

Guiding Development — Practice Notes

Who is an accredited certifier?

The purpose of this practice note is to describe how individuals become accredited certifiers — qualified to issue certificates and operate as principal certifying authorities (PCAs) under the Environmental Planning and Assessment Act 1979 (the Act) and the Environmental Planning and Assessment Regulation 1994 (the Regulation).

What do accredited certifiers do?

Depending upon the terms of their accreditation, certifiers will be qualified to:

- issue construction certificates, certifying (among other things) compliance with the Building Code of Australia
- issue compliance certificates, specifying that conditions of consent (or complying development certification) relating to works have been satisfied, that work complies with plans and specifications or nominating the classification of a building
- issue complying development certificates, certifying that nominated development proposals (such as single storey dwellings or swimming pools) comply with standards and criteria in council's local environmental plan (LEP) and development control plans (or a State environmental planning policy)
- act as a PCA, responsible for issuing —
 - occupation certificates, specifying that buildings are safe to occupy, and
 - subdivision certificates, specifying that a subdivision can proceed to registration, where the LEP permits private sector involvement.

How do private sector professionals become accredited certifiers?

Professional associations, when approved as an accreditation body by the Minister for Urban Affairs and Planning, are able to accredit individuals as accredited certifiers.

How does accreditation work?

The first step is for a professional association to prepare a scheme to accredit professionals to act as private certifiers, in accordance with the requirements of the Act and Regulation. The professional association needs to demonstrate that it has the expertise, resources, and the ability to meet the requirements of the legislation to act as an accreditation body.

The Regulation sets out the matters which need to be satisfied for a scheme to be approved by the Minister. Generally, a professional association needs to demonstrate that:

- any person approved as an accredited certifier will meet certain standards of competency and professional conduct and have a required level of insurance
- the association has procedures for handling complaints, disciplining certifiers and keeping a public register of certifiers.

Once a draft scheme for accreditation is received by the Department of Urban Affairs and Planning, it is placed on public exhibition for at least 28 days to allow the community to make submissions.

The Minister will consider any submissions before approving a scheme.

Once the Minister has approved a scheme, the association is able to accept applications from individuals to become accredited certifiers.

The Minister is assisted by a task force representing various professional organisations, as well as industry, local government and regulatory bodies.

Individual certifiers accredited under schemes

Individual certifiers are accredited under a scheme approved by the Minister and run by the professional association. To be accredited, the certifier must demonstrate their qualifications and experience, agree to abide by the code of conduct and the complaints handling mechanisms, and provide evidence of their insurance. When accredited, a certifier is given a unique number which can be used to identify them.

The accreditation shows the extent of a certifier's powers — the types of certificate that can be issued and whether the individual can operate as a PCA for building or subdivision work.

A certifier must be re-accredited each year.

Which professional associations have approved schemes?

Schemes by the Institution of Engineers, Australia (IEAust), and the Building Surveyors and Allied Professions Board (BSAP) have been approved by the Minister.

Other associations including the Royal Australian Planning Institute and the Professional Surveyors' Occupational Association NSW have applied for approval.

How to find a current list of accredited certifiers

Each accreditation body must keep an up-to-date register of certifiers accredited under their schemes.

Contact details for current accreditation bodies are:

- BSAP — phone (02) 9719 8933 (NSW office) or (08) 8352 8111 (head office)
- IEAust — phone (02) 9929 8544 (NSW divisional office) or (02) 6270 6555 (national office) or visit the web site at www.ieaust.org.au

For further information please contact:

Policy and Reform Branch

Department of Urban Affairs and Planning

GPO Box 3927 Sydney NSW 2001

Phone 02 9391 2355

Fax 02 9391 2337

Email reform@duap.nsw.gov.au

