



## ARBV: Elenberg Fraser and the Lacrosse Building

In response to The Australian's recent article on the 19 June 2017 and The Financial Review's article published 25 June 2017 about the 2014 Lacrosse apartments fire, the Architects Registration Board of Victoria (ARBV) releases this statement regarding architects Elenberg Fraser and their decision not to refer the matter to the Architects Tribunal inquiry.

Having all the information required to consider the architect's level of responsibility on site, the Board of ARBV did not support a Tribunal enquiry into Elenberg Fraser's fitness to practise or professional conduct.

### Background

In 2016, the Victorian Building Authority (VBA) made an informal request to the ARBV for Elenberg Fraser to be investigated in the role of Architect for the Lacrosse building. While this was not a formal request, the ARBV is empowered under section 18 of the Architects Act 1991 (Vic) to initiate an enquiry itself into an architect's fitness to practise or professional conduct.

### The complaint review process

The matter was conducted as a complaint review in accordance with ARBV procedure. When a complaint is received, the ARBV first notify the architect of the complaint and any information accompanying the complaint. The architect is provided with an opportunity to respond. The complaint is reviewed by two Board members to provide a recommendation to the ARBV Board and determine whether there are grounds to refer the matter to the Architects Tribunal.

### Conclusion

The complaint review in the matter of Elenberg Fraser was conducted by two Board members. Elenberg Fraser provided information and a response to the questions from the Board upon being notified of the complaint. After reviewing Elenberg Fraser's response, the reviewers found the evidence before the Board did not support the allegation of professional misconduct as to warrant referral to the Tribunal.

The Board considered this report and accepted the review recommendation having all the information required about the architect's level of responsibility on the site. The architect's response provided detailed Information addressing each item raised. There was no prima facie evidence that would warrant referral to inquiry by the Tribunal

Says David Sainsbery, Chairperson of ARBV, "We stand by our decision not to refer the matter of Elenberg Fraser to the Architects Tribunal."

**About ARBV**

ARBV is a self-funding statutory authority which has as its primary responsibilities the registration of architects and approval of architectural companies/partnerships, the investigation of complaints against architects, provision of Tribunal Inquiry into professional conduct and the accreditation of architecture courses.

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