

NSW Register of Disciplinary Action

[Section 55 of the Architects Act 2003](#) requires the NSW Architects Registration Board (NSW ARB) to maintain a Register of Disciplinary Action.

This Register is published in accordance with the NSW ARB policy that:

- Where an architect is found guilty of unsatisfactory professional conduct, the decision will be published in the Register of Disciplinary Action on the NSW ARB website for a period of 2 years unless otherwise determined by the Board.
- Where an architect is found guilty of professional misconduct, the decision will be published in the Register of Disciplinary Action on the NSW ARB website for a period of 5 years unless otherwise determined by the Board.

Name of Architect	Registration Number	Date of Determination	Description
Andrew Thomas DONALDSON	8472	23 June 2026	Pursuant to section 24(2)(g) of the <i>Architects Act 2003</i>, the Board removes Mr Andrew Thomas Donaldson (the 'Architect') from the NSW Register of Architects for failing to demonstrate compliance with Continuing Professional Development requirements for the 2024-2025 registration term in breach of cl 16 of the NSW Architects Code of Professional Conduct (the 'Code'). In particular: - Failing to take all reasonable steps to maintain and improve the skills and knowledge necessary for the provision of architectural services that the Architect normally provides by failing to satisfy the Board that he had undertaken activities that demonstrate the maintenance and improvement of the Architect's skill and knowledge as required by clause 16(1)(a) of the Code. - Failing to report to the Board on all steps taken by the Architect during the relevant annual registration period as required by clause 16(2) of the Code.
Peter James HOSKING	6854	26 May 2026	Pursuant to section 43(4)(g) of the <i>Architects Act 2003</i> (the 'Act'), the Board finds that Mr Peter James Hosking (the 'Architect') has engaged in unsatisfactory professional conduct and fines the Architect the maximum penalty of \$1,650 in respect of the Architect's conduct for failing to take reasonable care to manage the project budget and failing to manage the design to ensure it was achievable within the specified budget in breach for cl 4(1)(a) and cl 4(1)(b)(i) of the NSW Architects Code of Professional Conduct (the 'Code'). In particular, the Board notes the Architect's extensive and sustained failure to manage the project budget. On the available evidence, the Board is satisfied on the balance of probabilities that the Architect did not act with reasonable care and did not provide the services in a manner that (at the time the services were provided) was widely accepted in Australia by peer professional opinion as competent professional architectural practice because the Architect, - failed to recommend to the Complainant that they seek a review of the development cost from a professional cost consultant and allowed the Complainant to rely for more than 2 years on the quantity surveyor's cost plan prepared for the Development Application, despite the significant exclusions and qualifications it contained; - failed while preparing comprehensive documentation for the project to seek input on likely construction costs from the preferred builder, who they were introduced to by the Complainant during the design phase; - failed to monitor the changing floor area of the development and relied on the application of a square metre rate that appears to have been outdated as a strategy to approximate the total cost of work and manage the project budget; - failed to assess the specified project budget against the significantly expanded project requirements to determine the project's ongoing viability, including failing to prepare area schedules when square metre rates were being relied upon;

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			e. failed to exercise their professional judgement considering the Complainant's specified budget and did not adjust the project design and documentation in response to rising construction costs; and f. failed to prepare and analyse project development options in response to the significantly expanded project brief against the specified budget and did not modify the design or take other steps to keep the project on track until after the tender was received. Pursuant to section 43(4)(g) of the <i>Architects Act 2003</i> (the 'Act'), the Board finds that the Architect has engaged in unsatisfactory professional conduct and fines the Architect the maximum penalty of \$1,650 in respect of the Architect's conduct for failing to advise the Complainant that the design would not be achievable within the specified budget in breach for cl 6(4) of the Code. In particular, the Board notes the Architect's failure to ever document their warnings on cost increases that they say they communicated orally to the Complainant, and the Complainant's allegation that these oral warnings were never provided at all. In the imposition of the above fines, the Board determines that given the risk to the public and the risk to the public perception of, and trust in, architects, both personal and general deterrence is an important consideration. In each case, the maximum penalty should be imposed. Pursuant to section 43(4)(a) of the Act, the Board finds that the Architect has engaged in unsatisfactory professional conduct and reprimands the Architect for failing to provide the Complainant with notice of the existence of the Code and how the Complainant could obtain a copy as required at cl 7(2)(o) of the Code. Pursuant to section 43(4)(a) of the Act, the Board finds that the Architect has engaged in unsatisfactory professional conduct and reprimands the Architect for failing to provide the Complainant with information relating to the insurance maintained by the Architect for the architectural services provided to the Complainant as required at cl 15(1)(b) of the Code.
Alexander Douglas Maurice Andrew SYMES	8525	24 March 2026	Pursuant to section 43(4)(g) of the <i>Architects Act 2003</i> (the 'Act'), the Board finds that Mr Alexander Douglas Maurice Andrew Symes (the 'Architect') has engaged in unsatisfactory professional conduct and fines the Architect the maximum penalty of \$1,650 in respect of the Architect's conduct for failing to enter into a written agreement with the client concerning the provision of architectural services in breach of clause 7(1) of the NSW Architects Code of Professional Conduct (the 'Code'). Even if it is accepted that a fee proposal was provided to the client with a view to it being a written agreement, it failed to meet the requirements set out in clause 7(2) of the Code. The Architect also failed to provide the client with information relating to their professional indemnity insurance as required by clause 15(1)(b) of the Code. Pursuant to section 43(4)(a) of the Act, the Board finds that the Architect has engaged in unsatisfactory professional conduct and reprimands the Architect for failing to provide competent and accurate documentation in breach of clauses 4(1)(a), 4(1)(b)(i), 4(2), 6(2)(a), 6(4), 13, and 14 of the Code, and sections 32(b), 32(d), and 32(h) of the Act. The documentation delivered by the Architect fell below the standard required by the Code and the Act. The inaccuracy and poor quality of the documentation required multiple revisions, led to the rejection of the plans by the certifier and caused delay in the Construction Certificate process.

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Michael Graeme BELL	6335	24 March 2026	Pursuant to section 43(4)(a) of the <i>Architects Act 2003</i> the Board finds that Mr Michael Graeme Bell (the 'Architect') has engaged in unsatisfactory professional conduct and reprimands the Architect for failing to enter into a written agreement with the client concerning the provision of architectural services in breach of clause 7(1) of the NSW Architects Code of Professional Conduct (the 'Code').
Lin ZHU	10573	26 August 2025	Pursuant to section 43(4)(a) of the <i>Architects Act 2003</i> (the 'Act'), the Board finds that Ms Lin Zhu (the 'Architect') has engaged in unsatisfactory professional conduct and reprimands the Architect for failing to take all reasonable steps to ensure that the client is informed of the decisions required of the client in respect of the architectural services being provided by the architect, and the implications of those decisions in breach of clause 6(3) of the NSW Architects Code of Professional Conduct (the 'Code'). Pursuant to section 43(4)(a) of the Act, the Board finds that the Architect has engaged in unsatisfactory professional conduct and reprimands the Architect for failing to keep records concerning architectural services provided to the client relating to client instructions and meetings held with the client as required by clause 10(c) of the Code. Pursuant to section 43(4)(g) of the Act, the Board finds that the Architect has engaged in unsatisfactory professional conduct and fines the Architect the maximum penalty of \$1,650 in respect of the Architect's conduct by failing to enter into a written agreement with the client concerning the provision of architectural services in breach of clause 7(1) of the Code. Even if it is accepted that a letter signed by the Architect was provided to the client with a view to it being a written agreement, it failed to meet the requirements set out in clause 7(2) of the Code. Pursuant to section 43(4)(g) of the Act, the Board finds that the Architect has engaged in unsatisfactory professional conduct and fines the Architect the maximum penalty of \$1,650 in respect of the Architect's conduct by failing to include their registration number on invoices, drawings, and emails, used or placed by the architect in connection with the architect's professional practice as required by clause 17(1) of the Code. Pursuant to section 43(4)(g) of the Act, the Board finds that the Architect has engaged in unsatisfactory professional conduct and fines the Architect the maximum penalty of \$1,650 in respect of the Architect's conduct by failing to maintain a policy of professional indemnity insurance appropriate for the architectural services being provided by the architect and failed to provide the client with information relating to the insurance as required by clause 15(1) of the Code.
Gary FINN	5774	24 June 2025	Pursuant to section 43(4)(a) of the <i>Architects Act 2003</i>, the Board is satisfied that Mr Gary Finn has engaged in unsatisfactory professional conduct and reprimands Mr Finn for failing to ensure that the cost of architectural services accurately reflected the amount of work done or to be done in the provision of the architectural services as required by clause 7(3) of the NSW Architects Code of Professional Conduct. The Board's decision has been affirmed by the NSW Civil and Administrative Tribunal decision in Finn v NSW Architects Registration Board [2026] NSWCATOD 74
Yao PENG	10639	14 May 2025	The NSW Architects Registration Board applied to the NSW Civil and Administrative Tribunal (the 'Tribunal') for a disciplinary finding under Division 3 of the <i>Architects Act 2003</i> (the 'Act') against Yao (Peter) Peng, with respect to a complaint against him. On 14 May 2025, the Tribunal made the following orders: (a) Mr Peng is guilty of professional misconduct. (b) Pursuant to s 47(3)(b) of the Act, Mr Peng's registration be cancelled. (c) Pursuant to s 47(5) of the Act, Mr Peng cannot apply to be re-registered as an architect within 3 years from the date of these orders. In making its decision, the Tribunal made the following findings: • It was satisfied that, contrary to Mr Peng's title as "Design Manager", when he was making the alterations to the

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			Design Compliance Declarations ('DCDs') as detailed, he was performing an "architectural service" as defined in s 4 of the Act. - It was satisfied that Mr Peng made material changes to the DCDs which are declarations made by others and found that to alter a declaration without the permission or knowledge of the person making that declaration is a serious matter. - Mr Peng created false documents and, in doing so, acted contrary to his responsibilities as an architect, both practically or pragmatically and ethically. The amendments made by Mr Peng were not simply administrative but included matters of substance. - In its view, Mr Peng's conduct in altering and creating the DCDs amounted to unsatisfactory professional conduct of a sufficiently serious nature to justify the suspension of an architect or the cancellation of an architect's registration within the meaning of s 32 of the Architects Act. The Tribunal has published its decision in NSW Architects Registration Board v Peng [2025] NSWCATOD 58
Mike MOVAFFAGHI	11166	25 March 2025	Pursuant to section 43(4)(a) of the <i>Architects Act 2003</i> (the 'Act'), the Board finds that Mr Movaffaghi has engaged in unsatisfactory professional conduct and reprimands Mr Movaffaghi for: (a) Failing to meet the requirements of a Client Architect Agreement concerning the provision of architectural services as required by clause 7(2) of the NSW Architects Code of Professional Conduct (the 'Code'). (b) Failing to ensure that the cost of architectural services provided to the Complainant: (a) reflects the fee structure specified in the agreement, and (b) accurately reflects the amount of work done or to be done for the client in the provision of the architectural services (including any variations to the architectural services and the incurring of any liabilities to pay employees overtime).
Matthew John Thorton RILEY	8236	23 July 2024	Pursuant to section s 43(4)(a) of the <i>Architects Act 2003</i> (the 'Act'), the Board finds that Mr Riley has engaged in unsatisfactory professional conduct and reprimands Mr Riley for failing to demonstrate compliance with Continuing Professional Development requirements for the 2022-2023 registration term in breach of cl 16 of the NSW Architects Code of Professional Conduct (the 'Code'). In particular: (a) Failing to take all reasonable steps to maintain and improve the skills and knowledge necessary for the provision of architectural services that the architect normally provides by failing to satisfy the Board that he had undertaken activities that demonstrate the maintenance and improvement of the architect's skill and knowledge as required by clause 16(1)(a) of the NSW Architects Code of Professional Conduct (the 'Code'). (b) Failing to report to the Board on all steps taken by the architect during the relevant annual registration period as required by clause 16(2) of the Code.