

Board of Professional Engineers v Z

This was a disciplinary proceeding brought by the Board of Professional Engineers of Queensland (“**Board**”) against a registered professional engineer (deidentified as “Z”) in the Queensland Civil and Administrative Tribunal (“**Tribunal**”).

Disciplinary Ground

The Board alleged that Z had behaved in a way that constituted unsatisfactory professional conduct in the design and certification of a kit home.

Engineer’s Background

Z was a registered professional engineer of some standing.

Conduct of Engineer

In 2009, a homeowner organised for the design and construction of a three-bedroom house located within an area designated as “Region C Cyclonic” in Australian Standard 1170.

Prior to construction of the house, design documentation was stamped and signed by Z and Z completed a Form 15 Compliance Certificate for Building Design or Specification (“**Form 15**”) in relation to those designs.

Some aspects of the design were not suitable for the design wind loading at the site. Specifically, the building site was in Region C Cyclonic, whereas the structure was designed to comply with the requirements of Region B. In particular:

- the Form 15 noted loading conditions that did not match the loading conditions provided on the design documentation; and
- a significant proportion of the “as-designed” components of the building were unsuitable for their intended application; and
- there were a number of “as-designed” building inadequacies.

What the Tribunal Said

The Tribunal found that Z’s conduct demonstrated a fundamental lack of understanding of, or regard for, the proper engineering practices and principles required to safely design the house because it was:

- conduct that was of a lesser standard than that which might reasonably be expected of a registered professional engineer by the public or Z’s professional peers; and
- conduct that demonstrated a lack of adequate judgment or care in the practice of engineering; and
- misconduct in a professional respect, because it was conduct that violated or fell short of, to a substantial degree, the standard of professional conduct observed or approved by members of the profession of good repute and competency.

Consequences for Engineer

The Tribunal ordered that Z be reprimanded and imposed a monetary penalty.