

# **RESPONSE TO PRODUCTIVITY COMMISSION DRAFT REPORT FOR REVIEW OF LEGISLATION COVERING THE ARCHITECTURAL PROFESSION**

## **TO THE PRODUCTIVITY COMMISSION,**

I read with enormous surprise recently a letter from the Architects Accreditation Council of Australia regarding your review, & its findings, of legislation covering our profession. Until that time, I had not been aware that your commission was remotely interested in this topic, & it is with considerable confusion that I read the key messages of your draft report.

I am a 30 year old architect in Cairns. I gained registration through the Queensland Board of Architects in 1994, & have been working in architectural practices in Cairns & Brisbane since the age of 20 (which included 3 years as a part time student studying to complete my Bachelor of Architecture Degree at the Queensland University of Technology). During these 10 or so years, I have worked closely with both architects & building designers/ draftsmen. Whilst I have not yet run my own practice on a fulltime basis, it is my eventual intention to do so.

I am not a member of the Royal Australian Institute of Architects. My substantial exposure to their operations, through my professional career, leaves me feeling that their efforts to promote the benefits of the profession to the general public fall far short of any worthwhile contribution to the grassroots & regional members, or the public at large. Having said this, I do feel that their intentions are, in the most part, in the best interests of the public & the profession.

The reason I am writing to your commission is to state clearly the case, as I see it, for retaining, whether in current or revised form, legislation regulating the architecture profession & use of the actual title "architect". The key messages from your draft report, to me, indicate a substantial lack of knowledge of the activities & present nature of the architecture profession, as well as the academic standards required to join the profession. This in part may be attributed to what I consider somewhat confusing submissions & responses from our legal & representative bodies, being the architect's boards, accreditation council, & institute. Whilst I have not been able to fully read these submissions, I found some of their key points to be baffling to say the least. One major assertion of one submission, & a subsequent finding of your report (which causes me most alarm) is that one of the prime reasons for retaining regulation of the profession is to maintain credibility in terms of the international export market for architectural services. Whilst I do not doubt for one moment the truthfulness of this claim, for myself, 95% of other architects in the country, & the community at large, this means absolutely nothing, & frankly it could not be of less importance to us.

My points are these:

- A. My 6 year education (3 full time & 3 part time whilst working in practices) did not provide me with an education equivalent to a building designer with a 4 year part time diploma (less than half the amount of study). This is roughly the equivalent of comparing a medical degree to a nursing course. Anyone that believes these two entirely separate studies impart an equal knowledge on their respective graduates must surely also believe in fairies at the bottom of the garden.

As a university student studying architecture, many of us aspired to producing creations of brilliance in the same manner as Frank Lloyd Wright & Le Corbusier. The study which occupied most of our time, however, was construction detailing to ensure waterproofing, tedious & mind-numbing building contracts, physical properties of building materials, & learning what is & what is not part of an architect's specialist knowledge. All of these studies were specifically for the purpose of educating us to provide our future clients with the best possible professional advice

with regard to their project, particularly as it was constantly impressed upon us that we were dealing with very large amounts of someone else's money, thus magnifying our enormous responsibility to our clients. I believe that, aside from our design skills, it is this high level of knowledge, & the advice which it allows us to provide, that our clients most value.

- B. As a student from a very early time, lecturers cautioned us that the architecture profession was a considerably poorly paying one. I can only say that a truer word has never been spoken. On an "effort & sacrifice for remuneration" ratio, I would have been far better off completing a trade upon leaving high school. I presently drive a 1989 commodore, & am not aware of any architects, certainly in Cairns, driving BMWs.

In my relatively short career of 10 years, I have never seen the profession face more competition, both among architects, as well as competition from other newer building professionals including building designers & project managers. In my experience, more than 75% of commissions today are won on a competitive fee basis. This procedure will normally involve a minimum of 3 firms for smaller jobs where submissions are invited, up to, in 1 recent instance, 42 submissions where invitations were publicly called & the job was of considerable merit. I can distinctly recall an example 5 years ago where over 30 submissions were received for a project on a remote tropical island. Tenders ranged from \$13,000 to approximately \$130,000. Naturally the commission was awarded to the lowest tenderer. Our own fee proposal revealed that their fee would not even cover travel & accommodation expenses. (It is not known how successfully the commission proceeded, as the firm was a small, unknown southern competitor). While being an extreme case, this example is occurring with unfortunate regularity.

This competitiveness is largely being driven by government departments in order to justify consultant selections, & achieve lower costs. There is little doubt that these objectives are most certainly being achieved, & any study of architect's remuneration over the last 20 years will support this claim.

Unrealistically low fees are, in my opinion, caused in part by the lack of any uniform industry award for the workers in the architecture profession. Whilst I am not in any way, shape or form a supporter of trade union organizations, it is certainly clear to any person working in our profession that extremely competitive fees will always be obtainable from architectural firms due to this circumstance. Increased pressure has been placed on fees in recent years by the emergence of competition with others in the industry such as project managers & building designers.

In response to your claim that legislation imposes costs on consumers, the last time I paid my annual registration fee, I believe it cost me \$180. This is a tax deductible cost, & I am certain I have not had to over charge any clients to recoup it. Professional indemnity insurance is, on the other hand, substantially more expensive in the architectural profession than the building design profession. This is due to 1 & only 1 reason – architects are expected, because of their training, to exercise a much greater duty of care when advising clients. Our clients actively seek this duty of care, & they are certainly prepared to pay slightly higher fees to receive it.

- C. It is not presently mandatory to commission an architectural firm for a building project. The vast majority of people seeking services from either architects or building designers are well aware that they are able to use whichever they like, & they will make this choice depending on the type of service they require, the complexity of their project, & the degree of skill & accuracy which they perceive is necessary. For example, Bob Jones next door will not canvass the major architectural firms in town to draw a \$10,000 "lean to" carport on his house for council approval. Nor will Qantas Airways Ltd phone the nearest building design/ drafting company to provide designs, documentation, tendering & contract administration services for a new \$30M terminal at the airport.

**Whether your commission is prepared to accept it or not, the existence of legislation covering building & planning, safety & quality of the built environment, health & dozens of other issues concerning building design, will not & can not equip building designers with the knowledge & skills to tackle every facet of every project with skills equal to those possessed by an architect.** No other legislation in existence can ensure or substitute for an architect's substantial knowledge of building contract law, procedures in tendering, site selection, commissioning of sub-consultants, etc.

The relatively recent term "building designer" (previously draftsman), & now your somewhat misguided push to allow the open use of the title "architect", will serve only to further blur the lines for the public/ consumers in their understanding of the actual degree of competence they are engaging. **Since the public are already aware that they are entitled to commission their choice of either of these services, it would appear that the recommendations of your commission set out only to create deliberate confusion among the general public as to the service & duty of care that they are actually engaging, & should fully expect to receive.**

If it is cheaper fees or greater competition for the public that you are seeking to achieve, remember that it has never been truer that you only get what you pay for. If the consumer believes architectural services are unrealistically high, they will opt to simply not use our profession. In this instance, your actions will only create a further consideration for potential purchasers of architectural services – "Am I really engaging the services of an architect?"

I personally believe that the deliberate confusion & misrepresentation of qualifications & professional competence (for this is what the use of the term "architect" represents to our clients), to the consumer of architectural services is dangerous, & borders on deliberate deception on the part of your commission, in order to convince the general public that they can obtain identical services at a cheaper price. I also find it extremely difficult to fathom that the members of your commission could be so naïve as to believe this themselves.

In summary,

1. It is an undisputed fact that architects possess far greater qualifications, training & knowledge than building designers. I do not believe there can be any doubt about this.
2. Changes to, & increasing fee competition in the industry have resulted in probably the lowest fees ever in the profession, which in some instances are certainly bordering on ridiculous & unsustainable.
3. The market for our "traditional" work is currently not restricted to persons with certain qualifications (although I believe I could mount a very good case for this). I.e. **The public are already free to utilise whomever they desire.** The market is not protected.
4. The only means at present of alerting the public & consumers of our services as to the qualifications of the person or firm they are dealing with are the Architects Acts regulating our profession. Whilst it would be highly sensible for all acts to be modified uniformly & administered at a national level, removal of this legal definition will place the public at a dangerous disadvantage in ascertaining the level of knowledge & skills they are commissioning. I.e. because a draftsman advertises himself to the public as an architect, that does not make him an architect, so where is the so-called public benefit of your report recommendations? This is pure & simple deceit.

Yours faithfully

Greg Gould