

ICOMOS NEW ZEALAND
TE MANA O NGA POUWHENUA O TE AO
INTERNATIONAL COUNCIL ON MONUMENTS AND SITES
CONSEIL INTERNATIONAL DES MONUMENTS ET DES SITES
CONSEJO INTERNACIONAL DE MONUMENTOS Y SITIOS

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Submission to the Ministry of Business, Innovation and Employment
Occupational regulation reforms in the building and construction sector
6 April 2023

Introduction

ICOMOS is an international non-governmental organisation of heritage professionals dedicated to the conservation of the world's historic monuments and sites. The organisation was founded in 1965 as a result of the international adoption of the Charter for the Conservation and Restoration of Monuments and Sites in Venice in the previous year. ICOMOS is UNESCO's principal advisor in matters concerning the conservation and protection of historic monuments and sites. The New Zealand National Committee was established and incorporated in 1987.

ICOMOS New Zealand (ICOMOS NZ) has over 150 members made up of professionals with a particular interest and expertise in heritage issues, including architects, engineers, heritage advisers, archaeologists, lawyers, and planners.

In 1993 ICOMOS NZ published the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value. A revised ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value was approved in September 2010 and is available on the ICOMOS New Zealand website.

The heritage conservation principles outlined in the Charter are based on a fundamental respect for significant heritage fabric and the intangible values of heritage places.

Context of this submission

Given the nature of ICOMOS NZ's membership base, including New Zealand Registered Architects with additional training in conservation of built heritage, typically obtained overseas, our members acknowledge government wanting to ensure that the architecture and design professions keep levels of expertise high to ensure high standards of work and prevent harm to the public. ICOMOS NZ has, for many years, advocated for the introduction of accreditation

of conservation architects through the registration process of the NZRAB for those who specialise in working with built heritage and cultural heritage sites.

Heritage buildings are made of materials that are rarely used in modern construction practises and have different chemical properties, which makes the integration of old and new materials a highly specialised area of expertise requiring intimate knowledge of building materials and construction practises, both traditional and contemporary. Members that have these qualifications and experience have the expertise to advise and design around these matters.

Furthermore, the Ministry of Culture and Heritage have recently released their **Policy for Government Management of Cultural Heritage Places 2022** and supporting guidance document, which state that works to cultural heritage places must be completed by a heritage specialist. However, heritage specialists are currently not accredited in New Zealand, and therefore, the training and competency of “built heritage specialists” currently goes unchecked.

In addition, the new three Acts set to replace the RMA will continue to acknowledge cultural heritage as a matter of national importance with the introduction of this topic in the national planning framework, and will therefore form an important role in the conservation of cultural heritage places.

Currently, heritage is supported by the RMA, section 6 – Matters of National Importance, clause (f):

“the protection of historic heritage from inappropriate subdivision, use, and development.”

In November 2021 Report of the Environment Committee on the *Inquiry on the Natural and Built Environment Bill: Parliamentary Paper* recommended:

“That the purpose clause give more prominence to the built environment, so that the purpose of the NBA is more clearly linked to the outcomes for housing, infrastructure, and cultural heritage in relation to the built environment.”

Scope of this submission

In light of the above context, ICOMOS NZ welcomes the opportunity to respond to the occupational regulation reforms in the building and construction sector consultation document and request for feedback specifically in relation to the Registered Architects Act 2006.

We note that our response is focussed on the adverse effects of design and construction activities on built cultural heritage that occur as a result of the continued lack of acknowledgement that managing cultural heritage within the built environment requires specialised expertise.

General comments on Registered Architects

ICOMOS NZ supports the continuation of registration for architects as we consider that registration provides protection to the public, beyond that which is provided by other legislation

(for example the Consumer Guarantees Act, the Fair-Trading Act, and the Construction Contracts Act).

Engaging a registered architect provides surety to building owners and developers that their architect has the relevant experience and qualifications to work in New Zealand. Clients also know that these claims are based on evidence of previous work carried out to a high professional standard.¹

Architects are required to follow a code of ethics that ensure they uphold the law, and only act in ways that are honest and fair. There are minimum standards for their relationships with clients including the use of professional judgement; skill, care, and diligence; reporting on risk; and avoiding misrepresentation, conflicts of interest and abuses of authority. They must avoid malicious criticism of others and maintain client confidentiality.

When things go wrong, clients know that the NZRAB will facilitate informal dispute resolution and investigate complaints. They have confidence that the NZRAB will investigate complaints and (where grounds for discipline are found) consider penalties, costs, and publication orders.

Clients also know that their architect's skills are up-to-date and are reviewed periodically by the NZRAB. Architects must demonstrate that they have taken reasonable steps to maintain the currency of their architectural knowledge. They do this by providing a record of continuing professional development (CPD) which is reviewed every five years after initial registration. The board can initiate a competence review at any time if there is evidence that an architect is not competent or safe to practise.² This provides a high level of consumer protection and provides assurance of the quality of service.

From the NZRAB website there are 2263 registered architects in New Zealand. Unregistered architectural practitioners can currently call themselves an 'architectural designer'. Designers can provide many of the same services as a registered architect but are not required to meet the same standards of professional rigour, training is different and much longer for architects, and includes work experience and examination for registration.

Specific comments

Specialisms within architecture

The term architect originated in the 16th century from the Latin 'architectus' and the Greek 'architekton', the latter meaning head builder. Architects as a distinct discipline emerged in the Renaissance period and as a profession in 1834 in the UK, 1857 in the US and 1905 in New Zealand. From the late 19th century, the work of architects became sub-specialities, such as quantity surveying, engineering, and, in the early 20th century (inter war period) town planning and more recently urban design. These sub-specialities have since become professions in their own right.

¹ [New Zealand Registered Architects Board - Code of Ethics \(nzrab.nz\)](https://www.nzrab.org.nz/code-of-ethics).

² [New Zealand Registered Architects Board - Service Concerns \(nzrab.nz\)](https://www.nzrab.org.nz/service-concerns)

Specialism in conservation began in the mid 19th century in the UK and France, and in the 1960s in Australia and New Zealand. By the 1980s there were conservation architects in both countries.

Additional specialisations are coming to the fore within the field of architecture, including conservation architects, urban designers, project managers, health care architects, hospitality architects and Māori architecture. As with the engineering profession, there is a need for formal recognition of these more recent specialisations and registration processes to ensure clients are commissioning experts in their fields, with appropriate membership requirements, codes of ethics and disciplinary processes.

Conservation architects

ICOMOS NZ is concerned with the popular use of the term “conservation architect” in New Zealand. While the use of the term ‘architect’ is protected like most developed countries, the term “conservation architect” is presently not defined or controlled, and consequently any architect can use the term irrespective of qualifications or experience in built heritage conservation and a practical knowledge of traditional repair.

The use of the term as a specialist profession is restricted in many countries around the world, such as Europe and the UK, to those who have the requisite qualifications and experience. In the US the term “historic preservation architect” is used and is similarly controlled through statute. Commissioning a registered “conservation (preservation) architect” in these countries ensures that clients engage an appropriately trained specialist.

Our concern is that, unlike in Europe and the US, there is no guarantee of the quality of the advice provided to clients who engage a “conservation architect” in New Zealand. The status quo does not address the requirements of section 19 of the Architects Act 2005 and section 58 of the Registered Architects Rules 2006. In particular, based on our collective experience in the area of conservation, we would strongly contend that a lack of appropriate qualifications and experience in built heritage history, philosophies, principles and practice inevitably leads to poor outcomes for clients. This includes non-compliance with resource consents and archaeological authorities, expensive remediation costs, delays to construction projects, costs for expert witness advice and unnecessary loss of heritage values and heritage fabric for our country's important built heritage places.

A suggested response aligns with that of RIBA and Historic England, both of which note that:

Many building professionals are trained and experienced only in modern building methods and are therefore less well qualified to identify the causes of problems or to specify appropriate and cost-effective repairs to older buildings. Working with older buildings calls for a particular set of skills and expertise. Professionals use conservation accreditation and certification schemes to demonstrate their competence.

Competencies of a conservation architect

New Zealand has a history of specialist architects practicing in the area of building conservation dating back to the late 1960s. At an educational level this has recently culminated in the introduction of three master's professional degrees in heritage conservation provided by the University of Auckland: Master in Heritage Conservation (MHerCons), a Master of Architecture (Professional) in Heritage Conservation (M(Prof)HerCons), and an additional degree in planning.

For over forty years there have been elective courses in New Zealand and a range of overseas courses that provide an understanding of the history, philosophy, principles, and practice of building conservation.

The anticipated competencies of conservation architects with specialist training include the ability to effectively demonstrate that they can³:

- a. Assess and understand the cultural heritage values and significance of a place.
- b. Understand the history and historic construction techniques of a place.
- c. Undertake comprehensive research into the history of a place, utilising primary and secondary sources including archives, and translating this research into accessible narratives.
- d. Inspect and analyse the condition and behaviour of heritage buildings and structures, diagnose causes of decay and deterioration, and provide appropriate repair solutions.
- e. Prepare reports for clients, consultants, and statutory bodies on the results of the research and analysis.
- f. Know and apply international best practice including UNESCO and ICOMOS charters.
- g. Advise on the management of cultural heritage places, including on conservation, repair and maintenance strategies, through preparation of conservation management plans and long term maintenance plans.
- h. Work within and advise on the regulatory framework for heritage planning; for example, preparing heritage inventories; advising on objectives, policies and rules for protecting cultural heritage as part of district and regional plan changes or reviews; and providing heritage impact assessments for resource consents (on behalf of both applicants and local authorities).
- i. Understand and apply conservation principles which include adaptation for climate change and appropriate uses. Adaptation means the process(es) of modifying a place for a compatible use while retaining its cultural heritage value. Adaptation processes include alterations and additions.
- j. Provide appropriate design, including the interface and setting, for heritage buildings with regards to new additions or alterations, while retaining cultural heritage values.

The system and administration

There is an ever-increasing demand for experts in built heritage conservation in New Zealand. This is evidenced, for example, by many heritage related funding schemes, local authority district plans, and the recent Policy for Government Management of Cultural Heritage Places

³ ICOMOS, *Guidelines for education and training in the conservation of monuments, ensembles and sites* (1993)
<https://www.icomos.org/en/charters-and-texts/179-articles-en-francais/ressources/charters-and-standards/187-guidelines-for-education-and-training-in-the-conservation-of-monuments-ensembles-and-sites>

2022⁴, requiring assessments by, and advice from, experts in built heritage conservation. However, there is currently no registration or accreditation scheme in place to provide surety to these organisations and, owners of heritage places that experts are competent to provide specialist heritage advice and sustainable conservation practice.

ICOMOS NZ have consulted with the NZIA and NZRAB regarding inclusion of a specialism within the registration of architects for a number of years. The system would be within the existing NZRAB structure, and either voluntary or mandatory, subject to further design and discussion.

The RIBA model is aligned with ICOMOS International Training guidelines for education and training in the conservation of monuments ensembles and sites.⁵ In our view the RIBA model would provide a suitable structure and levels of competency, and is easily adaptable to New Zealand.

The RIBA model⁶ allows for three levels of competency:

1. *Specialist Conservation Architect - A specialist conservation architect has authoritative knowledge of conservation practice and extensive experience of working with historic buildings.*
2. *Conservation Architect - A conservation architect has in-depth knowledge and experience of working with historic buildings.*
3. *Conservation Registrant - A conservation registrant has an awareness of the issues involved in working with historic buildings and has attended a conservation course approved by the RIBA.*

As outlined above we consider that only accredited conservation architects have the requisite knowledge and skills to advise on the conservation of built heritage. Should the Registered Architects Act 2005 be modified to allow their registration we consider that this will ensure full compliance with both 19 (a) (ii) and 58 b) of the NZRAB Code.

The current system used by the NZRAB for registration can remain in place with the addition of criterion provided by the RIBA system for assessment purposes for conservation architect. ICOMOS NZ is available to advocate and assist the NZRAB, where required, in the assessment of conservation architects. There are already Architects on the NZRAB assessment teams that specialise in heritage, or other architects who specialise in conservation could be invited to participate in specific assessments for those applying for this additional tier of accreditation.

In addition, ICOMOS NZ has an Education and Professional Development committee who already organises seminars (in person and online) for locally relevant issues or topics that members, students and others may participate or attend, as a basis for continuing professional development. International speakers and national workshops are also provided along with an annual national conference. ICOMOS NZ also provide a list of overseas programmes, and provides scholarships to assist with costs towards attendance.

Where architects have achieved the necessary level of competency, this should be recorded in the New Zealand Architects Register in accordance with section 19 of the Registered

⁴ Policy for Government Management of Cultural Heritage Places (2022) <https://mch.govt.nz/policy-government-management-cultural-heritage-places-2022>

⁵ <https://www.icomos.org/en/charters-and-texts/179-articles-en-francais/ressources/charters-and-standards/187-guidelines-for-education-and-training-in-the-conservation-of-monuments-ensembles-and-sites>

⁶ RIBA conservation register <https://www.architecture.com/working-with-an-architect/conservation-register>

Architects Act 2005 which states that the purpose of the register is (a) to enable members of the public to ... (ii) choose a suitable registered architect from a list of registered architects.

Recommendations

ICOMOS NZ supports the ongoing recognition and registration of New Zealand architects, as aligned to other countries which New Zealand architects work in. It supports that the Registered Architects Act remains in place.

With the review of the Architects Registration Act, ICOMOS advocates that the NZRAB adopts the process used by the RIBA⁷ for accreditation of conservation architects as a specialism.

Conclusion

ICOMOS NZ wishes to thank the Ministry of Business, Innovation and Employment for the opportunity to raise the matters outlined within this submission. We would also be more than happy to meet with Ministry officials to further discuss the matters.

We support the ongoing registration of New Zealand architects, and inclusion within this structure of a specialist tier in conservation within the Act.

ICOMOS NZ would be happy to present our position and provide further documentation on including a conservation specialism within the registration of architects under the NZRAB Architects Registration Act, which would better align with international practice in this field.

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⁷ Note that the RIBA criteria for accreditation is based on the internationally recognised ICOMOS 'Guidelines for Education and Training in the Conservation of Monuments, Ensembles and Sites.

Appendix 1: Examples of countries where Conservation Architects are registered or chartered.

Country	Architect's registration administered by:	Conservation specialism administered by:
UK	Architects Registration Board (ARB)	Royal Institute of British Architects (RIBA) or the Institute of Historic Buildings Conservation (IHBC)
USA	The National Council of Architectural Registration Boards (NCARB)	Historic Preservationists Department of Environment & Conservation. State Review Board
Italy	<i>Ordine degli architetti</i> (Order of Architects)	"Order of Architects, Planners, Landscape Architects and Conservators" National Register allows being nominated/entitled as: -architect -urban planner -landscape designer -conservator of cultural and landscape heritage.
France	Conseil National de l'Ordre des Architectes (CNOA)	The Ministry of Culture - The Culture Department of the French government (Ministère de la Culture)
Croatia	Croatian Chamber of Architects - CCA	The procedure for taking professional exams for the acquisition of basic professional titles is organized by the Croatian Restoration Institute, while the acquisition of higher professional titles is carried out by the Ministry of Culture and Media of the Republic of Croatia
Serbia	Register of licensed engineers, architects and spatial planners Authority: Ministry of construction, transport and infrastructure	'Conservation architect' registration Authority: Institute for the Protection of Cultural Monuments of Serbia, Ministry of Culture and Information

Appendix 2: Background history to conservation specialism in New Zealand.

New Zealand and Building Conservation before 1985

Preservation in the 19th century focused on important status buildings or rebuilding or replication of significant cultural places. However traditional repair of historic New Zealand buildings has been undertaken by owners and architects in the 19th and 20th century.

In marae, whareniui repair has been part of a long tradition including the repair of taonga, carvings and fabrics. This remains central to Kaitiakitanga and Mataranga.

Famous conserved New Zealand buildings include St Paul's in Wellington, the Provincial Buildings in Christchurch, the Waimate Mission House and a number of others that form the base of New Zealand's nationally significant Category 1 historic places. At the same time early 19th cob cottages and early 19th century houses were preserved. Iconic buildings such as Pompallier House have been the focus of stabilisation of materials over generations, but professional conservation (repair and maintenance) to an international standard in New Zealand dates from the 1980s, beginning in the 1970s.

It was not until the mid-1980s that international conservation principles were applied in New Zealand, with New Zealand initially using the Australian Burra Charter. ICOMOS New Zealand was established in 1987 under ICOMOS International, and a specific conservation charter—the ICOMOS New Zealand Charter, was completed in English and Te Reo. The Charter was revised in 2010, known as the *ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value (ICOMOS New Zealand Charter 2010)* on traditional sites and sacred places, which states:

New Zealand retains a unique assemblage of places of cultural heritage value relating to its indigenous and more recent peoples. These areas, cultural landscapes and features, buildings and structures, gardens, archaeological sites, traditional sites, monuments, and sacred places are treasures of distinctive value that have accrued meanings over time. New Zealand shares a general responsibility with the rest of humanity to safeguard its cultural heritage places for present and future generations. More specifically, the people of New Zealand have particular ways of perceiving, relating to, and conserving their cultural heritage places.

The charter is nationally recognised, used by conservation specialists and within many of New Zealand District Plans in terms of implementing policies and direction on historic heritage.

The change to the international philosophy of traditional repair came from a base in preserving ancient places in the northern hemisphere with primarily a European focus and only iconic buildings. Australian and New Zealand architects recognised there was historic value in the vernacular and the buildings of the southern hemisphere. John Stacpoole and Geoffrey Thornton were important people in this field in New Zealand in the 1970s. By the 1960s in both New Zealand and Australia there was a greater appreciation of historic buildings and traditional methods of repair. This was balanced with the introduction of the Australian Council of National Trusts in 1965, and in New Zealand various architects and historians formed the basis of the New Zealand Historic Places Trust with its regional committees. In the 1950s the establishment of the New Zealand Historic Places Trust, under the New Zealand Historic Places Trust Act (1954), was strongly supported locally and regionally by NZIA architects and local historians.

Following from John Stacpoole's books, several significant New Zealand books were written on recognising New Zealand historic buildings and how to repair and maintain them. These are the main text books for New Zealand architectural heritage still today.

First specialists in conservation

The first specialist architects in conservation in New Zealand are considered to be John Stacpoole, Peter Sheppard in the 1970s¹ and Geoffrey Thornton. Peter Sheppard's father Fergus Sheppard, was highly influential in New Zealand heritage. As the Government Architect from 1959, Fergus Sheppard "*was also a pioneering advocate for the preservation of New Zealand's historic architecture*".² Under his watch, assisting with historic buildings became part of the government role under the Ministry of Works (MoW).

John Stacpoole is recognised as the first full time architect in built heritage in the 1960s under the Ministry of Works. His 1976 book "Colonial architecture in New Zealand" was the first to piece together the story of New Zealand's notable buildings and their architects³ with seven more books and many articles. He joined the government architectural division of the [Ministry of Works](#), and soon became the advisory architect to the [New Zealand Historic Places Trust](#). John was the Trust's main architectural practitioner and advisor through the 1970s and into the 1980s.⁴ He was involved as architect in the restoration and furnishing of numerous listed historic buildings in New Zealand, including [Ewelme Cottage](#), [Waimate North mission house](#), [Alberton](#), [Government House](#) in Auckland, and [Kemp House](#). John was appointed to the NZHPT Board in the early 1970s.

Geoffrey Thornton, architect, was also working in the Ministry of Works, rising to be Assistant Government Architect and is credited with early introduction of conservation architecture and engineering, with a major influence in the MoW.⁵ In the 1970s Geoffrey Thornton was promoting a more fuller understanding of New Zealand's built heritage, including engineering, which led to Chris Cochran moving to the Ministry of Works at that time and being the Senior Architect of Historic Buildings. He never 'practised' as a conservation architect, but he had a major early influence in the Ministry.⁶

It was about this time in the 1970s that the use of Conservation Architect was established within the Ministry of Works, but used informally.

Regionally there was a recognition of a range of historic places while a new approach nationally to identifying New Zealand's historic places was being established. John Stacpoole along with architect members of the NZHPT branch committees contested development projects affecting historic sites.

By the 1970s important buildings required significant repair such as St Paul's Wellington, Antrim House Wellington and the mission heritage of Northland. Interest in vernacular architecture was in the forefront of historians and architects, where traditional methods and materials were revived as specialist trades disappeared. The Ministry of Works, as a government department provided the small New Zealand Historic Trust with the tools to record, prepare reports and repair both local and regional historic places from the 1970s, including conservation reports. Both local and regional historic places (buildings and sites), with a specific programme on Historic marae, were assisted with guidance on repairs and maintenance through the 1970s and 1980s under the Ministry of Works conservation architects.

Within most regional MoW offices, there was at least one architect who 'looked after' historic places. Specialist architects in the MoW were well established and, in the offices, included John Stacpoole (1970s), Chris Cochran (1970s-1988), Mac Campin (Waikato) and others.

This role continued into the late 1980s when the department was prepared for sale (Works Consultancy Limited) and sold to a private company (Opus) in the early 1990s. The government architect's role in assisting nationally with historic heritage was lost.

In the early 1980s a major programme of listing New Zealand's regional heritage was undertaken which forms the base of the Heritage New Zealand Pouhere Taonga List today. New Zealand architects formed part of each regional classification committee, with architect Chris Cochran leading the assessments nationally.

The first conservation reports based on international practice were initiated in the mid-1980s in New Zealand, with the first conservation plans following shortly thereafter. Early examples are the plan for Hotunui in the Auckland Museum (1985) and the Auckland Supreme Court (Works Consultancy).

By 1989 there were specialist architects in conservation of traditional building and repair in both Works Consultancy and in full time private practice. The first full time private conservation architects were Chris Cochran and Ian Bowman, with Ian the first New Zealand professionally trained architect in conservation repair and methods (1985), followed by John Hoysted (1986). In the 1990s there were a number of architects practicing across New Zealand specifically in historic heritage.

Specialism training

Specialist training in building conservation and repair has, until recently, required overseas training in addition to gaining a local architecture degree. The international degrees New Zealanders focused on in the 1980s were:

- the Master of International Conservation Studies at the University of York, England;
- a range of courses organised by The International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM) in Italy;
- a range of courses organised by the Society for the Protection of Ancient Buildings (SPAB).

The first people to complete the first recognised conservation degree – the Master of Conservation Studies from the University of York - were Ian Bowman (1985), followed by John Hoysted (1986). Others followed in the 1990s including Adam Wild, Jackie Gillies, and Chessa Stevens.

Professionals over the last thirty-five years have attended short courses in Australia including master courses held since the 1990s at University of Canberra by David Young: the *Summer School in Conservation of Traditional Buildings and Cultural Heritage Management*. More recently New Zealanders have attended the Longford Academy Masterclass and Workshop in conservation repair methods presented by leading Australian experts in heritage conservation at Longford Tasmania. ICOMOS NZ has supported many graduates and architects to attend the programme.

Professional Heritage Conservation Degrees in New Zealand

Many New Zealand universities have offered electives or papers on the topic of conservation since the mid-1980's, including the University of Auckland, Victoria University of Wellington, and Canterbury University. More recently, the polytechnics (Unitec in Auckland and Awa in Christchurch) have also provided conservation based elective classes.

The only three New Zealand professional degrees in conservation are offered by the University of Auckland, which were introduced 2016, are the Master in Heritage Conservation (MHerCons), the Master of Architecture (Professional) in Heritage Conservation (MArch(Prof)HerCons), and the Master of Urban Planning (Professional) in Heritage Conservation (MUrbPlan(Prof)HerCons) in 2017. All three are on offer as at March 2023.⁸

The three degrees are supported by ICOMOS New Zealand, who's members contribute to teaching. It provides the opportunity for architectural conservators to learn within Aotearoa, with New Zealand based content and under international ICOMOS standards. All three degrees are a significant contribution across three professional built heritage conservation specific disciplines of architecture, planning and urban design.

Recognition of specialism in conservation

The specialism in the historic heritage of repair and conservation of traditional buildings is recognised throughout New Zealand and by NZIA members, with long established architectural practices including Cochran and Murray, Ian Bowman, Salmond and Reed and DPA Architects. The role of the 'built heritage' specialist is utilised within district plan hearings as expert witnesses in regards historic heritage.

Four architects in New Zealand architectural conservation have been recognised nationally – the late John Stacpoole, the late Geoffrey Thornton, Christopher Cochran and the late Jeremy Salmond.

- **John Stacpoole** (1918-2018) received Officer of the Order of the British Empire, for services to the preservation of historic buildings⁹. His work from the 1960s is integral to the recognition of New Zealand's historic places;
- **Geoffrey Thornton** received the MBE in 1989 in recognition of his work to bring attention to and preserve New Zealand's architectural heritage;
- **Christopher Cochran**, Fellow NZIA; (MNZOM) Member of the New Zealand Order of Merit for services to the conservation of historic buildings in 2007;
- **Jeremy Salmond**, Fellow NZIA, (QSO) Queen's Service Order 2007 for his contribution to the preservation of New Zealand's heritage of significant buildings. Jeremy received the New Zealand Institute of Architects' Gold Medal in 2018. Internationally New Zealand specialists have been recognised within international committees for several decades, and participate at both international and national level.

The ICOMOS NZ Charter is considered ground breaking for its basis on cultural identity and philosophy. It is very much a place-based charter that has for over 35 years provided a national philosophy for best practice conservation.

With over 150 members, 24 architect specialists, a number of graduates and overseas specialist architects, ICOMOS New Zealand has for over 25 years sought to have a professional specialism within the registration of New Zealand architects. It is a distinctive profession, recognised internationally, with specific skills and requirements that are beyond the Master of Architecture. It is a full-time profession for not just ICOMOS New Zealand architects but includes architects within New Zealand whose primary business is repair and conservation of traditional buildings to an international standard.

¹C.Cochran;2021 personal conver. L Kellaway

²<https://teara.govt.nz/en/biographies/6s8/sheppard-fergus-george-frederick>

³ <https://remueraheritage.org.nz/story/john-massy-stacpoole-1919-2018/>

4C. Cochran ;2021 personal conver. L Kellaway

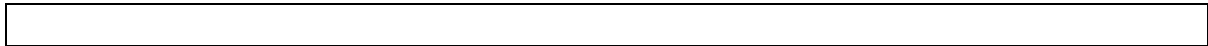
5G Thornton did not practice as a conservation architect. C Cochran 2021.

6C Cochran 2021

7Architects in New Zealand are required by law to complete five years to Masters level then three years appropriate work experience followed by a professional examination to seek registration as an architect. The additional professional year makes the degree years a total of six years.

8 <https://www.calendar.auckland.ac.nz/en/progprog/regulations-interfaculty-programmes/mhercons.html>; <https://www.calendar.auckland.ac.nz/en/progprog/regulations-creative-arts-and-industries/marchproffercons.html>; and <https://www.calendar.auckland.ac.nz/en/progprog/regulations-creative-arts-and-industries/murbplanproffercons.html>

9 Wikipedia [^]"No. [46595](#)". *The London Gazette* (3rd supplement). 14 June 1975. p.7406.



Appendix 3: Reference links to further information

^[1] ICOMOS, *About ICOMOS* <https://www.icomos.org/en>

^[2] ICOMOS NZ, *About us* <https://icomos.org.nz>

^[3] Historic England, *Finding professional help* <https://historicengland.org.uk/advice/your-home/looking-after-your-home/finding-specialist-help/>

^[4] ICOMOS, *Guidelines for education and training in the conservation of monuments, ensembles and sites (1993)* <https://www.icomos.org/en/charters-and-texts/179-articles-en-francais/ressources/charters-and-standards/187-guidelines-for-education-and-training-in-the-conservation-of-monuments-ensembles-and-sites>

^[5] Policy for Government Management of Cultural Heritage Places (2022) <https://mch.govt.nz/policy-government-management-cultural-heritage-places-2022>

^[6] RIBA conservation register <https://www.architecture.com/working-with-an-architect/conservation-register>

Submitter information

MBIE would appreciate you providing some information about yourself. If you choose to provide information in the 'About you' section below it will be used to help MBIE understand the impact of our proposals on different occupational groups. Please note that all questions are optional. Any information you provide will be stored securely.

A. About you

Name:

Email address:

B. Are you happy for MBIE to contact you if we have questions about your submission?

Yes

No

C. What is the best way to describe your role/organisation? If you hold any licences, please list them below too.

D. What is your age?

Under 18

18-24

25-34

35-44

45-54

55-64

65+

E. What part of the country are you in?

Northland

Auckland

Waikato

Bay of Plenty

Gisborne

Hawke's Bay

Otago

Southland

Other (please state):

Taranaki

Manawatū-Whanganui

Wellington

Nelson-Tasman

Marlborough

West Coast

Canterbury

F. Are you making this submission on behalf of a business or organisation?

Yes

No

If yes, please tell us the title of your company/organisation.

G. Privacy information

The Privacy Act 2020 applies to submissions. Please tick the box if you do **not** wish your name or other personal information to be included in any information about submissions that MBIE may publish.

MBIE may upload submissions or a summary of submissions received to MBIE's website at www.mbie.govt.nz. If you do **not** want your submission or a summary of your submission to be placed on our website, please tick the box and type an explanation below:

Part 1: Proposals for change

Part 1 of this document focusses on proposals for change within some of the occupational regulation regimes:

- 1A: supervision and licensing areas for the Licensed Building Practitioners regime
- 1B: the scope of a codes of ethics to be introduced for the Plumbers, Gasfitters and Drainlayers regime and the Electrical Workers regime.

Part 1A

Licensed Building Practitioners regime: Proposals for change

For this section, please refer to pages 11-24 of the consultation document.

Proposal 1: MBIE proposes introducing an endorsement for the supervision of restricted building work. This will mean that not every Licensed Building Practitioner (LBP) will be able to supervise non-licensed practitioners, only those that hold the endorsement in the relevant class(es). This proposal will ensure that those who can supervise have been deemed competent to do so. It will also help address poor supervision in the sector and make it easier for the Building Practitioners Board to hold to account LBPs who supervise poorly.

1. MBIE has outlined a range of problems that are affecting the LBP regime, from the two overarching problems to the more specific problems detailed in each section. Are there any issues that have not been included?

Yes

No

Please explain your answer.

2. Do you agree with the proposal for a supervision endorsement?

- Yes, and I think that competency needs to be tested to gain the endorsement.
- Yes, and I think that being licensed for a certain amount of time is enough to gain the endorsement.
- No, I disagree.

Please tell us why you agree or disagree.

3. To be eligible to apply for a supervision endorsement, should an LBP be required to hold a recognised supervision qualification?

- Yes - LBPs must have a supervision qualification
- No - LBPs should be eligible to have their competence tested if they do not have a supervision qualification

Please explain your answer.

4. Do you agree with the proposed 24-month timeframe for transition before the change comes into effect?

- Yes No, it should be longer. No, it should be shorter.

Please tell us more:

Proposal 2: MBIE proposes to make changes to the licence classes in the LBP regime. These changes are to:

- introduce a new area of practice for stonemasonry in the Bricklaying and Blocklaying class (to be renamed Construction Masonry)
- create a new licensing process for specialists, for example plasterboard and tanking installers; and
- introduce a new licence class for internal waterproofing.

This will mean that people wanting to do stonemasonry or internal waterproofing will now be required to be licensed. This will mean that the public can be assured of a practitioner’s competence before they begin work.

This proposal will also increase the regime’s efficiency by make it easier for specialists to become licensed to undertake very limited areas of restricted building work within a broader licence class.

5. Do you agree with the proposals for stonemasonry, internal waterproofing, and specialist installers?

	Agree	Disagree	Prefer another option
Stonemasonry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Internal waterproofing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Specialist installers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please explain your answer for each profession.

6. Internal waterproofing could cover many different trades in the sector. Do you agree that our proposed expanded definition of restricted building work would sufficiently cover all the trades in the sector?

Yes

No

Please explain your answer:

7. Please tell us what types of trades you think are likely to be impacted by the introduction of this new internal waterproofing class, and what trades should be included as areas of practice?

8. There are currently no recognised qualifications for tanking or internal waterproofing. Do you think these need to be in place before these areas are introduced to the regime?

Yes

No

Please explain your answer:

9. What impacts would you expect on you or your business from the proposed changes? These impacts may be economic/financial, environmental, health and wellbeing, or other areas:

10. Do you agree with our estimation that at least 75% of eligible LBPs may apply for a supervision endorsement?

Yes, 75% or higher.

No, it will be lower.

Please explain your answer.

Part 1B

Electrical Workers regime, and Plumbers, Gasfitters and Drainlayers regime:

For this section, please refer to pages 25-32 of the consultation document.

MBIE proposes that a code of ethics be introduced for the Electrical Workers regime and Plumbers, Gasfitters and Drainlayers regime. This will provide a mechanism for regulators to manage poor conduct, promote public confidence and support licence holders to clearly understand the level of professional behaviour that is expected of them. The aim is to have a set of expectations that will be consistent for all practitioners across the building and construction sector, following the recent introduction of the LBP code of ethics.

11 A Do you think that the introduction of codes of ethics for plumbers, gasfitters and drainlayers will help to ensure that professionals are held accountable and improve the public's confidence in the respective regimes?

Yes No

Please explain your answer.

11 B Do you think that the introduction of codes of ethics for electrical workers will help to ensure that professionals are held accountable and improve the public's confidence in the respective regimes?

Yes No

Please explain your answer.

12. Do you agree that the professional expectations should be consistent across the building and construction sector?

Yes

No

Please explain your answer, in particular if there is anything specific to each profession that would need to be addressed in the code?

13. Do you agree with the proposed one-year timeframe for the introduction of the codes of ethics?

Yes, the transition period sounds appropriate.

No, it should be shorter.

No, it should be longer.

Please explain your answer.

Part 2: Issues MBIE would like feedback on

Part 2 of this document focusses on issues that MBIE would like to seek feedback and evidence on, to inform our understanding of the issues. This is work that is in early stages of the policy development process, and not yet ready to progress to options or proposals for change.

MBIE is seeking feedback and evidence on the following regimes and issues:

- 2A: Registered Architects regime: Review of the *Registered Architects Act 2005* to determine if it is still fit for purpose.
- 2B: Licensed Building Practitioners regime: Review of the competencies and minimum standards for entry that must be met to be licensed.

Following public consultation and consideration of the submissions, MBIE will undertake further policy work and develop options for consultation next year, if appropriate. Your feedback will inform the next steps and any proposals for change.

Part 2A

Review of Registered Architects Act

For this section, please refer to pages 32-40 of the consultation document.

MBIE is undertaking a review of the registered architects regime to determine whether the current regime has achieved the benefits that were originally intended and has resulted in the effective and efficient regulation of architects.

We are now seeking your feedback on the extent of the issues MBIE has identified with the regime and your views on whether the regime has achieved the following outcomes:

- increased the overall competency of architects
- improved confidence in the building industry by increasing the credibility of those undertaking design work as architects
- resulted in higher standards of those providing design services in the building industry.

Outcome 1: Increase in the overall competency of architects

14. Is there a difference in the quality of a registered architect's design work compared to other design professionals, such as design LBPs?

Yes

No

Please explain your answer.

Outcome 2: Increased confidence in the building industry by increasing the credibility of those undertaking design work as architects.

15. How have registered architects increased credibility in the building industry?

Please choose one of the four options below, providing feedback on whether architects have increased credibility in the building industry:

- Option one: registered architects provide a high level of confidence within the building industry through the quality of their work.
- Option two: registered architects provide some level of confidence within the building industry through the quality of their work.
- Option three: registered architects do not provide any confidence within the building industry through their work.
- Option four: Not sure about how registered architects contributed to increased credibility in the building industry.

Please explain your answer.

Outcome 3: Higher standards in the building and design industry

16. What are the potential risks of harm that could arise from an architect's role in the building process? Do you have any evidence of public harm that has been caused by architects?

Please explain your answer.

17. How well do you think the current occupation regulation regime is at holding architects to account?

Very Good

Good, but needs some improvements

Not good, needs significant improvement

Other

Please explain your answer:

18. Is continuing occupational regulation justified for the architectural profession in New Zealand?

Yes

No

Please explain your answer.:

Part 2B

Competencies in the Licensed Building Practitioners regime

Background

For this section, please refer to pages 41-43 of the consultation document.

MBIE would like feedback and suggestions for improving areas of practice competencies that LBPs must meet to be licensed. This includes setting the current competencies at a higher level, or adding new areas to the competencies. Improving the competencies will bring the competencies in line with the demands of the present-day sector.

19. How can the current competencies be improved to set them at a higher level? What specifically can you point to that needs to be improved?

20. Are there any new areas that should be added to the competencies? These may be general across all classes or may be specific to a certain class.

MBIE would also like feedback on the interaction between the Design LBP class and the Registered Architects regime. MBIE is aware that some see the Design LBP class as a lower threshold compared to the Registered Architects regime and that there is a perception that the quality of work produced by some Design LBPs is of a low standard.

MBIE would like feedback on the interaction between the two regimes, whether any competencies should be added to the Design class, and what can be done to align the two regimes and close any regulatory gaps.

21. Do you agree with our assessment of the interaction between the Design class and the Registered Architects regime?

Yes No

Could you recommend any improvements to the competencies in the Design class? Do you believe that the two should be more closely aligned and, if so, how?

Part 3: Next steps

PROCESS AND TIMEFRAMES

Thank you for taking the time to read and respond to the questions in this paper. MBIE will analyse the submissions received and will report back to the Minister for Building and Construction in mid-2023. A summary of submissions will be released publicly on MBIE's website.

For the work covered in Part 1, MBIE will begin finalising the proposals based on the feedback received, including seeking final Cabinet policy decisions by potentially late-2023.

For the work covered in Part 2, your submissions will be used to determine a series of potential options for improvements to the respective regimes. MBIE intends to seek feedback on these options in 2024 through public consultation.

22. There will be further targeted consultation on the design and implementation of the proposals contained in Part 1 of the document before they are implemented. Would you like to be involved in this?

Yes

No

If so, please indicate which area(s) you would like to be consulted on.