

# ADVISORY NOTICE

## BUILDING

07/19

*Advisory Notices are issued to assist in the interpretation of the Planning, Development and Infrastructure Act 2016 and the Development Act 1993*

September 2019

### **PROFESSIONAL PRACTICE:**

## **Accreditation under the *Planning, Development and Infrastructure Act 2016* – building professionals operating under the *Development Act 1993* and holding the appropriate qualification**

### **Background**

This Advisory Notice provides guidance to building professionals who have or intend to become accredited under the Accredited Professionals Scheme (APS) under the *Planning Development and Infrastructure Act 2016* (the PDI Act) and act as a private certifier under the *Development Act 1993* (the Development Act) and *Development Regulations 2008* (the Development Regulations) if the person holds the appropriate qualifications prescribed under those Regulations.

The implementation of the PDI Act is being progressively applied across South Australia, with full implementation by July 2020. This staged implementation means until the PDI Act is “switched on” in a certain area, the Development Act and the Development Regulations will continue to operate. Presently the PDI Act only applies in parts of the State outside of council areas.

On 1 April 2019 the APS became operational and applications are now being received and processed for building professionals wishing to become accredited under the APS. Specific questions have been asked by building professionals regarding the consequences of becoming accredited under the APS and performing functions under the Development Act and the Development Regulations including issuing building consents and providing professional advice.

### **Transitional Arrangements**

The transitional provisions in the *Planning Development and Infrastructure (Accredited Professionals) Regulations 2019* facilitate a person accredited under the APS continuing to perform functions of a private certifier or qualified expert under the Development Act provided the person holds appropriate qualifications under Part 15 of the Development Regulations.

The Minister has recognised the Accredited Professional Accreditation Authority as an **approved building industry accreditation body** for the purposes of regulation 87(6) and 91(2) of the Development Regulations, on the basis the accreditation levels under the APS are equivalent in their qualification requirements to the accreditation categories under the Development Regulations as follows:

## ADVISORY NOTICE *BUILDING*

---

- Accredited Professional – building level 1 equivalent to a Building Surveyor
- Accredited Professional – building level 2 equivalent to an Assistant Building Surveyor
- Accredited Professional – building level 3 equivalent to a Building Surveying Technician

An accredited professional - building level 4 is not entitled to perform any functions requiring accreditation under the *Development Act 1993* because their qualifications are not “appropriate qualifications” for the purposes of Part 15 of the Development Regulations.

### **Entitlement to act as Private Certifier under the Development Act and Regulations**

Practitioners who are accredited under the APS may act as a private certifier or a qualified expert under the Development Act in accordance with their accreditation level (as specified above).

Practitioners who have registered under the APS and concurrently hold accreditation with another approved building industry accreditation body (either the Australian Institute of Building Surveyors “AIBS” or the Royal Institution of Chartered Surveyors “RICS”) continue to hold appropriate qualifications for the purposes of performing the functions requiring these qualifications under the Development Act and Development Regulations.

Practitioners who do not hold accreditation with another approved building industry accreditation body (either the Australian Institute of Building Surveyors “AIBS” or the Royal Institution of Chartered Surveyors “RICS”) but have become accredited under the APS at building level 1, 2 or 3 now also hold the appropriate qualifications under Part 15 of the Regulations by virtue of their accreditation under the APS.

### **Summary**

The Minister has recognised the Accreditation Authority as an ***approved building industry accreditation body*** for the purposes of accreditation under Part 15 of the Development Regulations 2008. Practitioners who are accredited under the APS as Accredited professional – building level 1, 2 or 3 may undertake functions requiring prescribed qualifications under Part 15 of the Development Regulations in accordance with their accreditation level set out in this notice.

The Accredited Professionals Scheme webpage on the South Australian Planning Portal will be updated to reflect this notice. To view the Accredited Professionals Scheme Register please visit [www.saplanningportal.sa.gov.au](http://www.saplanningportal.sa.gov.au).

*This Advisory Notice is for general information only and should not be relied upon as legal advice or an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations you should obtain independent legal advice.*

### **Further information**

Department of Planning, Transport and Infrastructure  
50 Flinders Street  
GPO Box 1815  
ADELAIDE SA 5001  
[www.saplanningportal.sa.gov.au](http://www.saplanningportal.sa.gov.au)

Building Policy | Planning and Land Use Services  
Telephone: 1800 PLANNING  
**KNET: 14482976**

