

**Submission
No 39**

PROFESSIONAL ENGINEERS REGISTRATION BILL 2019

Organisation: The Warren Centre for Advanced Engineering

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Inquiry into *NSW Professional Engineers Registration Bill 2019*

The Warren Centre is pleased to have the opportunity to provide this submission to the NSW Legislative Assembly Committee on Environment and Planning.

About the Warren Centre for Advanced Engineering

The Warren Centre brings industry, government, and academia together to create thought leadership in engineering, technology, and innovation. We constantly challenge economic, legal, environmental, social, and political paradigms to open possibilities for innovation and technology to build a better future.

Our 30 years' experience of leading the conversation through projects, promotion, and independent advice drives Australian entrepreneurship and economic growth.

Executive Summary

The Warren Centre fully supports the *NSW Professional Engineers Registration Bill 2019*. Our research shows this reform will deliver significant safety and economic benefits for NSW.

Our work on Fire Safety Engineering and Professional Engineering

The Warren Centre is presently undertaking evidence-based, independent research on the topic of "*Professionalising Fire Safety Engineering*", directly relevant to this Bill. This current research project is funded by and involves a wide range of organisations and individuals from governments, universities, developers, builders, insurers, fire safety consulting firms and fire services. The project is currently examining the modern role and proper competence of professional fire safety engineers. The Centre is collaborating with colleagues across Australia with the aim of contributing towards a unified national approach.

In previous work, the Warren Centre convened engineers from across industry, academia and government to establish a Protocol for Performance, a voluntary standard to guide Professional Engineers on their approach and behaviour when acting in a professional capacity. This work stretched across the full range of various engineering disciplines.



Introduction

We acknowledge the following terms of reference for the inquiry:

1. The most appropriate way to regulate professional engineers in the building and construction industry.
2. How engineers and other building industry professions are regulated and monitored, and proposals for reform under the Bill and consideration of alternate proposals.
3. Any other related matter.

We agree with the statements by Committee Chair Alex Greenwich MP that:

- "Having the right regulatory environment in the building and construction industry is a key part of ensuring reliability in the sector", and
- "An effective and reliable registration scheme will help improve integrity and confidence in the sector, which is what the community is calling for".

The Warren Centre, with wide ranging industry support, is researching the regulatory controls, future role, competency, education and professional accreditation of Fire Safety Engineers (FSEs) in the building industry. This project contributed to and now follows through on the implementation of the Shergold/Weir "Building Confidence" report recommendations. Our FSE research includes matters of professional engineering registration which fit extremely well with the *Professional Engineers Registration Bill 2019*. This research directly informs the basis of our submission.

Copies of all the Warren Centre research reports published to date can be downloaded for free from the Centre's website at <https://info.thewarrencentre.org.au/firesafety/>.

The Warren Centre is hosting a one day conference on Tuesday, 04 February 2020, *Building Confidence through the Professionalisation of Fire Safety Engineering*, at the University of Sydney Abercrombie Business School to present the latest research findings, especially on recent work to define the role and competencies of fire safety engineers.

This current research strongly supports registration of professional engineers, particularly fire safety engineers, in NSW.

Specific Comments

We have reviewed the whole of the proposed *Professional Engineers Registration Bill 2019* and fully agree with the Bill and its detailed provisions as presented in the draft. In particular, we make the following comments related to specific sections in the draft Bill:

s 6,7: We agree fire safety engineers should be amongst the engineers listed for registration given the crucial nature of fire safety for buildings and recent well publicised failures both internationally and within Australia.

s 10: Our research shows that the registration of engineers based on applicants meeting the requirements of an appropriate assessment scheme is strongly supported. For fire safety engineers this would presumably be a scheme such as be Engineers Australia, National Engineers Register (EA - NER).

s 18: We agree on the need to ensure continuing monitoring of registration to ensure on-going compliance with the relevant assessment scheme, including Continuing Professional Development (CPD).

s 41: We are very supportive of the idea of a Code of Practice. It is our view that the Society of Fire Safety within Engineers Australia would certainly be prepared and are qualified to assist in the writing of such a Code of Practice.

s 49,53: We strongly believe in the need for on-going audit and enforcement, including mechanisms for dealing with complaints (i.e., a “grievance register”), and investigations of professional mal-performance and other conduct as set out in the Bill.

s 86: We agree there must be criteria for evaluating the suitability of the assessment schemes, such as the EA NER and other similar professional body accreditation schemes.

Benefits of the Bill

Our research indicates that the benefits of this Bill to NSW will be:

- Improved quality and safety of buildings
- Increased confidence in the community of building performance, especially in the medium and high-rise residential sector
- Encouragement of more investment in NSW building stock.
- A more professional approach to design and construction of buildings through professional engineering input.
- Particular attention to structural and fire safety provisions of buildings with better outcomes for buildings owners, managers and occupiers
- Reduced risk of further “surprises” or systemic failures which may impact adversely on governments, industry and the community
- An improved insurance environment for industry practitioners and the community through reduced risk and greater confidence

Conclusion

The Warren Centre has reviewed the whole of the *Professional Engineers Registration Bill 2019* and is in full agreement with the draft Bill and its detailed provisions. We particularly support the inclusion of Fire Safety Engineers in those to be proposed for registration, given the crucial nature of fire safety for buildings.

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About the Warren Centre for Advanced Engineering

The Warren Centre constantly challenges the economic, legal, environmental, social and political issues raised by innovation. We collaborate with industry, government and academia to achieve globally significant outcomes.

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