asbestos removal plans were in place before undertaking asbestos removalist work.	Cancellation of asbestos removalist licence	The cancellation of asbestos removalist licence.
Francis Christopher Williams		Interim suspension of licence	
Francis Christopher Williams		Extension to interim suspension	

Private building surveyors

Table: Disciplinary actions relating to private building surveyors

Name of licensee/former licensee	Type of contravention	Disciplinary action taken	Result of any review of the decision to take disciplinary action
John Morgan	Contravention of section 80 of the <i>Construction Occupations (Licensing) Act 2004</i>	Conditioning of licence	One condition set aside and one condition amended. Both occurred through the ACAT appeals processes.
John Morgan	Consequences of accumulating 15 or more demerit points against his licence under section 95 of the <i>Construction Occupations (Licensing) Act 2004</i>	Licence disqualification	The matter had not been resolved in the ACAT appeal process during this reporting period

Builders

Table: Disciplinary actions relating to builders

Name of licensee/former licensee	Type of contravention	Disciplinary action taken	Result of any review of the decision to take disciplinary action
0			

Electricians

Table: Disciplinary actions relating to electricians

Name of licensee/former licensee	Type of contravention	Disciplinary action taken	Result of any review of the decision to take disciplinary action
Timothy Shield	Exceeded demerit points limit by 100%	Disqualification and re-education completion before licence reapplication	Nil
Osman Khaznadar	Exceeded demerit point limit by 493%	Disqualification and re-education completion before licence reapplication	Nil
Mahmoud Ismail	Exceeded demerit point limit bt 100%	Disqualification and re-education completion before licence reapplication	Nil

Further information may be obtained from:

Mr David Middlemiss
Construction Occupations Registrar
Construction Services Branch

T: (02) 6207 7397

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W: actpla.act.gov.au

COLA Asbestos Advisory Board

Table: Membership of board

Name	Organisation	Date appointed
Arthur Watson	Asbestos Abatement Consultants	30 March 2009
Ben Kendon	Robson Environmental	30 March 2009
Lawrence Watson	Bellchambers Services Pty Ltd	30 March 2009
Francis Williams	Asbestos Consultants	13 May 2009
Jerry Howard	Master Builders Association	30 March 2009
Ian Fox	ACT Government Analytical Laboratory	30 March 2009
Sarah Schoonwater	CFMEU	3 May 2009
Jon Quiggin	Office of Regulatory Services	30 March 2009
Tony Thew	ACTPLA	30 march 2009
Theodora Ahilas	Maurice Blackburn Pty Ltd	30 March 2009

The COLA Asbestos Advisory Board did not meet during 2010–2011.

Further information may be obtained from:

Mr Stephen Johnson
Construction Occupations Section
Construction Services Branch

T: (02) 6207 5942

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W: actpla.act.gov.au

COLA Building Advisory Board

Table: Membership of board

Name	Organisation	Date appointed
Tony Thew	ACT Planning and Land Authority	1 March 2005
Gill Fergie	Community advocate	1 March 2005
Vince Ball	CITC Canberra Business Centre	1 March 2005
Alan Sims	Housing Industry Association (HIA)	1 March 2005
Jerry Howard	Master Builders Association (MBA)	1 March 2005
Mike Raffety	Builder c/o Master Builders Association (MBA)	1 March 2005
Glenn Chambers	Private building certifier	1 March 2005

The COLA Building Advisory Board did not meet during 2010–2011.

Further information may be obtained from:

Mr Stephen Johnson
Construction Occupations Section
Construction Services Branch

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W: actpla.act.gov.au

COLA Electrical Advisory Board

Table: Membership of board

Name	Organisation	Date appointed
Tony Thew	ACT Planning and Land Authority	1 March 2005
Keith Marchioni	Canberra Institute of Technology	1 March 2005
Gill Fergie	Community advocate	1 March 2005
Vince Ball	CITC Canberra Business Centre	1 March 2005
Robert Taylor	Canberra Business Centre	1 March 2005
Darrell Hills	Aklum Holdings Electrical & Management Consultant	1 March 2005
Greg Kempton	Nexus Electrical Pty Ltd	1 March 2005
Matthew McCann	Electrical contractor—Electrical Trade Union (ETU)	1 March 2005

The COLA Electrical Advisory Board did not meet during 2010–2011.

Further information may be obtained from:

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Construction Policy and Regulation
Construction Occupations Regulation Team

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COLA Plumbing Advisory Board

Table: Membership of Board

Name	Organisation	Date appointed
Tony Thew	ACT Planning and Land Authority	1 March 2005
Brian Coates	Canberra Institute of Technology	1 March 2005
Gwen Slater	Community advocate	1 March 2005
Josef Thaller	Regional Plumbing	1 March 2005
Peter Ruffly	ACT Plumbing Union (retired)	1 March 2005
Anthony Ward	Sellick Consultants Pty Ltd	1 March 2005
Denis Ford	Plumber—Denis Ford Plumbing (resigned June 2009)	1 March 2005
Gerard Sloan	Agility	1 March 2005
Geoff Moore	Plumbing Plan Certifier Bird Moore & Partners (retired March 2009)	1 March 2005
Damian Kirkwood	ACT Plumbing Union	1 August 2008

The COLA Plumbing Advisory Board did not meet during 2010–2011.

Further information may be obtained from:

Mr Mark Frazer
Deputy Registrar Plumbing/Gas
Construction Policy and Regulation
Construction Occupations Regulation Team

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Architects Board of the Australian Capital Territory, 2010–11 annual report



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Telephone: (02) 6207 6288
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ABN 46 346 672 655

The Architects Board is constituted under the *Architects Act 2004*.

Table: Membership of the board as at 30 June 2011

Organisation	Current member	Appointment Commenced	Appointment Expires
Academic Architect	Nino Bellantonio	15 January 2010	15 January 2013
Representative Body	Catherine Townsend	3 March 2011	3 March 2014
Registered Architect	Alan Morschel	3 March 2011	3 March 2014
Commercial Lawyer	Greg Walker	3 March 2011	3 March 2014
Community Interests	Joan Westaway	15 January 2010	15 January 2013

The ACT Architects Board was not able to function effectively for the period 1 November 2010 until 3 March 2011 due to an administrative oversight which resulted in the newly elected board members not being appointed by the Minister on time. A member of the ACT Government who is a registered Architect was appointed from 21 December 2010 until the correct board members were appointed on 3 March 2011, in order to achieve a quorum.

Board functions

The Architects Board has the following functions:

- register architects
- investigate complaints given to the board about registered people and people who have been registered
- consider whether it is necessary for occupational discipline to be used against registered architects, including former registered architects, and, if it is, to apply to the ACAT for occupational discipline orders
- consider and report to the minister about issues referred to the board by the minister for advice
- advise the minister about the practice of architecture, for example, about codes of professional conduct
- further a common and harmonious approach to the administration of legislation about architects by cooperation with local jurisdictions
- accredit courses of study in architecture
- provide general advice to consumers about the professional conduct and standards of competence expected of registered architects
- the Architects Board may exercise any other function given to the board under this Act or another Territory law.

Registration

Table: Registration from 1 July 2010 to 30 June 2011

Type of registration	No. of registrations
New architects	23
Re-application	33
New organisations	1
Renewed architects	286
New mutual recognition	14
Current registered architects	330

Inquiries

The Board received no complaints in 2010–11 and therefore no disciplinary action was taken.

Other activities undertaken by the Architects' Board

Application for re-registration by de-registered architect

The ACT Architects Board considered an application for re-registration by a de-registered architect, and recommended the applicant apply for and pass all stages of the Architectural Practice Examination before a decision could be made on the application.

The Board also advised the applicant of the offence provisions in the Architects Act relating to unregistered individuals advertising their architectural services, as through consideration of the application they became aware of a possible lack of understanding of these requirements on the part of the applicant.

AACA & National Registration of Architects

The Architects Accreditation Council of Australia (AACA, www.aaca.org.au) is constituted of nominees from all state and territorial architects' registration boards in Australia. The ACT Architects Board is represented by the Registrar and the Board Chair, as are the other state registration boards.

The Architects Accreditation Council of Australia is recognised as the national organisation responsible for advocating, coordinating and facilitating national standards for the registration of architects in Australia and for the recognition of Australian architects overseas by the relevant registration authorities. AACA also has the responsibility for assessment of overseas qualifications in architecture for the purposes of migration to Australia under the Australian Government's Skilled Migration program.

A proposal to modify the existing mutual recognition process for registration of architects across states has been developed by the registrars of the NSW and WA architects boards in consultation with the other state registrars.

This proposal resulted from a resolution of the Architects Accreditation Council of Australia for national recognition of the title 'Australian Architect' and the outcome of discussions at the annual registrars' meeting in March 2011. The modification of the existing mutual recognition arrangements was the preferred option from three possible options presented by the AACA:

1. modification of current mutual recognition arrangements—utilising the existing framework of state and territory registration authorities
2. a national system achieved through the establishment of a national authority to administer the process
3. do nothing.

The paper was circulated to all boards and registrars. The ACT Architects Board has supported the proposal in principle, and has provided input regarding ways of administering the national registration process which will not adversely affect the ACT.

Architectural Practice Examination

The ACT Architects Board conducted two sessions of the Architectural Practice Examinations (APE) this financial year.

2010–11 Architectural Practice Examination

Table: Architectural Practice Examination results 2010–11

Activity and outcome	No.
Applicants briefed about prospects	14
Applicants accepted	7
Part 1—success	7
Part 2 NEP—success	1
Part 2 NEP re-sit—success	2
Part 3A—success	3
Part 3B—success	0

Remuneration for board members

Board members are entitled to payment under the *Remuneration Tribunal Act 1995*.

Table: Payment rates effective as of 1 November 2010

Number of hours	Members	Chairperson
0hr–1hr 59 mins	\$146.00	\$172.00
2hr–2hr 59 mins	\$219.00	\$258.00
3hr +	\$365.00	\$430.00
Maximum daily rate	\$365.00	\$430.00

The Architects Board held four meetings during the financial year.

Table: Breakdown of fees per board meeting for 2010–11

Meeting date	Meeting duration	Chair paid	Board members paid	Board member total payments
20 August 2010	2hrs	\$249	\$420	\$669
18 February 2011	2hrs	\$258	\$219	\$477
31 March 2011	2hrs	\$258	\$438	\$696
26 May 2011	1hr	\$172	\$292	\$464
TOTAL		\$937	\$1369	\$2306

Fees and charges

Fees collected during the year totalled \$68 227.60.

The information contained in this report has been checked and approved by Nino Bellantonio, Chair ACT Architects Board.

Further information may be obtained from:

Ms Vanessa Margules
Acting Registrar of the ACT Architects Board

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E: architectsboard@act.gov.au

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Glossary

3D	three-dimensional	kg	kilograms
AAT	Administrative Appeals Tribunal	LaPS	Land and Property Services
ACT	Australian Capital Territory	LDA	Land Development Agency
ACTPLA	ACT Planning and Land Authority	LPG	liquefied petroleum gas
ACTPS	ACT Public Service	MLA	Member of the Legislative Assembly
ANU	Australian National University	NCA	National Capital Authority
ANZLIC	Australian and New Zealand Land Information Council	NSW	New South Wales
ASO	Administrative Services Officer	No.	number
AWA	Australian Workplace Agreement	Objective	name of ACTPLA's integrated document management system
CES	Certificates of Electrical Safety	OH&S	Occupational Health and Safety
CIT	Canberra Institute of Technology	PA	preliminary application
CNG	compressed natural gas	PAO	public affairs officer
CO₂-e	carbon dioxide equivalent	PID	Personal Information Digest
COAG	Council of Australian Governments	PSR	planning system reform
COLA	<i>Construction Occupations (Licensing) Act 2004</i>	REL	restricted electrical licence
COLR	<i>Construction Occupations (Licensing) Regulation 2004</i>	RMO	Records Management Officer
CPE	Chief Planning Executive	SEAs	Special Employment Arrangements
CSIRO	Commonwealth Scientific and Industrial Research Organisation	SERBIR	Senior Executive Responsible for Business Integrity Risk
Cth	Commonwealth	SOG	Senior Officer Grade
DA	development application	SPO	Senior Professional Officer
DHCS	Department of Disability, Housing and Community Services	TAMS	Department of Territory and Municipal Services
DVP	draft variation to the Territory Plan	TO	Technical Officer
eDA	electronic development application	TV	technical variation
eDABS	Electronic Development Assessment and Building System		
EDP	estate development plan		
ETU	Electrical Trades Union		
FOI Act	<i>Freedom of Information Act 1982</i>		
FTE	full-time equivalent		
GSO	General Service Officer		
HR	Human Resources		
ICSM	Intergovernmental Committee on Surveying and Mapping		
IDMS	integrated document management system		
Inc	Incorporated		
IPP	Information Privacy Principle		
ITO	Information Technology Officer		

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