

5 May 2021

Hon Kevin Anderson MP  
Minister for Better Regulation and Innovation  
52 Martin Place  
SYDNEY NSW 2000

Dear Minister

**Re: Licensing and regulation of tradespeople on NSW construction sites**

I write regarding the licensing of tradespeople working on NSW construction sites, and the oversight and regulation of these tradespeople.

As per the Home Building Act, it is the builder's responsibility to ensure tradespeople have valid licences, and they are in breach of the Act if they sub-contract residential building work to an unlicensed entity.

Our members, employed in both private certification and local government, have raised concerns regarding a lack of scrutiny on the qualifications and licence status of tradespeople operating on construction sites.

Recent media reporting has also highlighted the issue of unlicensed tradespeople conducting and signing off on residential construction work.

Addressing this hugely significant issue is critical to ensuring owners and people more generally, have trust in the built environment and trust in the construction chain.

The Association is of the strong view that it is the responsibility of all practitioners, including builders, designers, engineers, tradespeople, and certifiers, to deliver quality buildings in the interests of customers and the broader public.

But it is also the responsibility of NSW Fair Trading as the regulator, to ensure that a robust compliance system is in place and enforced to provide oversight and enforce licence conditions. Building owners expect nothing less than an aggressively proactive regulator.

The NSW Government has rightly acted to ensure more practitioners, like designers and builders are regulated, but it should not forget the important role tradespeople play in building an acceptable construction chain.

We therefore urge the Government to increase scrutiny on the activities of unlicensed tradespeople operating on NSW construction sites through a more rigorous compliance or audit program and to publicly report outcomes. Without transparency owners cannot make informed decisions about tradespeople.

Despite previously requesting data on tradespeople audits from NSW Fair Trading and the Department of Customer Service, we are yet to receive any meaningful information.

I would be happy to discuss this matter further with you or your office.

Yours sincerely



Jill Brookfield  
Chief Executive Officer