

Welcome



Thank you for joining today's roundtable on Licensing Framework –
Proposals in the Building Bill.

The roundtable will begin at 1pm.

Licensing Framework – Proposals in the Building Bill



Licensing Proposals in the Building Bill

Tuesday, 18 July 2023

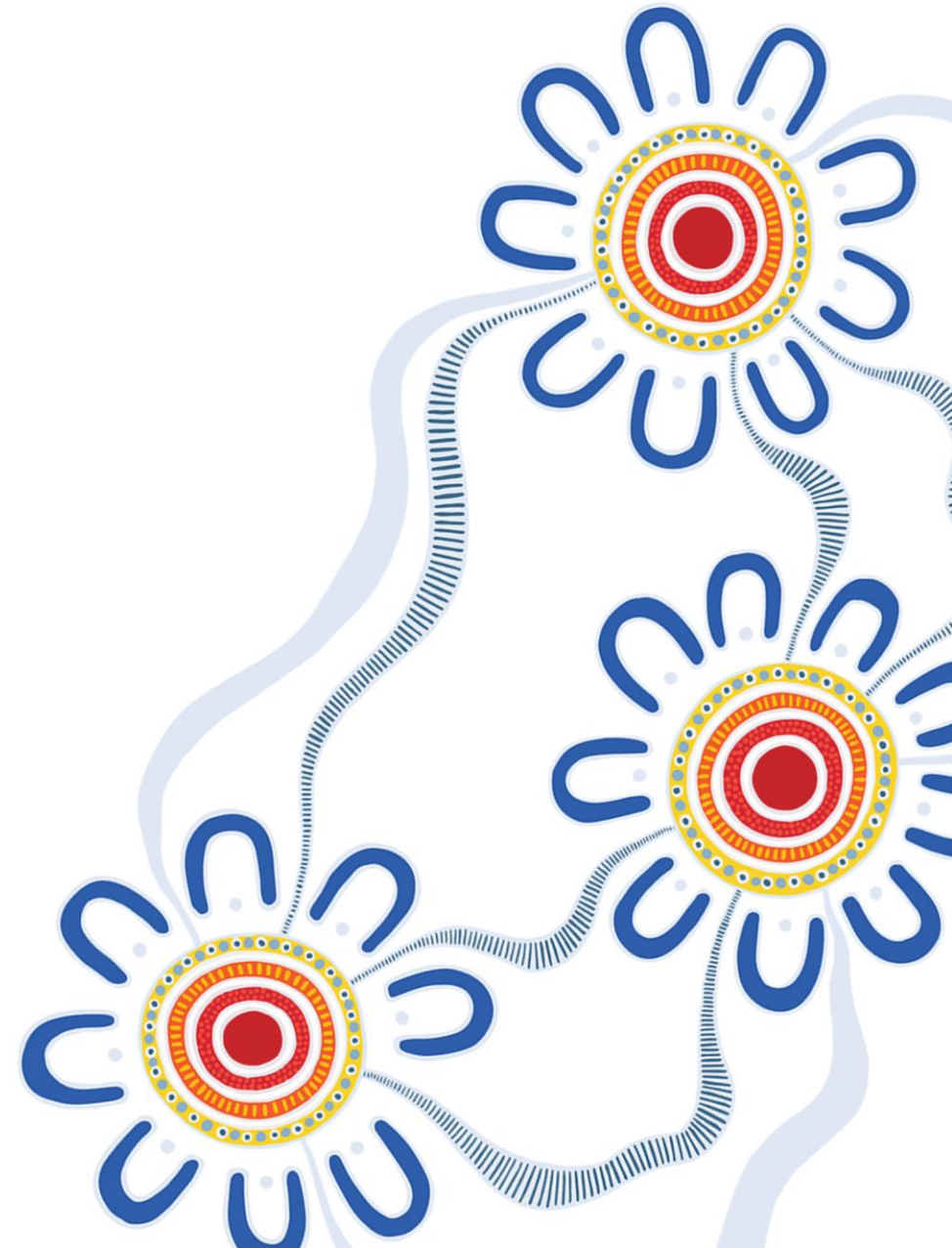
Please be advised this session will be recorded.

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The 'Connecting Communities' artwork used here is by Alison Williams, a proud Gumbaynggirr woman.



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unless speaking



During the main session:
raise hand to speak



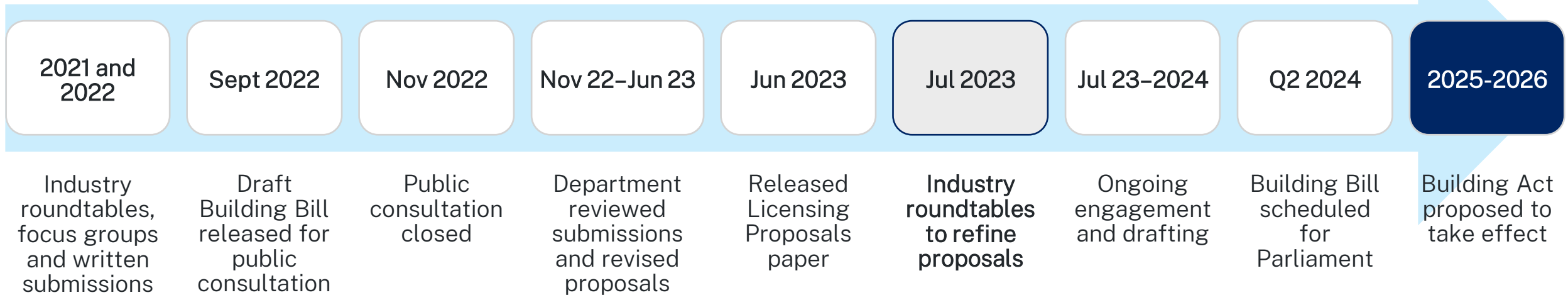
During breakout sessions:
unmute to speak



Agenda

#	Agenda Item	Time
1	Welcome and introduction	1:00 pm – 1:10 pm
2	Part 1: Framework <ul style="list-style-type: none">• Presentation• Breakout session	1:10 pm – 2:00 pm
3	Part 2: Licence class changes <ul style="list-style-type: none">• Presentation• Breakout session	2:00 pm – 2:40 pm
4	10 min break	2:40 pm – 2:50 pm
5	Part 3: Using licensing to support career growth <ul style="list-style-type: none">• Presentation• Breakout session	2:50 pm – 3:30 pm
6	Next steps, general Q&A and close	3:30 pm – 3:45 pm

Review of the *Home Building Act 1989*



Licensing Proposals paper

- What work needs a licence?
- Proposed licence classes
 - Specialist work
 - Builders
 - Trades
 - Design work
- Description of works authorised by each licence

In scope



- Owner-builder permits
- CPD
- Qualifications
- Fire safety licensing
- Engineers
- Pre-fabricated building work

Out of scope



Building Bill 2023 - Licensing Proposals

A review of building licensing and registration in NSW

June 2023



Written submissions due to hbareview@customerservice.nsw.gov.au by COB 11 August 2023

Part 1: Framework



What work will need a licence?

Regulated work on:

Class 1 and 2
(residential)

Class 3 and Class
4 parts (other
residential e.g.
boarding house)

Class 5 (offices)

Class 6 (shops,
restaurants)

Class 7 (storage)

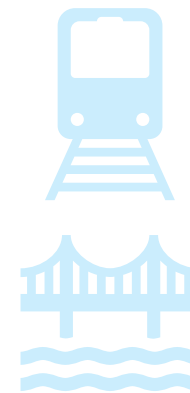
Class 8 (factories)

Class 9 (public
buildings)

Class 10 (non-
habitable
buildings or
structures)

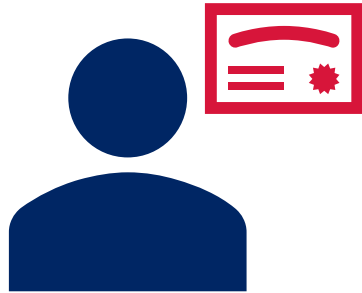
A value threshold of
\$3,000 will apply to
licensing requirements
for most work

Some high-risk work
(e.g. specialist work)
will require a licence
regardless of value



Civil construction will
be excluded from
licensing requirements

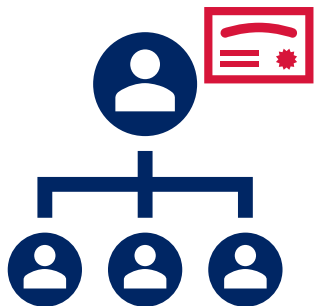
Who can apply for a licence?



Individuals



Partnerships & corporations



Unlicensed persons e.g. labourers must work under the supervision of a licensed person

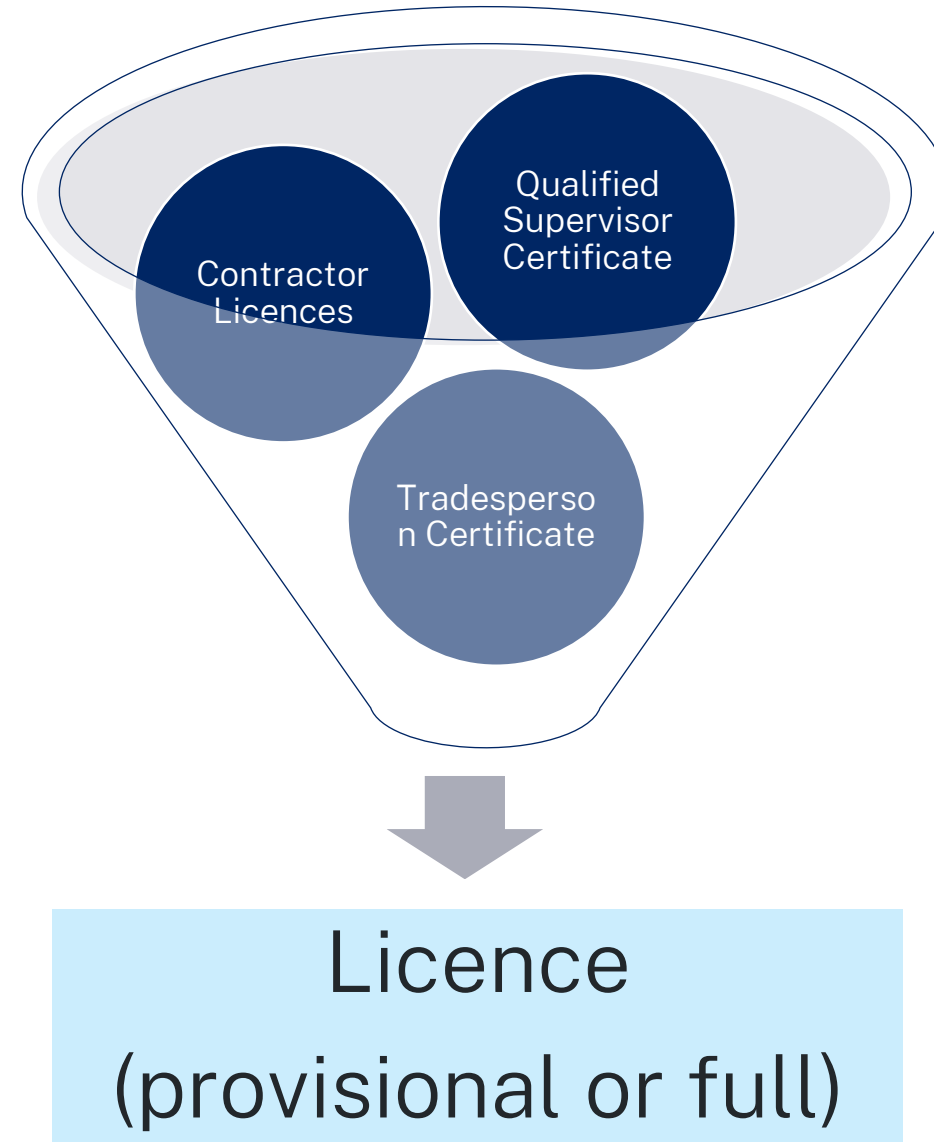


Corporations must have at least one **nominee** who is responsible for supervising work and ensuring it is delivered to standard

What licences will be available?

- Can obtain a provisional licence while they gain required skills and experience
- Needs to work under supervision until they attain a full licence

Case study: Tradesperson without required qualifications e.g. from interstate or overseas



Licensing framework in practice

- Simplified customer experience
- Saves fees by not needing a qualified supervisor certificate (QSC)

Small
business
owner / sole
trader



- Must obtain licence
- If unable to obtain licence, must work under supervision

Current QSC/
TPC holder



- More flexibility around nominee, including multiple nominees
- More oversight and accountability e.g. documented procedures

Corporate
licence
holders



- Must ensure work is compliant
- Must report non-compliance to NSW Fair Trading or risk penalties / loss of licence

Nominee



- Can continue to work unlicensed under supervision of licence holder
- e.g. labourer, apprentice, trainee

Unlicensed
people



1

Breakout session: Framework

Break out session #1: Framework

Questions for discussion:

1. Are there any situations where the proposals for the new licence framework may have unintended consequences? Are there any challenges or considerations for the Department to investigate?
2. Do the changes to the nominee role clarify how this role will operate? Are there any outstanding questions or considerations about how this role will operate for the Department to resolve?
3. Do the proposals for unlicensed work create any unintended gaps or impacts for industry, tradespeople or consumers?



20 mins

Part 2: Licence class changes

Summary of proposals for discussion today

Register **pre-purchase and defect building inspectors** and establish minimum standards for inspections

Register **pre-purchase pest inspectors** and establish minimum standards for pre-purchase pest inspections

Retire several low-risk licence classes:

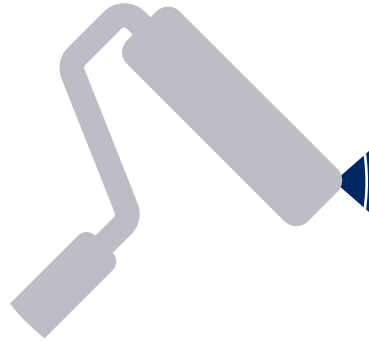
- Minor trade work
- Decorating
- Swimming pool repairs

Consolidate two **roofing** licences into one licence

Deregulate certain types of painting and fencing work

Review scope of works for all licence classes

Deregulate certain types of painting and fencing work



Painting

- Deregulate painting work done for decorative purposes
- Continue regulating painting work for weatherproofing and protective purposes



Fencing

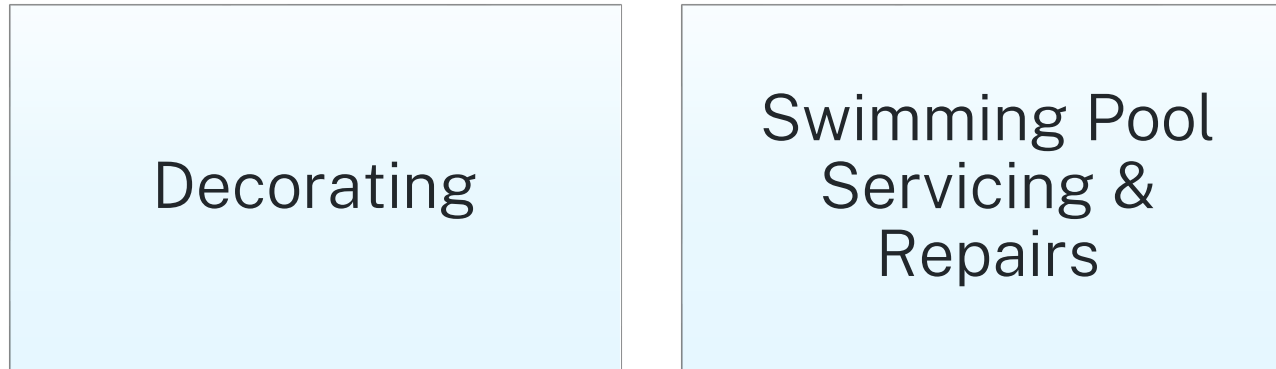
- Amend fencing licence to only capture swimming pool barrier installation
- Deregulate non-structural fencing work
- Continue regulating structural fencing work under other licences

Register pre-purchase and defect building inspectors and pest inspectors

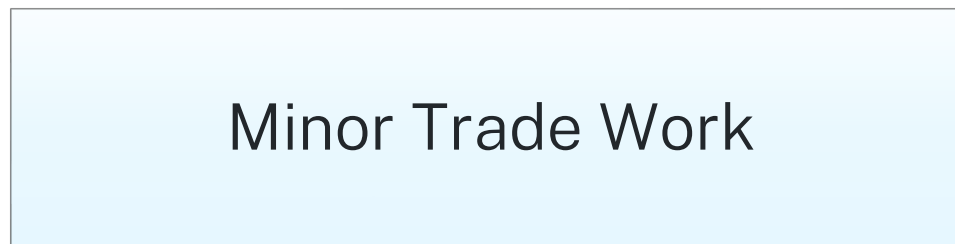
- ✓ Introduce limited registration scheme
- ✓ Establish minimum standards for inspections
- ✓ Improve consumer confidence in quality of work
- ✓ Lower regulatory burden by removing licensing requirements e.g. financial and background checks
- ✓ Allow experienced builders to transition to a new career

Retire licence classes and simplify framework

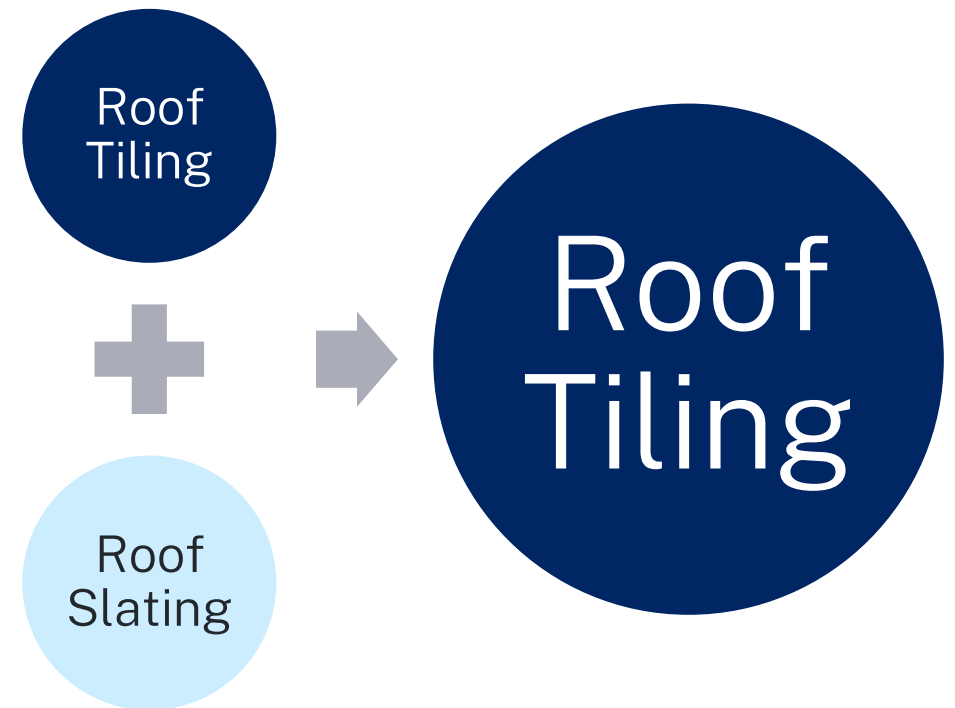
Deregulate certain work



Absorb work into other licences



Consolidate licences



Scope of works for all licence classes

Review to ensure scope of works reflect:

- Modern industry practices
- Impacts of the proposed expansion into all building classes
- New building materials or technologies

Building Bill 2023 - Licensing Proposals

Attachment Paper – Descriptions of work
authorised by a licence

June 2023



2

Breakout session: Licence class changes

Summary of proposals

For discussion today:

Register **pre-purchase and defect building inspectors**

Register **pre-purchase pest inspectors**

Deregulate certain types of **painting and fencing work**

Retire several low-risk licence classes:

- Minor trade work
- Decorating
- Swimming pool repairs

Consolidate two **roofing** licences into one licence

Review scope of works for all licence classes

For discussion at other roundtables:

Establish four levels of **builder** licence

Continue to review evidence to support licensing **project managers**

Introduce a licence for **building designers** and investigate regulating **other design roles**

Make **waterproofing** a new class of specialist work

Combine work permitted in the **connect / disconnect** of fixed electrical components in the **plumbing** licence

Continue reviewing the **electrical** licensing framework

Establish a new licence for the **installation of ducting work**

Create a separate licence for **medical gas** and work with industry to create new **mechanical services** licence

Introduce a new licence class for **Type B gas fitting work**, and merge the **LP gas fitting work** licence into the **gas fitting work** licence

Absorb the **kitchen, bathroom and laundry renovation** licence class into **builder** licence framework

Break out session #2: Licence class changes

General questions to guide discussion:

1. How will these proposals impact costs for consumers and businesses?
How can this risk be mitigated?
2. Will any of the proposals contribute to or exacerbate industry skills shortages? How can this risk be mitigated?
3. What implementation and transitional arrangements should the Department consider for these proposals?
4. Are there any other changes to these licence types the Department should consider?



20 mins

Part 3: Using licensing to support career growth

Using licensing to support career growth

Proposed outcome:

A licence can be endorsed with additional licence classes at a reduced fee as a person continues with professional development

Proposed outcome:

Study and gaining competence towards another vocation will be accepted as CPD

Benefits of the endorsement approach



Encourage lifelong education and training



Support mobility throughout a career



Address labour shortages by retaining and upskilling practitioners



Reduced costs for businesses and consumers, if one trade can do the work to complete the job



Ensure CPD is relevant, practical and tangible

Endorsement approach: case studies

- Glazing licence + competency in swimming pool barriers = endorsement for glass pool barriers

Glass pool
barriers



- Electrician can undertake further education and training to be competent in replacing electric hot water systems

Hot water
systems



3

Breakout session: Using licensing to support career growth

Break out session #3: Using licensing to support career growth

Questions for discussion:

1. How would your industry use the endorsement approach?
2. Should endorsements only be available for certain licence classes with related or overlapping qualifications? Why / why not?
3. Are there any other opportunities for the licensing framework to support lifelong learning, industry mobility and upskilling?



20 mins

Next steps & close

Reminder: Written submissions due to hbareview@customerservice.nsw.gov.au by COB 11 August 2023

Builder Licensing Framework – Proposals in the Building Bill



Licensing Proposals in the Building Bill

Tuesday, 25 July 2023

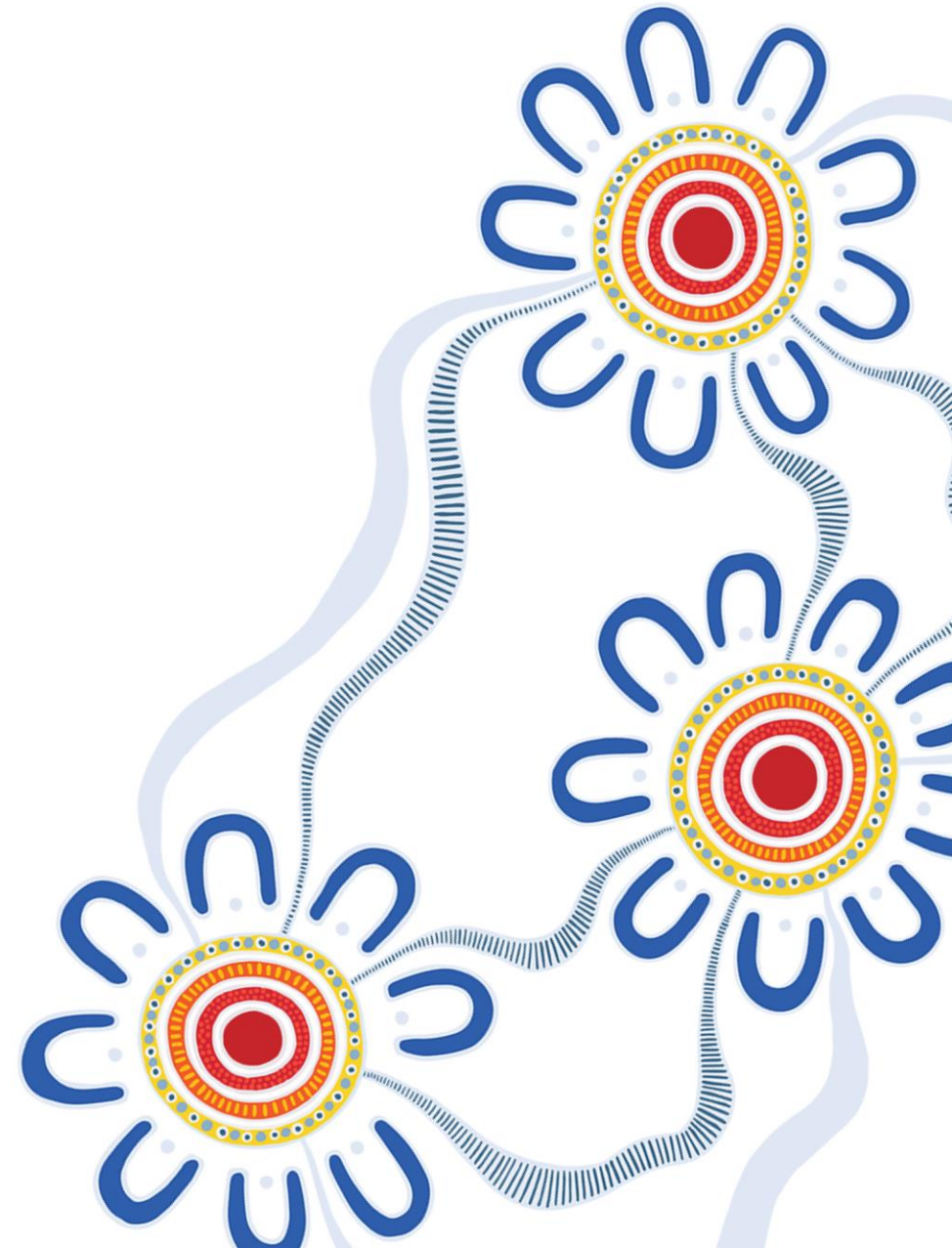
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Introduction



Participating in today's roundtable

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raise hand to speak



Agenda

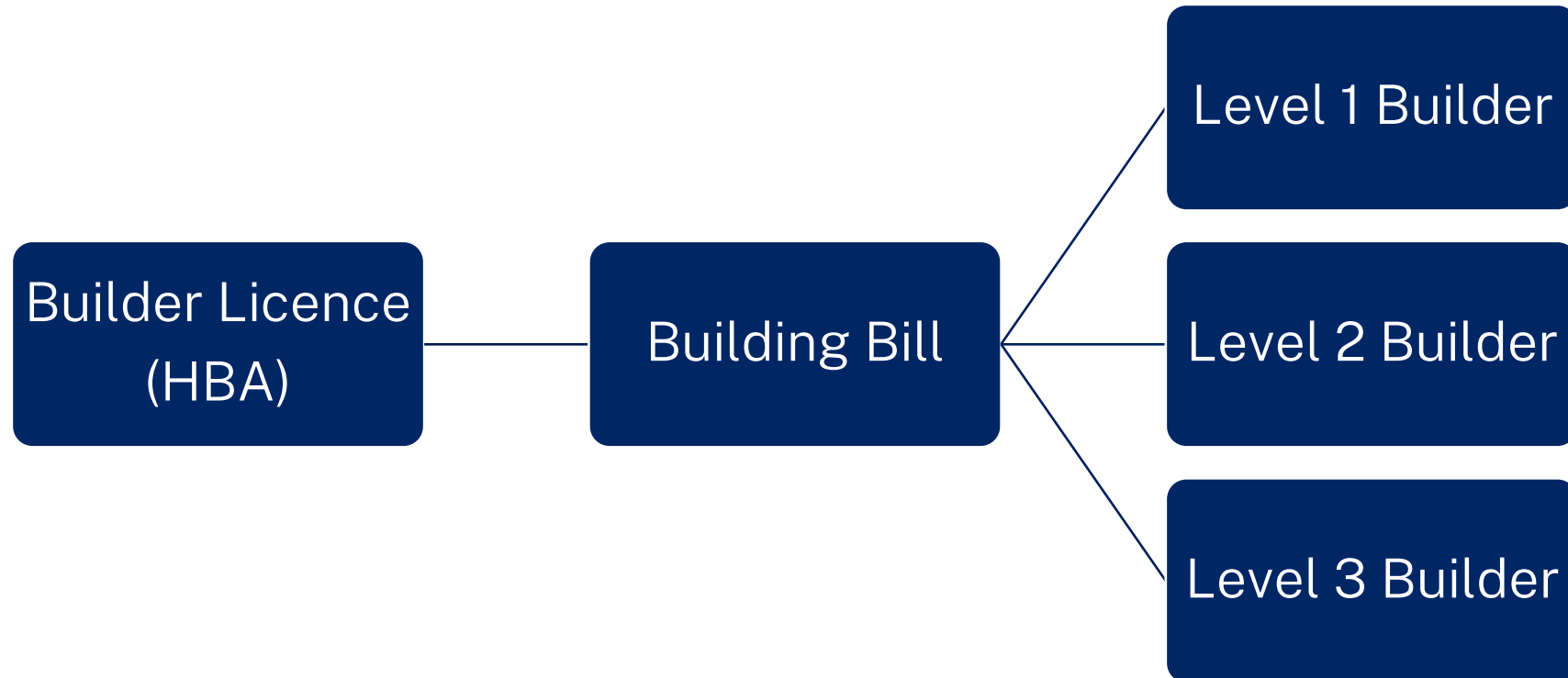
#	Agenda Item	Time
1	Welcome and introduction	1:00 pm – 1:05 pm
2	Overview of builder licence proposals and What does a builder do? <ul style="list-style-type: none">• Presentation and group discussion	1:05 pm – 1:50 pm
4	Implementation plan; knowledge and experience requirements <ul style="list-style-type: none">• Presentation• Group discussion	1:50 pm – 2:15 pm
5	Public register <ul style="list-style-type: none">• Presentation• Group discussion	2:15 pm – 2:45 pm
6	Next steps and close	2.40 pm – 2:45 pm



Part 1: Builder Licence Proposals



Transforming builder licenses in the Building Bill

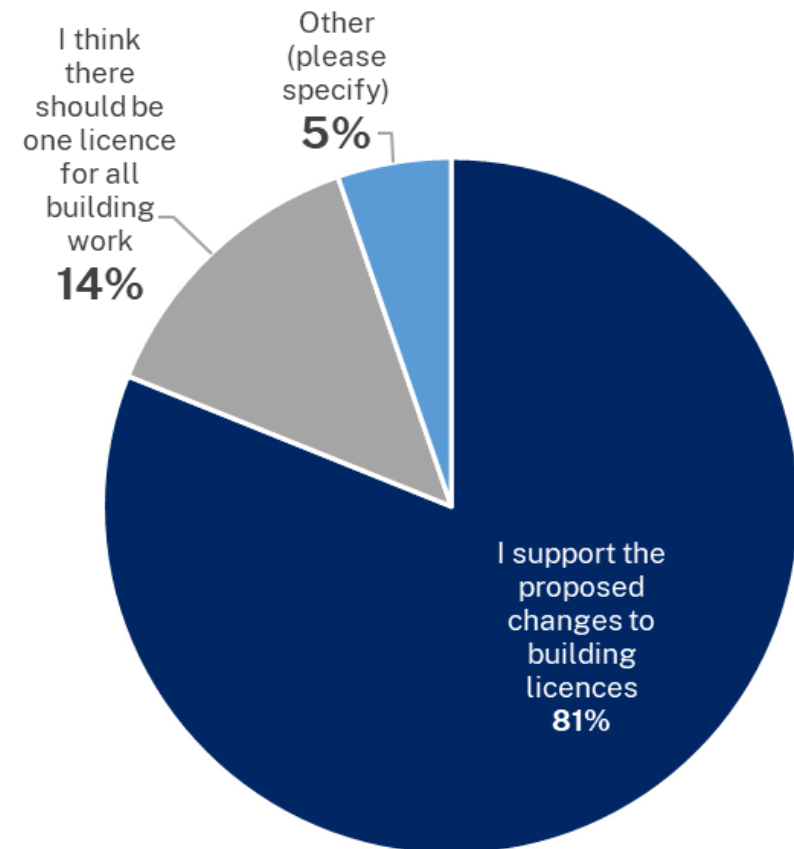


Public consultation

Proposal in public consultation

Licence Class		Scope of work
Builder 1	High rise and commercial	Work on any class of building
Builder 2	Medium-rise	Work on any class of building up to 3 storeys and 2,000m ² in area
Builder 3	Low-rise; residential	Work on class 1 and Class 10 buildings

Stakeholder feedback



Revised proposal: builder licences

Licence Class		Scope of work
Builder A	Unrestricted / High-rise	Work on any class of building
Builder B	Medium-rise	Work on any class of building up to 3 storeys
Builder C	Low-rise	Work on class 1 and Class 10 buildings
Builder D	Internal fit-outs	Non-structural building work and fit-outs

Key changes

- Introduced Builder D – Internal fit-outs
- Removed 2,000m² floor area restriction from Builder B – Medium rise

What does a Builder do?

Building work

means any work involved in, or involved in co-ordinating or supervising any work involved in –

- (a) the construction of a building, or
- (b) the making of alterations or additions to a building, or
- (c) the repairing, maintenance, renovation, or protective treatment of a building

Note – Specialist work within this category is required to be subcontracted to a licence holder in the relevant category of specialist work.

(clause 5 Building Bill 2022)

	Licence Class	Scope of work
Builder A	Unrestricted / High-rise	Work on any class of building
Builder B	Medium-rise	Work on any class of building up to 3 storeys
Builder C	Low-rise	Work on class 1 and Class 10 buildings
Builder D	Internal fit-outs	Non-structural building work and fit-outs

What is different about the Level D Builder licence?

Licence Class		Scope of works – early discussion starting point
Builder D	Internal fit-outs	<p>Work to fit out or refurbish internal built environments, and installing and finishing shopfronts, internal shopfitting units, and partitions, other than work affecting any internal or external load bearing component of the building that is essential to the stability of the building or any part of it, including things such as foundations, floors, walls, roof, columns and beams.</p> <p>Work involved in the installation, refurbishment, restoration and on-site repairs of or to a kitchen, bathroom or laundry.</p> <p>Specialist work that is an integral part of an overall contract. Note – Specialist work within this category is required to be subcontracted to a licence holder in the relevant category of specialist work</p>

Role of Project Managers on Site

To be considered for the role of the Site Manager you will require:

Construction Management/Building or equivalent

Proven industry experience on luxury residential projects.

Previous experience working in the high-rise development space

Strong negotiating skills to implement contracts with subcontractors and suppliers to satisfy budgets, quality, safety and time requirements.

Experience site managing apartments / Townhouses

To be considered for the role of Site Manager you will require:

Minimum 5 years' experience in a Site Management position for a principal contractor

Experience working on projects from \$10M to 30M

Construction-related tertiary qualification

Strong communication, negotiation and business development skills

The ability to lead a team, communicating effectively with people at every stage of the project

A desire to take on a long-term role where you will grow with the business

Strong stakeholder support for licensing project managers

Definition of building work includes “*coordinating or supervising work*”

Role of ‘nominee’ for corporate licence holders

Recap and Topics of Discussion

- Four levels of builder licence
- Work that a builder can do
- Role of project managers/nominees
- Remedial builders
- Modernising scope of works e.g. new and emerging technologies in products and materials



1

Group discussion:

- Builder licence classes and Scope of Works

Group discussion #1: Licence classes and scope of works



Changes to licence levels

1. Do you support the changes to the licence levels? Are there any other changes we should consider?
2. Is the 3-storey limitation for Builder B suitable?

Builder D licence

1. Is the terminology used in the scope of works for Builder D clear? e.g. *“fit out”* and work not affecting *“any internal or external load bearing component of the building”*.
2. Should Builder D be able to work on all building classes, or should they be restricted from certain classes? e.g. high-risk buildings with complex fire and smoke compartment considerations.
3. Are there any potential challenges with the consolidation of the kitchen, bathroom and laundry renovation licence into Builder D licence?

Scope of works

1. Does the scope of works sufficiently capture the work of remedial builders? Do descriptions such as *“repairing, maintenance, renovation, or protective treatment of a building”* suffice?
2. Does the framework capture project managers? Do project managers operate differently to a builder and/or nominee? How might a specific licence for project managers operate?
3. How can we modernise the scope of works for builders? Should any new and emerging technologies in products and materials be considered?

Part 2: Implementation Plan and knowledge and experience requirements



New licence levels will commence gradually

Transition Plan

New Builder licenses are expected to commence four years after the introduction of the Bill to parliament

Support and time to access current skills and qualifications against new requirements

Proposed Knowledge and Experience Requirements



Licence Class	Knowledge requirements	Practical experience requirements
Builder A	Relevant diploma or tertiary qualification	5 years relevant practical experience in the work authorised by the licence
Builder B	Relevant diploma or tertiary qualification	3 years relevant practical experience in the work authorised by the licence
Builder C	Cert IV or above	2 years relevant practical experience in the work authorised by the licence
Builder D	Cert IV or above	1 year relevant practical experience in the work authorised by the licence

Recap and Topics of Discussion

- Implementation and transition for existing builders
- Assessing relevant practical experience for each licence level
- Suitability of knowledge requirements for each licence level
- Pathways between each licence level

2

Group discussion: Knowledge and experience requirements; implementation

Group discussion #2: Implementation and knowledge and experience requirements

Questions for discussion:

1. Do you support the differences between years of practical experience requirements for different builder levels? Why / why not? Do these differences reflect the different complexities of work for each level?
2. Do you see any implementation challenges for builders meeting the new experience requirements? How could these be mitigated?
3. How should builders move between each licence level?
4. Are there any circumstances where the knowledge and experience requirements should be reduced? E.g. carpentry licence holders having reduced years of practical experience / reduced qualifications.



25 mins

Part 3: Public Register



Public register

Verify.licence

The place to look up and verify NSW licence and registration information

Search

Enter a name or number

Topic

Contractor and Trade...

Licence Type

Select a licence type

Area

Enter a location



All search options

Assessing how industry and consumers use the register

Reviewing types of information on the register

Mitigating privacy risks

Bob Contractor Licence

Status: Expired

Licence	Contractor	Date	13 May 2002
Number	7	Address	

Licence, Classes and Conditions

Contractor Licence

Classes (2)

Builder	Effective	10 Apr 2000
Carpenter & Joiner	Effective	13 May 1996

About

Timeline

[Download full history](#)

21 Jun 2002	●	Licence Renewed
13 May 2002	●	Licence Expired
29 Mar 2002	●	Licence Renewed
4 Sep 2001	●	Licence Restored

3

Group discussion: Public Register

Group discussion: Public register

Questions for discussion:

1. How do businesses and industry use the public register?
2. In your experience, how do consumers use the public register?
3. Do you or your industry members have any privacy concerns about the information available on the public register?



15 mins

Next steps & close

Reminder: Written submissions due to hbareview@customerservice.nsw.gov.au by COB 11 August 2023

Specialist Licences: Proposals in the Building Bill



Licensing Proposals in the Building Bill

Thursday, 27 July 2023

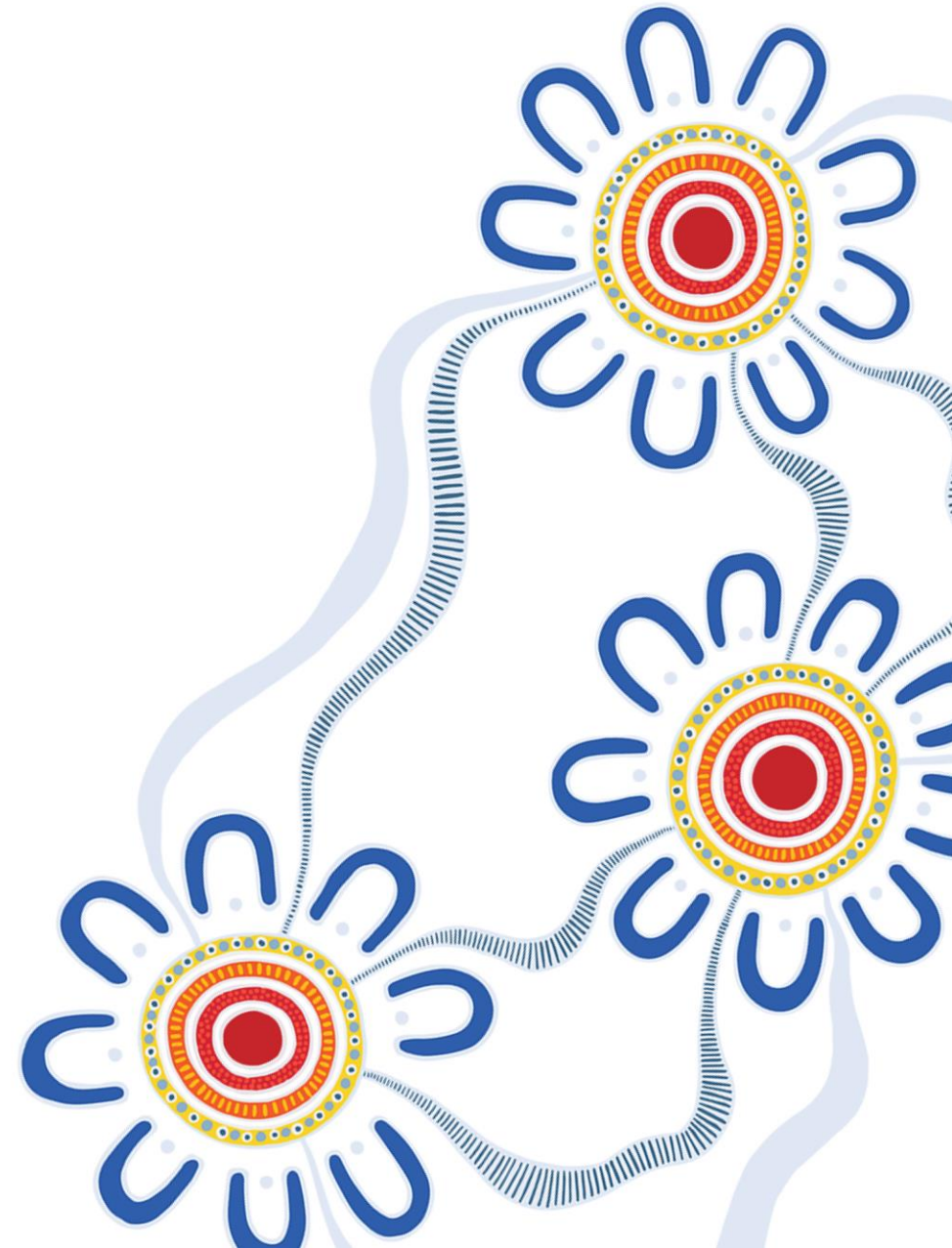
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#	Agenda Item	Time
1	Welcome and introduction	1:00 pm – 1:05 pm
2	Licensing proposals for waterproofing <ul style="list-style-type: none">• Presentation• All group discussion	1:05 pm – 1:40 pm
3	Licensing proposals for electrical work, plumbing and gas fitting <ul style="list-style-type: none">• Presentation• All group discussion	1:40 pm – 2:20 pm
4	Next steps and close	2:20 pm – 2:25 pm

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Waterproofing



Proposal: Waterproofing as specialist work

Increased complexity
of waterproofing

Poor product
knowledge or
incorrect application
of products

Scarcity of advanced
skills around complex
waterproofing
systems and critical
inspections

Limited integration of
trades

Specialist work:

- Licence required for all work
(Value threshold does not apply)
- Can prescribe certificate of
compliance requirements

Licensing framework considerations

- Scope of works
- Qualifications and experience requirements
- CPD requirements
- Accountability mechanisms e.g. certificate of compliance requirements

Waterproofing: scope of works

Under *Home Building Act 1989*

Work involved in any protective treatment of a dwelling designed to prevent the penetration of water or moisture into the dwelling or in the protective treatment of wet areas in a dwelling designed to prevent the unwanted escape of water from those areas by using solid membranes or membranes applied by brush, roller or any other method.

New scope under Building Bill could capture:

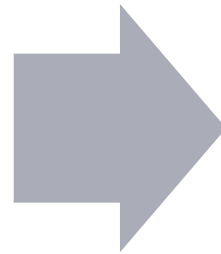
- Buildings (not just dwellings)
- External and internal work, remedial work, work above and below ground
- Selection of suitable materials
- Correct application of suitable materials
- Interpreting waterproofing designs
- Protecting contents and structural integrity of buildings

Waterproofing: interaction with other trades

Scope of works for wall and floor tiling

Under *Home Building Act 1989*

“Examples of works and materials within the category of wall and floor tiling include ... waterproofing of wet areas in preparation for the laying of tiles ...”



Proposal under Building Bill

This work “does not include any waterproofing of wet areas in preparation for the laying of tiles, which is work within the category waterproofing.”

Alternative licensing options explored

Strengthen
requirements
for
waterproofing
design

Multiple licence
levels

Different
requirements
for work based
on building
class

Waterproofing
endorsement or
'add-on' for
trade licence
holders

1

Group discussion: Waterproofing

Group discussion #1: Waterproofing

Questions for discussion:

1. What work should be included in the scope of works for waterproofing?
2. How should the waterproofing licensing framework factor in the integration of trades?
3. What are the risks of this proposal and how can they be managed?



25 mins

Current scope of works :

Work involved in any protective treatment of a dwelling designed to prevent the penetration of water or moisture into the dwelling or in the protective treatment of wet areas in a dwelling designed to prevent the unwanted escape of water from those areas by using solid membranes or membranes applied by brush, roller or any other method.

New scope of works could capture:

- Buildings (not just dwellings)
- External and internal work, remedial work, work above and below ground
- Selection of suitable materials
- Correct application of suitable materials
- Interpreting waterproofing designs
- Protecting contents and structural integrity of buildings

Electrical, plumbing and gas fitting

Electrical licensing framework



Holistic approach to determining the electrical licensing framework

Proposal to remove the connection and disconnection of fixed electrical equipment licence

Work continuing to review electrical licensing framework and determine if other electrical licences should be prescribed

Which other trades could be regulated under the new electrical licensing framework?

e.g. Trades doing work on:

- Electrical equipment, including maintenance of equipment
- Control systems
- Plants and machinery
- Biomedical equipment
- Switchboards

Plumbing licence proposals

Proposal: Include connection/disconnection of fixed electrical components in the plumbing licence

Current plumbing licence structure – no change proposed

- Plumbing
 - Water plumbing
 - Water plumbing - fire protection systems
 - Water plumbing - fire sprinkler systems
 - Water plumbing - urban irrigation
 - Draining work

- Plumber could complete hot water system installation without requiring disconnect / reconnect certificate
- Plumber would have requisite skills and training
- Consumer saves costs and time

Case study:
hot water
systems

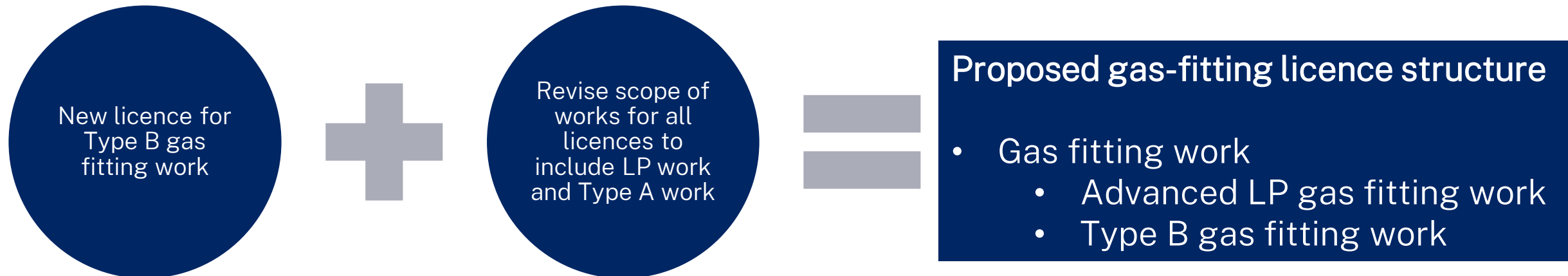


Gas fitting licence proposals

Current gas-fitting licence structure

- Gas fitting work
 - LP gas fitting work (restricted gas fitting work)
 - Advanced LP gas fitting work

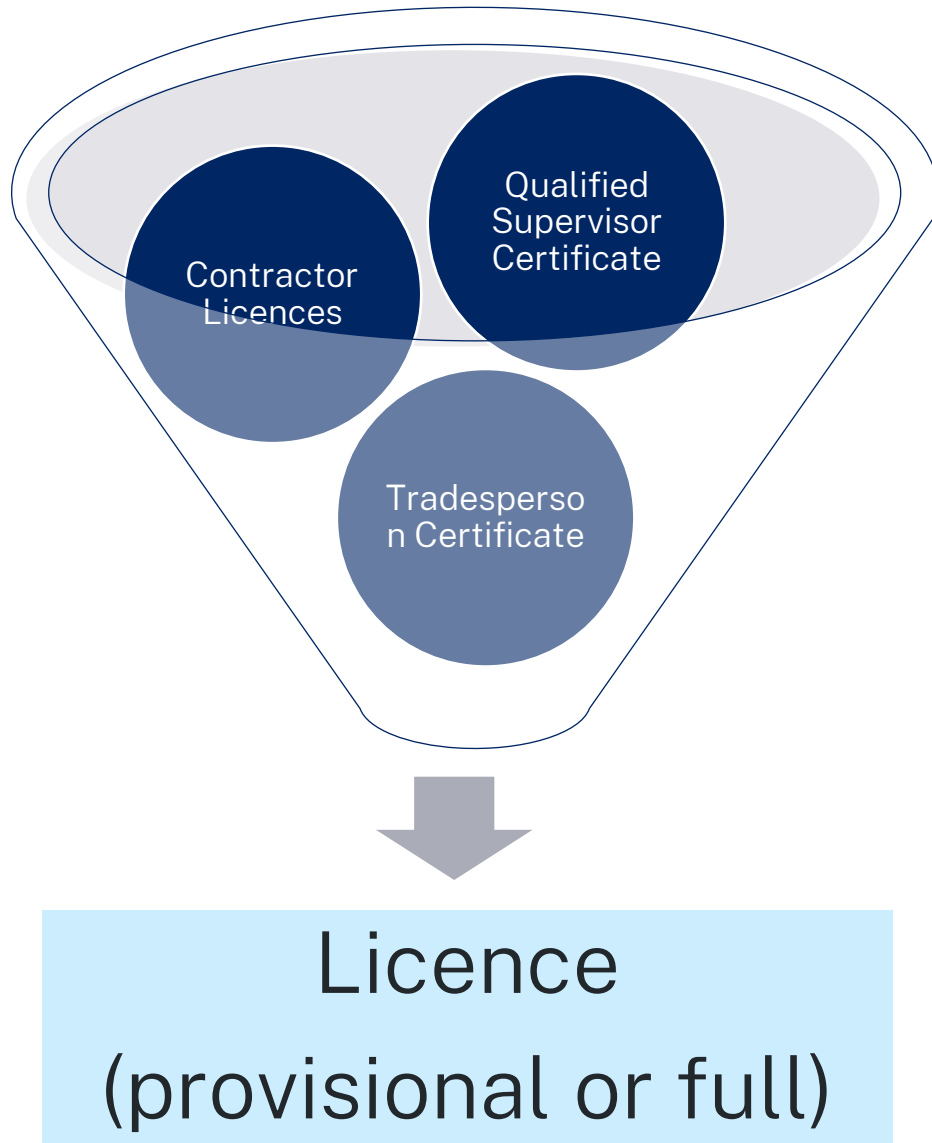
Proposed changes



Scope of works for each gas fitting licence

Type of work	All other types of gas fitting work	Advanced LP work (any pressure, liquid or vapour phase)	LP work (restricted gas in vapour phase with pressure below 150 kPA)	Type A appliances	Type B appliances
Licence					
Gas fitting work licence	Y	Y	Y	Y	Y
Advanced LP gas fitting work		Y	Y	Y	
Type B gas fitting work			Y	Y	Y

Other changes impacting specialist licences



Provisional
tradesperson
certificate



Provisional licence

- Allow work under supervision
- Work must be overseen and signed off by licence holder
- Allows time to attain required skills
- Issued for limited duration; can't be renewed

2

Group discussion: Electrical,
plumbing and gas fitting

Group discussion: Electrical

Questions for discussion

1. Which other trades could be regulated under the new electrical licensing framework?
2. How could the electrical licensing framework in NSW align better to other electrical licensing framework/s across Australia?
3. Are there other opportunities to use the provisional licence in the electrical licensing framework? e.g. to recognise skills gaps, allow certain work under supervision.



Group discussion: Plumbing and gas fitting

Questions for discussion:

1. Do you support the proposal to combine the work permitted in the connect/disconnect of fixed components in the plumbing licence?
2. Are there any other changes to the plumbing licence that the Department should investigate and consider?
3. Is the new gas fitting licence structure suitable? Are there other opportunities to simplify and clarify the licence structure?
4. Do all existing licence holders have relevant knowledge and skills to work on Type A appliances and restricted LP work?
5. Will existing licence holders have any challenges attaining the Type B gas fitting work licence? How can these challenges be managed?
6. Are there other opportunities to use the provisional licence in the plumbing and gas-fitting licensing frameworks? e.g. to recognise skills gaps, allow certain work under supervision.



Next steps & close

Reminder: Written submissions due to hbareview@customerservice.nsw.gov.au by COB 11 August 2023