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17 Oct 2018

DPTI

Submission – The Barossa Council

Accredited Professionals Scheme Draft

Closing date: 5pm Wednesday 17 October 2018.

Accreditation Scheme

The scheme for accredited professionals proposes various graded levels based on skills and experience. Will the proposed accreditation levels seek to be aligned with those in the current Municipal Officers Award? This award forms part of the employment criteria used by councils to remunerate its planning professionals. The Award designates various salary levels which are also based on skills and experience and is seen to affect the majority of planner positions in this state. As councils are the predominant employer of planning professionals it would appear necessary to review award criteria as it relates to the proposed legislative criteria.

Assessment Managers

At recent forums, it is apparent that the term Assessment Manager has caused some confusion, particularly as it is also a level in the Accreditation Scheme. Based on the information provided, it is the understanding of Council that an Assessment Manager, as a Level 1, can work either in private practice, a council or public sector body in order to assess certain classes of development. Councils are required to appoint an Assessment Manager to a Council Assessment Panel, irrespective of who the employer is (i.e. need not be a council employee). Consequently, a Council may employ several Level 1 Assessment Managers, despite previous advice from the department that the Assessment Manager is singular.

There is consternation about the extent of autonomy suggested by section 87(e)(i) in the Act. Are the designated powers of an assessment manager intended to be absolute, optional, or a combination of both? An assessment manager is required to be appointed to an assessment panel; however, can there be more than one assessment manager, each with potentially different levels of power and autonomy?

Classes of Accreditation

As noted above, term Assessment Manager has caused some confusion. Is it necessary to assign a 'description' to the levels i.e. Assessment Panel Member for Level 2? Shouldn't the system allow for a Planning Level 1 or Building Level 1 to equally be appointed to an Assessment Panel? Or is it intended that in order to be appointed to an Assessment Panel, a Level 1 MUST also have a Level 2 accreditation, despite being the higher order.

Professional indemnity insurance

Regulation 16(2)(b) - indicates that an assessment panel member does not require a professional indemnity insurance policy if they are covered by another form of approved indemnity scheme or arrangement. What will be the situation with a council employee who is a member of another council's assessment panel; would they be covered through their work or would they be required to arrange separate cover?

What other "form of indemnity scheme or arrangement" would be envisaged for a retired planner person for example who is a member of an assessment panel? In other words what alternatives to a formal insurance policy would be envisaged and accepted?

How will the Accredited Professionals Scheme affect me as a council employee?

Indicates that Level 1 and Level 3 won't be able to assess performance-assessed development where there is a public notice requirement implying those applications will go to an assessment panel. This seems excessive as all performance-assessed applications require notice unless exempted. If there are no representations could they not be assessed by a Level 1 or 3 person? The diagram on p.2 (of the Fact Sheet) does not make this clear, indicating that "Planning Professionals" and Assessment Managers may assess performance assessed development where public notice given.

The diagram on p.2 also suggests the concept of "Private" Assessment Managers - is this to confirm that a council may appoint a consultant for example as their assessment manager?

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The diagram also suggests that an assessment panel member would not deal with Deemed-to-Satisfy development which is contrary to the table on p.1.

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It is noted the diagram in each of the Fact Sheets only refers to "Building Surveyors" (building level 1) excluding the other three levels.

On balance, Council does not see the need to have a Level 4 – deemed to satisfy development category. It is considered that any junior/graduate level officer could operate under delegation from the Assessment Manager, as is the current case with sub-delegations from a CEO.

Duplication - fees, CPD

The proposed accreditation process, as presented, will result in additional costs. A member of PIA would be required to pay their annual membership (\$600-700); and pay to have their accreditation evaluated and registered (\$600-800), then a third annual renewal. This cost is an additional burden to either an individual or a council that may subsidise these costs. It is considered that a Registered Planner should only need to pay a small application fee, and potentially the annual renewal.

It is recommended that the accreditation be valid for a minimum period of two years, thereby making the process less onerous on the professional.

The scheme should not result in duplication of CPD requirements that apply to professional associations such as PIA. The maintenance of professional development by professional associations should be deemed satisfactory to retain accreditation, as most association require a set number of CPD activities over a nominated period, and maintain a record of CPD attendance/completion. If necessary, the professional associations should be approached to add any additional modules that the Scheme may deem necessary from time to time. This ensure that the accredited professional has the one main source for their ongoing professional development.

Continuing professional development for assessment panel members

The scheme introduces a requirement for assessment panel members to undertake CPD, but what opportunities will be provided where that person is not a member of a professional association such as PIA? It is envisaged that DPTI will arrange appropriate opportunities or left to the private market?

Summary

Caution may need to be exercised in respect of the approach to accreditation. It may not result in an appropriate level of requirements being applied to simply ensure quality and consistency in decision

making. Is there a risk of the accreditation process becoming overly sophisticated - to the extent that it could exclude those in general practice obtaining a range of experiences through the demarcation of assessment? An example of this is potentially what is occurring with building consents – there is an emerging limitation on the availability of accredited expertise, thus limiting the performance of the assessment process due to an exclusive market/pool of qualified professionals.

An additional danger is that registration costs, ongoing CPD obligations and possibly insurance costs will become a barrier to anyone but wealthy retired professionals to put their hand up to be an assessment panel member. The scheme should not be designed to shut out community members who may have limited or no qualifications, but nonetheless extensive experience, from being on assessment panels.