



Contact: Stephen Arnold
Phone: 02 9895 7689
Fax: 02 9895 5949
Email: bpb@bpb.nsw.gov.au

Mr Alan Lindsay
Environmental Development and Allied Professionals
PO Box 440
COWRA NSW 2794

Dear Mr Lindsay,

Council Accredited Certifiers

Thank you for the comments you provided on the Board's recent exhibition of amendments to the *Building Professionals Act 2005* and the Building Professionals Regulation 2007. These provisions commenced on 1 March 2010, together with amendments to the Building Professionals Board's Accreditation Scheme. They establish a framework for the accreditation of council employees as "council accredited certifiers".

The changes will align the NSW building certification system with other States and get us on the front foot with national licensing reforms as they are advanced by the Council of Australian Governments (COAG).

The Board received and considered 46 submissions on the proposals. With respect to your specific submission I make the following comments:

The notion that individual council building surveyors be accredited.

Accrediting council certification officers was raised by the Campbell Inquiry into the Quality of Buildings in 2002 which recommended increasing the government's role in regulating builders and other practitioners in the building industry. In July 2008, the Council of Australian Governments (COAG) agreed to develop a national trade licensing system as part of its agenda to increase Australia's productivity and provide the environment for a seamless national economy. The accreditation of council officers undertaking certification functions was also raised in *Improving the NSW planning system* in 2007.

The Board has made a decision to accredit council officers on an individual basis. The individual officer will remain an employee of the council and will hold accreditation issued by the Board. At least five other states similarly accredit council officers. The accreditation of officers on an individual basis will ensure that no matter which individual carries out the certification of building work, the community can be assured of the outcome.

The fact that rural/regional council building surveyors carry out a larger role than just building surveying

The accreditation of council building surveyors relates only to their roles and responsibilities relating to building certification. While council accredited certifiers will be required to complete CPD requirements, sufficient flexibility has been incorporated into the legislation ensuring that such training will not have any impact on any other roles or responsibilities that the officers may be required to perform.

Council building surveyors may be forced to pay an accreditation fee to the BPB

There are no costs associated with the initial application for accreditation. From the second year of accreditation, a \$250 annual fee applies. While the Building Professionals Regulation 2007 requires the annual fee to be paid by the applicant it is envisaged that the payment of fees, similar to other employment conditions, will be a matter of negotiation between the council and their employees as to who will meet the fees associated with accreditation.

Legislation has also been introduced requiring council accredited certifiers to undertake and satisfy mandatory training programs (known as CPD). While costs will be associated with this training (irrespective of whether an in-house or external training program is chosen), the costs are likely to mirror those that councils would typically allocate for staff training and career development.

Councils will have to notify the BPB each time a council building surveyor starts and leaves council

The requirements for councils to notify the Board each time they employ or terminate the employment of a council accredited certifier is needed to ensure that the Board is aware of the location of certifiers undertaking certification work throughout New South Wales. This will enable planning for future continuing professional development and other types of training. The requirement to notify the Board is also necessary as the Board has the power to suspend the accreditation of a council accredited certifier when they have not worked at a council for three months.

The additional workload of record keeping and reporting to BPB being placed already on under resourced councils is overwhelming

The Board is of the view that the most onerous stage of the accreditation process, with respect to 'record keeping', will occur up and until 1 September 2010 as councils will be required to ensure that they have a sufficient number of accredited officers to undertake their building certification functions. Upon the officers being accredited, record keeping will be confined to the submission of applications for renewal and advising the Board of any certifiers commencing or terminating their employment.

There has been no indication of introducing regional groups similar to those introduced with the NSW Food Authority and Local Government to provide regional training

Flexibility has been built into the legislation so that council accredited certifiers, like certifiers from the private sector, can meet training requirements such as continuing professional development in a number of ways. For instance the accreditation scheme identifies a number of options for satisfying CPD requirements including the provision of in-house training. The Board proposes to further develop that flexibility by working with training providers who are specifically focused on the delivery of training programs to local government to facilitate further options, particularly for those councils located in regional areas.

Further consultation is requested with a larger group of councils before any implementation is provided.

On 1 March 2010, new legislation introducing requirements for the accreditation of council building surveyors began. From 1 September 2010, all building certification work undertaken by NSW councils must be done by accredited certifiers. Between now and 1 September, councils will need to make arrangements for the accreditation of existing council staff or to contract accredited certifiers from other councils or the private sector to undertake this work.

To assist in this process the Board prepared an 'Information Kit' which was sent to all councils. The information kit contained standard application forms and application guidelines to assist both applicants and councils to complete and assess applications for accreditation.

The Board has also established a 'hotline' to answer any questions people may have in relation to the new legislation, forms or guidelines. The number is **1300 001 619**.

More recently the Board engaged the services of Mr Chris Summers to assist the Board in the implementation of the council accreditation process. Chris has extensive local government experience and was a past president of the Australian Institute of Building Surveyors. Chris will be contacting all councils in the state to discuss the accreditation process and will, where necessary, provide assistance to councils to comply with the new requirements.

Finally since its implementation the Board has held an Information Session at Orange City Council on the council accreditation process which was attended not only by staff from Orange City Council but also staff from a number of the adjoining neighbouring councils. The Board will be holding a similar information session at Coffs Harbour City on 3 May 2010 with twenty five adjoining councils being invited to attend. A further information session is envisaged in the coming months in Queanbeyan.

Thank you again for providing comments on the exhibited legislation.

If you require further information about the implementation process, please call the Council Accredited Certifier hotline on 1300 001 619 between 9am - 5pm.

Yours sincerely



Neil Cocks

23/4/10

Director
Building Professionals Board