APPLICATION TO VARY THE TERMS OF THE AUTHORISED ACCREDITATION SCHEME

of the

PROFESSIONAL SURVEYORS’ OCCUPATIONAL ASSOCIATION NSW INC.

submitted to the

DEPARTMENT OF URBAN AFFAIRS AND PLANNING (NSW)

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EXECUTIVE SUMMARY

Professional surveyors have a major involvement with the subdivision of land and with building throughout NSW. The application of their competencies, gained through training and professional experience, has greatly assisted state and industrial development, as well as the provision of community facilities.

This variation to the Accreditation Scheme has been prepared by the Professional Surveyors Occupational Association (PSOA) to include the provisions of the Strata Scheme (Freehold Development) Act 1973 and the Strata Schemes (Leasehold Development) Act 1986 as well as the provisions of the Environmental Planning and Assessment Act 1979 (EP & A Act).

In conducting the role of an accrediting body the PSOA can access the resources and expertise of its three founding bodies:

♦ the Institution of Surveyors NSW Inc;
♦ the Association of Consulting Surveyors NSW Inc; and
♦ the Australian Consulting Surveyors Insurance Society Limited

This expertise includes prior experience in accreditation through the Survey Practice Accreditation Scheme (SPAS).

This PSOA Accreditation Scheme defines the “Classes of Matters” that the PSOA wishes to address under the provisions of the three Acts named above. These relate mainly to subdivisions, Strata Schemes, and to certain building matters that do not rely on the Building Code of Australia, except to the extent that this Code, either now or in the future, relates to the management of development conditions and/or the measurement of length, area or volume. The competencies required by practitioners, in order to be accredited by PSOA, are set out for both Accredited Certifiers and Principal Certifiers - Subdivisions, together with the Continuing Professional Development requirements that they must commit to.
The administrative methods the PSOA will adopt to meet its obligations and responsibilities under the three Acts named above are detailed in Section 4 of this document and include processes for;

♦ application, assessment, renewal and replacement of private certifiers
♦ monitoring the conduct of certifiers
♦ maintaining the required records regarding certifiers
♦ provision of information to the public and government complaints handling and disciplinary procedures.
ATTACHMENTS

A. National Competency Standards for Professional Surveyors (Stage 2)

B. Continuing Professional Development Policy of the Institution of Surveyors NSW Inc.

C. The Disciplinary Regulations of the Professional Surveyors Occupational Association.

1. INTRODUCTION

1.1 Professional Surveyors have an essential role in most subdivision and building projects throughout New South Wales. Only surveyors registered under the Surveyors Act 1929 are authorised to make plans of subdivision and redefinition of boundaries, which can then be lodged at the Land Titles Office for registration and public information purposes.

1.2 Professional Surveyors are also involved in the land development process which includes initial land use planning and the design and management of the construction of infrastructure within subdivisions. Their involvement in the land development process, and in particular their management skills, is an integral and important factor in the shaping and functioning of our neighbourhoods and communities.

1.3 For building projects, Professional Surveyors are mainly involved with:

- the location and marking of boundaries
- the setting out of building and civil construction works
- the measurement of works as constructed, particularly with regard to their relation to boundaries
- the preparation of both strata and stratum subdivisions
- the setting out and checking of high rise buildings in relation to boundaries and to any restrictions imposed on the building envelope in the Development Consent Plan
- the assessment of buildings planned with respect to the general compliance with conditions set in the Development Control Plan, the Development Approval/Construction Certificate, Easements and Restrictions on Use noted in land titles
- the creation of Easements or Restrictions on Use required to satisfy conditions of development approval
- the checking of the location on site or in relation to other structures of development infrastructure including detention basins and detention structures and verifying their cubic capacity against design plans

1.4 For land development projects, Professional Surveyors are mainly involved with:

- initial consultations with owners and governmental authorities to determine the most appropriate land development of a property taking into account existing and potential legal land issues;
the design of land subdivisions into allotments, road locations and other land uses to enable the most efficient development of a property in accordance with local and any other statutory authority standards;

♦ the preparation of feasibility studies of available development options;

♦ the preparation of plans and documentation for lodging with relevant consent authorities and the pursuance of the application to consent stage;

♦ the negotiation with any authority, consultant or other land owner which is required to enable the development to proceed;

♦ the assessment of conditions imposed by authorities in relation to the impact on the feasibility of any land development project;

♦ the supervision of the preparation of detailed subdivisional works plans in accordance with a conditional approval to develop land. The processing of such plans through the appropriate authority and the preparation of contracts for tendering and construction;

♦ the management of the construction of any necessary road and storm water drainage works including the installation of sewerage, water, gas and electricity services; some of these matters are not covered by Part 4A Certification under the EP&A Act.

♦ the preparation of necessary works as executed plans and documentation and submission to relevant authorities

♦ the preparation of plans required to be made under The Real Property, Strata Schemes, and Conveyancing Acts and the Surveyors (Practice) Regulation for lodgement with the Land Titles Office for the enabling of the issue of new titles;

♦ in addition to the land subdivision process, surveyors are competent to deal with matters relating to the most appropriate land zoning use and the preparation of plans and submissions to affect changes from existing statutory use.
1.5 Professional Surveyors in NSW, and their firms, are respectively represented by the Institution of Surveyors NSW Inc (IS NSW), and the Association of Consulting Surveyors NSW Inc (ACS NSW).

1.6 In 1996, the IS NSW and the ACS NSW introduced a scheme of accreditation for subdivisional works, known as the Survey Practice Accreditation Scheme (SPAS). Also, in 1996, the IS NSW, the ACS NSW, and the Australian Consulting Surveyors Insurance Society Limited (ACSIS) established the separate legal entity known as the Professional Surveyors Occupational Association of New South Wales Inc (the PSOA).

1.7 PSOA aims to extend its authorisation as an accrediting body under the provisions of the Environmental Planning and Assessment Act (1979) to also include the Strata Schemes (Freehold Development) Act (1973); and the Strata Schemes (Leasehold Development) Act (1986). The IS NSW and the ACS NSW have decided that PSOA will now access the expertise developed under the SPAS system of Accreditation.

1.8 The registration of professional surveyors in NSW is controlled by the Board of Surveyors of New South Wales. The importance of Registered Surveyors within the land development process and in particular subdivisions cannot be overstated. Many Registered Surveyors act as project managers and hold other qualifications. These include valuation, planning, financial and environmental qualifications. Consequently, the PSOA believes that, professional surveyors are adequately qualified to act in the role of private certifiers.

1.9 The PSOA Accreditation Scheme will accredit persons and not corporate bodies. The competencies required of these persons will include:

   a). Those involved in issuing compliance certificates relating to the wide range of specialist areas required for subdivisions and/or a limited range of the specialist areas required for buildings, as defined in Sections 3.1 and 3.2.

   b). Those involved in issuing the following certificates for subdivisions;

      i) complying development certificates
      ii) construction certificates
      iii) subdivision certificates

The details of these competencies are given in Sections 3.1. and 3.2.

2 PSOA RESOURCES AND EXPERTISE

2.0 The following sections describe the resources and expertise of the PSOA and its three founding bodies. The management of the PSOA is outlined together with PSOA expertise in accreditation. Finally, reference is made to PSOA methodology in addressing the requirements of the EP & A Act and Regulation.

2.1 The Professional Surveyors Occupational Association of NSW Inc (the PSOA).

2.1.1 For this scheme, the PSOA will be the accreditation body under the provisions of the EP&A Act and Regulation. The PSOA was established in 1996, under the Association Incorporation Act 1984 to provide a constructive interface in NSW between Professional Surveyors, and their firms, and the governments, communities, and clients that they serve. The PSOA has set a Code of Ethics and Disciplinary Regulations for its members. The PSOA can receive and act on consumer complaints, seek to rectify members mistakes when they occur and discipline members who do not meet the standards established.

Three founding bodies of the PSOA are;

♦ the Institution of Surveyors NSW Inc (IS NSW)
♦ the Association of Consulting Surveyors NSW Inc (ACS NSW)
♦ the Australian Consulting Surveyors Insurance Society Limited (ACISIS)

2.1.2 The PSOA has the complete support of the three founding bodies in preparing, submitting and administering this Accreditation Scheme. Hence, the combined resources of these three bodies are available to support the implementation of the Scheme.
2.1.3 In addition to the support provided by the three founding bodies, the resources and expertise of the following Canberra based National bodies are also available:

♦ Institution of Surveyors, Australia Inc (ISA)
♦ the Association of Consulting Surveyors Australia, Inc (ACSA)

These two organisations respectively represent professional surveyors and surveying firms, on a national basis. Hence, they provide national support and overview of the private certification developments in New South Wales.

2.1.4 The resources and expertise of the three founding bodies of PSOA are described in the subsequent Sections 2.2, 2.3, and 2.4.

2.2 The Institution of Surveyors NSW Incorporated (IS NSW)

2.2.1 The IS NSW was formed in 1891 and is the recognised professional body representing surveyors in the state of New South Wales. The general objective of the IS NSW is the promotion of the science, practice, status and study of the discipline of surveying, in the broadest sense, for the benefit of communities, governments and clients that surveyors serve.

2.2.2 IS NSW meets a wide range of members’ needs including publication of a monthly journal, the mediation of disputes between members and the public (through the operations of Sub-committees including Ethics and Survey Practice and Legislation) and the preparation and management of Continuing Professional Development (CPD) programs. The IS NSW and its regional groups organise over 40 seminars per annum as a service to ensure that the competencies of its members, have contemporary relevance.

2.2.3 IS NSW has around 1300 members including professional surveyors from all disciplines and industry sectors as well as students, surveying associates and surveying technicians. Members must adhere to a Code of Ethics and a Code of Conduct.

2.2.4 The IS NSW provides managerial support for the PSOA. It has a staff of four persons operating from an office in Pitt Street, Sydney with substantial assets and reserves.
2.3 The Association of Consulting Surveyors NSW Incorporated (ACS NSW)

2.3.1 The ACS NSW was formed in 1969 and is a professional association, which represents the interests of Consulting Surveyors. The Association’s major objective is the advancement of education in technical skills, professionalism and practice of surveying, to meet the needs and aspirations of the community they serve. Members of ACS NSW must also abide by a *Code of Ethics* as well as a *Code of Practice*.

2.3.2 These codes have been implemented to ensure that those members of ACS NSW act in an honest, just and courteous manner to the communities, governments, and clients they serve. ACS NSW represents and supports Consulting Surveyors and informs them of their obligations and responsibilities as employers and in particular the duty of care they have to the general community that they serve, and to their employees.

2.3.3 The ACS NSW also maintains a close relationship with legislators to ensure that its members’ views are heard on any legislative changes, which impact on professional surveyors in the land development and land title creation processes.

2.3.4 ACS NSW represents and services some 200 member firms which equates to some 300 principals. The number of firms represented by ACS NSW represent approximately two thirds of surveying practices in NSW.

2.3.5 To assist its members, ACS NSW organises seminars on issues directly related to professional surveyors involved in running a business, as well as keeping them abreast of innovations in technology and current issues which affect private practice. ACS NSW communicates to its members by way of a journal and via its home page on the Internet.

2.3.6 By maintaining and developing these services, ACS NSW has timely methods of reaching its members located throughout NSW, in regional centres as well as in major cities. Members are kept up to date with changes that affect the way they serve the community in providing surveying, engineering design and land development management services.

2.3.7 ACS NSW has staff of two persons and a significant resource base.
2.4 The Australian Consulting Surveyors Insurance Society Ltd (ACSIS)

2.4.1 ACSIS was formed in 1985 with the aim of providing a self-administered Professional Indemnity insurance scheme for the surveying professional businesses across Australia. The scheme functions on the basis of arranging insurance through a master policy and funds an additional level of excess which tends to insulate the scheme from the fluctuations of the insurance market.

2.4.2 The Society is also heavily committed to a comprehensive policy of providing loss prevention/risk management education to members through seminars, publications, and videos.

2.4.3 To assist its members, ACSIS has formed a claims panel made up by professional surveyors of long standing and experience within the profession. This panel can assess any given situation and ensure that a prompt and well considered decision is made on any claims, to the benefit of all stakeholders.

2.5 Management of PSOA

The PSOA is managed by the PSOA Board. This PSOA Board consists of nine members, five nominated and four elected.

2.5.1 The nominated members of the PSOA Board are as follows:

1. two nominees of the IS NSW Division Committee.
2. One nominee of the ACS NSW Executive Committee
3. One nominee of the ACSIS Board
4. a Public Officer/Secretary appointed by the PSOA Board

2.5.2 At each Annual General Meeting, the PSOA membership elects four of its members to the PSOA Board.

2.5.3 The PSOA Board is required to deal with matters such as accreditation, internal and external auditing, complaints handling, and disciplinary actions.

2.6 Accreditation Expertise of PSOA
2.6.1 In 1996 the IS NSW and the ACS NSW jointly set up the Surveying Practice Accreditation Scheme (SPAS). The initial purpose of this Scheme was to identify for Local Government and other statutory bodies, the practices and individuals that have the range of skills, competencies and experience that are deemed necessary to undertake the various engineering aspects of subdivisional works.

2.6.2 The areas of competence that until recently have been covered by the SPAS Scheme are as follows:
- urban road and drainage design and contract supervision
- rural road and drainage design and contract supervision
- water mains design and contract supervision
- sewer mains design and contract supervision
- on site detention and drainage design

2.6.3 The IS NSW and the ACS NSW have recently decided to make available to PSOA the complete range of accreditation expertise developed under the SPAS Scheme since its inception in 1996.

2.7 PSOA Methodology in Addressing the Requirements of the EP&A Act and Regulation

2.7.1 The PSOA recognises that in order to undertake the role of an accrediting body it needs to address these requirements particularly with regard to:

- initial assessment of private certifiers
- conducting annual renewals of accreditation of private certifiers
- monitoring of the conduct of accredited private certifiers
- assembling and provision of data regarding private certifiers and their performance
- conducting investigations of complaints against private certifiers
- applying appropriate disciplinary procedures against private certifiers, particularly with regard to implementing decisions of the Administrative Decisions Tribunal

2.7.2 The PSOA believes that the resources available to it, as outlined in Sections 2.1 to 2.4, and its expertise base, Sections 2.5 and 2.6, are adequate to meet these requirements of the EP & A Act and Regulation, in particular Clause 81B(1)(b) of the Regulation. The ways in which these resources and expertise will be applied in this regard are detailed in Section 4 below.
3. CLASSES OF MATTERS, RELATED COMPETENCIES, AND CONTINUING PROFESSIONAL DEVELOPMENT (CPD)

3.0 This section of the Accreditation Scheme outlines the Classes of Matters the PSOA will deal with as an accreditation body. These matters are then related to the relevant competencies that would need to be possessed by candidates for accreditation as private certifiers and to the requirement for such candidates to demonstrate an ongoing commitment to appropriate Continuing Professional Development.

3.1 Classes of Matters

3.1.1 The Environmental Planning and Assessment Act (1979) and the Strata Schemes (Freehold Development) Act (1973) and Strata Schemes (Leasehold Development) Act (1986), provide for a total of six types of certificates to be issued by private certifiers. The PSOA Accreditation Scheme is aligned to the following five of these certificates. The Classes of Matters addressed mainly relate to subdivisions, Strata Schemes, and to certain building matters that do not rely on the Building Code of Australia, except to the extent that this Code, either now or in the future, relates to the management of development conditions and/or the measurement of length, area or volume.

♦ Complying Development Certificate – this certificate will confirm that the proposed land development complies with the development standards set down in the council’s Local Environmental Plan or Development Control Plan or State Environmental Planning Policies.

♦ Construction Certificate – this is required before any subdivision work can begin. It certifies that the detailed construction plans and specifications for any development comply with the appropriate standards, that the relevant conditions of the development consent have been met and arrangements for other matters (such as fees) have been made.

♦ Compliance Certificate – there are a number of certificates that may be issued at various stages of development to indicate that:
Specific subdivision work or building work has been completed and complies with relevant plans, specifications, and regulations;

A condition of development consent or complying development certificate related to the specified subdivision work or building work has been fulfilled;

**Strata Certificate** - this is required to authorise the registration of a strata plan, strata plan of subdivision, or notice of conversion.

A series of compliance certificates may be issued during the course of one project.

**Subdivision Certificate** – this certificate authorises the registration of a plan of subdivision in accordance with the Conveyancing Act 1919.

3.1.2 Under the EP&A Act and Regulation, a private certifier, accredited by PSOA, when issuing construction certificates and/or subdivision certificates, may accept the certification provided by other certifiers acting in specialist areas, eg. geotechnical, structural, environmental.

3.1.3 The PSOA recognises that different competencies are required of private certifiers with respect to the types of certificates to be issued. The Act limits the issue of subdivision certificates to a Principal Certifying Authority (PCA).

To differentiate between the competencies required by private certifiers to issue various types of certificates, and to provide a ready means of recognition of the difference between the roles of the types of private certifiers, the PSOA will classify them as follows:

**Accredited Certifier**, to issue

- complying development certificates for subdivisions.
- strata certificates for the authorisation of the registration of a strata plan, strata plan of subdivision, or notice of conversion
- compliance certificates for specific aspects of the development of subdivisions and/or buildings.

**Principal Certifier – Subdivisions** to issue

- complying development certificates for subdivisions
♦ strata certificates for the authorisation of the registration of a strata plan, strata plan of subdivision, or notice of conversion
♦ compliance certificates for specific aspects of the development of subdivisions and/or buildings
♦ construction certificates for subdivisions
♦ subdivision certificates, subject to being appointed as a Principal Certifying Authority, by a person who has the benefit of a development consent.

The role of the PSOA, as an accrediting body, is to specify the requirements including qualifications, competencies and experience that an accredited certifier must demonstrate to be permitted to act as a Principal Certifying Authority.

3.1.4 Accredited Certifiers may be accredited to issue complying development certificates for subdivisions, provided they possess the requisite competencies, particularly relating to the application of state and local government legislation and regulation.

3.1.5 Accredited Certifiers may be accredited to issue strata certificates verifying that the strata scheme complies with relevant legislation, regulation, and standards.

3.1.6 Accredited certifiers may be accredited to issue compliance certificates for subdivisions and new and existing buildings verifying that:

♦ subdivision work or building work complies with specified plans and specifications; or
♦ a condition with respect to the work has been complied with; or
♦ any aspect of the development complies with other requirements as prescribed by regulation.

Such accreditation will apply to the following specialist classes of activity;

a) setting out of boundaries and buildings

b) managing building development conditions

c) locating constructed boundaries and buildings

d) planning and design related to subdivisions
e) managing subdivision development conditions

f) setting out subdivisions

g) road design and contract supervision

h) subdivision infrastructure—design and contract supervision

i) on site detention and drainage—design and contract supervision

j) locating subdivisions as constructed

Brief descriptions of each of these specialist classes of activity are given in Section 3.2.1.

3.1.7 The Principal Certifier – Subdivisions will be required to be an accredited certifier, in one or more of the areas defined in Section 3.1.4 (complying development certificates for subdivisions), Section 3.1.5 (Strata Certificates), and Sections 3.1.6(a) to (j) (compliance certificates for subdivisions and/or buildings). The PSOA intends that The Principal Certifier – Subdivisions will have the competencies to issue construction certificates for subdivisions and to be appointed as a Principal Certifying Authority (PCA) with regard to the issue of subdivision certificates, as required by the EP&A Act and Regulation.

For construction certificates these competencies relate to the ability to oversee and manage the process of certifying that the plans, designs, and documentation for a proposed subdivision are in accordance with the relevant standards and regulations. For subdivision certificates, the required competencies relate to the ability to oversee and manage the process of certifying that a subdivision has been constructed in accordance with the relevant regulations and the approved plans and specifications.

3.2 Competencies Required by Private Certifiers
3.2.0 Candidates applying for accreditation by the PSOA will be required to satisfy the National Competency Standards for Professional Surveyors (Stage 2) as set out in Attachment A. (It should be noted that the Board of Surveyors in New South Wales, in setting the requirements for the registration of professional surveyors also refer to the need to satisfy these competency standards). Candidates also need to be registered in NSW under the Surveyors Act 1929.

In addition to attaining the general competency standards, referred to above, private certifiers, accredited by PSOA, will need to demonstrate specific competencies with respect to their relevant class(es) of activity, as set out in Sections 3.2.1 and 3.2.2.

3.2.1 *Competencies for an Accredited Certifier*

Accreditation as an Accredited Certifier requires the candidate to:

a) to be registered with PSOA in the general area of practice relevant to their involvement in subdivisions, strata schemes, or buildings.

b) demonstrate that they have a sufficient understanding of the application of health and safety regulations, codes and standards for subdivisions, and/or the legislation and regulations governing the positioning of buildings.

c) demonstrate that they are able to identify and certify that the matters to be certified address the relevant conditions imposed by the consent authority;

d) demonstrate that they have an in-depth understanding of relevant legislation, particularly the duties and obligations imposed under the Environmental Planning and Assessment Act 1979, the Strata Schemes (Freehold Development) Act 1973, and the Strata Schemes (Leasehold Development) Act 1986.

e) demonstrate that their work as an Accredited Certifier will be a significant component of their professional employment or practice;

f) demonstrate that they have the project management skills required to understand how land development projects, strata schemes, and where relevant, building projects, are initiated, designed, commissioned, delivered, and managed, and how the associated risks are controlled.
g) demonstrate the ability to develop and implement an integrated, comprehensive and timely program of certification for the areas relevant to their accreditation.

h) in the case of issuing complying development certificates for subdivisions, demonstrate;

   - a thorough understanding of, and ability to apply, the state and local government legislation and regulations that relate specifically to complying development certificates for subdivisions.

   - an understanding of the relationship between all activities involved in subdivision works.

i) in the case of issuing strata certificates, demonstrate that they have a thorough understanding of, and ability to apply, the relevant legislation, regulations, and standards that relate to strata schemes, particularly the authorisation of the registration of a strata plan, strata plan of subdivision, or notice of conversion.

j) in the case of issuing compliance certificates, demonstrate their competence in one or more of the following classes of activity:

   **setting out of boundaries and buildings** – including the setting out of; property boundaries, the external envelopes of buildings, the internal elements within buildings, and related development infrastructure such as detention basins and structures

   **managing building development conditions** – including managing the application of legislation, regulation, and consent conditions in relation to buildings,

   - assessment of the general compliance with conditions set in the Development Control Plan, the Development Approval/Construction Certificates, Easements and Restrictions on Use noted in land titles;

   - the creation of Easements or Restrictions on Use required to satisfy conditions of development approval;

   - preparation of both strata and stratum subdivision;
♦ assessing any restrictions imposed on the building envelope in the Development Control Plan

locating constructed boundaries and buildings – including checking the location of; constructed boundary structures, the external envelopes of buildings, the internal elements within buildings, and related development infrastructure such as detention basins and structures.

planning and design related to subdivisions – including the assessment of land zoning issues, consultation with owners and government authorities to determine appropriate land use, feasibility studies and/or preparation of submissions to effect changes from existing statutory land use, and the design of land subdivision into allotments

managing subdivision development conditions – including the preparation of plans and documentation for lodging with relevant consent authorities and the pursuance of the application to consent stage; the negotiation with any authority, consultant or other land owner as required to enable the development to proceed; and the assessment of conditions imposed by authorities in relation to the impact on the feasibility of any land development project

setting out subdivisions – including the setting out of; property boundaries, roads and subdivision infrastructure and, if required, proposed structures

road design and contract supervision – including, for both urban and rural roads, the design, scheduling of quantities, and preparation and management of contracts – such activities to take account of geometric, traffic and pavement considerations and associated storm water drainage system requirements

subdivision infrastructure: design and contract supervision – including,
♦ the supervision of the preparation of detailed subdivision infrastructure works plans, in accordance with a conditional approval to develop the land. The processing of such plans through the appropriate authority and the preparation of contracts for tendering and construction. This infrastructure may include water supply, sewerage, electricity, and gas
♦ water mains and sewerage design, scheduling of quantities, and preparation and management of contracts.
the management of the construction of infrastructure works including the installation of sewerage, water, gas and electricity services

**on site detention and drainage: design and contract supervision** – including the design, scheduling of quantities, and preparation and management of contracts for stormwater drainage and sedimentation systems for subdivisions, incorporating the provision of on site detention facilities.

**locating subdivisions as constructed** – including

- checking the location of; constructed boundaries, roads, subdivision infrastructure and, if required, structures
- the preparation of necessary works as executed plans and documentation and submission to the relevant authorities;
- the preparation of plans required to be made under the Real Property and Conveyancing Acts and the Surveyors (Practice) Regulation for lodgement with the Land Titles Office for the enabling of the issues of new titles.

**Note:** Some of the matters involved in subdivision infrastructure and on site detention and drainage may not be covered by Part 4A certification under the EP&A Act and may be subject to approval under the Local Government Act.

### 3.2.2 Competencies for a Principal Certifier – Subdivisions

Accreditation as a Principal Certifier – Subdivisions requires the candidate to:

a) be registered with PSOA in the general areas of practice relevant to their involvement in subdivisions works;

b) demonstrate that their work as a Principal Certifier – Subdivisions will be a significant component of their professional employment or practice;

c) demonstrate that they are able to identify and certify that the matters to be certified address the relevant conditions imposed by the consent authority;
d) demonstrate an understanding of the relationship between all activities involved in the design and construction of subdivision works, have the project management skills required to understand how land development projects are initiated, designed, commissioned, and delivered, and how the associated risks are controlled, and to develop and implement an integrated, comprehensive and timely program of certification for such projects;

e) demonstrate that they:

- are competent to ensure compliance with the consent conditions issued by the consent authority;
- have a thorough understanding of engineering survey practice and subdivision engineering standards;
- have a good understanding of, and ability to apply relevant legislation such as; the Environmental Planning and Assessment Act; the environmental legislation; the Native Titles Act; the Occupational Health and Safety Act, the Construction Safety Act; the Local Government Act; the Roads Act, the Conveyancing Act, the Real Property Act; the Strata Schemes (Freehold Development) Act; and the Strata Schemes (Leasehold Development) Act.
- are familiar with landscape design, construction and certification;

f) demonstrate a thorough understanding of the approvals processes for subdivisions with public authorities for water and sewerage, electricity supply, communications, gas supply, and fire services;

g) demonstrate general competencies across the following areas at a level sufficient in order to decide whether the available certification is complete and internally consistent with regard to both construction and subdivision certificates.

- cadastral and engineering surveying
- road design (geometric, traffic and pavement)
- water supply and sewerage
- adverse land conditions (unstable, filled, contaminated, ground water)
- drainage and retention basins
- erosion and sedimentation control
- landscaping
• environmental protection regulations
• public authority requirements
• inputs for other disciplines, as required.

h) possess the competencies that are required in order to be appointed by a person who has the benefit of a development consent to act as a Principal Certifying Authority for the issuing of a subdivision certificate.

3.3 Continuing Professional Development (CPD)

3.3.1 Candidates seeking accreditation, or its renewal, need to demonstrate that they currently satisfy the Continuing Professional Development requirements adopted by the PSOA. These requirements are identical to those promulgated by the IS NSW, see Attachment B, entitled Continuing Professional Development Policy of IS NSW).

3.3.2 In summary, the policy effectively requires that at least 15 (fifteen) CPD points be accumulated for each year. At least 10% of this minimum number of points need to be gained in subjects related to risk management. The IS NSW requires that all of its members submit an annual record of their CPD activities. In addition to the submission of these records, the CPD Policy requires that the CPD Sub-committee conduct random audits of the returns.

3.3.3 Continuing professional development must be relevant to the area of practice of the private certifier and may include any activity that enables the practitioner to:

• extend or update their knowledge, skill or judgement;
• become more productive;
• understand and apply advances in technology;
• face changes in career direction; and
• better serve the community.

3.3.4 The range of activities deemed by PSOA to be appropriate for CPD purposes include the following:

• conferences, congresses, conventions
• courses, seminars, workshops and lectures
• meetings and discussion groups endorsed by PSOA
• structured learning programs
• tertiary courses
• preparation and presentation of technical papers
• service on technical and/or practice committees

4. ADMINISTRATION OF THE PSOA SCHEME;

PROCESSES FOR APPLICATION, ASSESSMENT, RENEWAL, MONITORING OF CONDUCT, REPLACEMENT, PROVISION OF INFORMATION, AND COMPLAINTS HANDLING & DISCIPLINARY PROCEDURES.

4.1 Application process for certifiers

4.1.1 Candidates for accreditation by PSOA will be required to submit an application form with supporting documentation, together with evidence of specific insurance coverage as required under the Environmental Planning and Assessment Regulation from time to time. The period of insurance must be current throughout the period of accreditation.

4.1.2 For an Accredited Certifier, will be required to submit a Curriculum Vitae, particularly detailing recent responsibilities for the design, supervision, and documentation and certification of subdivision and/or building works.

4.1.3 A Principal Certifier - Subdivisions will be required to submit a Curriculum Vitae, together with a comprehensive Training and Experience Report providing details of relevant courses and training activities undertaken to complement the experience which has prepared the practitioner to work as a Principal Certifying Authority. This Training and Experience report must contain the following information:
• relevant education and training;
• supervised experience;
• responsible experience;
• other relevant information;
• verification.

4.1.3.1 Relevant Education and Training

This section covers courses delivered by recognised education providers, seminars and conferences. Applicants must explain how the course content and the subject matter of the seminars and conferences related to their involvement in certification, and provide details of any third-party assessment that may have been undertaken of their performance.

4.1.3.2 Supervised Experience

Applicants must provide a brief list of examples of professional involvement in the areas indicated in their application.

4.1.3.3 Responsible Experience

Applicants must provide a structured statement of their recent responsible experience with particular reference to their experience in functions that have prepared them to practise as a Principal Certifying Authority. They must state clearly their own role in each episode cited in the statement and the extent to which they have been expected to assume personal responsibility for their actions.

4.1.3.4 Other Relevant Information

Applicants should provide any other information related to their competence to act as a Principal Certifying Authority that might support their application.

4.1.3.5 Verification

Applicants are required to have their Training and Experience Report reviewed and substantiated by an experienced professional surveyor as being a true representation of their relevant training and experience.
4.1.4 Declaration by applicants

Applicants for accreditation by PSOA will be required to sign a declaration:

• that they have made themselves aware of, and understand, their obligations and duties under the Environmental Planning and Assessment Act, particularly the conflict of interest provisions;

• that, within the first twelve months of being accredited, they will undertake a nominated course relating to the operations of the Environmental Planning and Assessment Act;

• that they agree to be audited in accordance with the provisions of the EP & A Act and regulations;

• that they agree to be subject to the PSOA Disciplinary Regulations (Attachment C) and the PSOA Code of Ethics (Attachment D).

• that, if accredited, they will co-operate with:
  ♦ the Department of Urban Affairs and Planning
  ♦ the NSW Ombudsman
  ♦ the Independent Commission Against Corruption.

This co-operation will include the timely provision of information, on request, on matters such as:

1. a list of all projects for which a certificate was issued, including the estimated cost of the project
2. the types of certificate issued for each project
3. the Local Government area in which each project is located
4. any matters related to the assessment and/or investigation of a complaint made against them.

♦ that they will obtain and maintain the specific insurance cover required by Sec. 109ZN of the EP&A Act and Clauses 81N to 81Y inclusive of the Regulation.

4.2 Assessment Process for certifiers

4.2.1 The assessment process involves:

• a check by PSOA staff that the applicant holds the specific insurance required by the EP&A Act for the full period up to the renewal date, as contained in Section 109ZN of the Act, clauses 81N, 81O, 81P, 81Q, 81R, 81S, 81T, 81U, 81V, 81W, 81X and 81Y of the Regulation
• a Competency Panel, which is responsible for recommending the competencies required of Accredited Certifiers and Principal Certifiers, determining the procedures for the initial and continuing assessment of practitioners, and monitoring the activities of Assessment Panels. The majority of the members of the Competency Panel will be recognised experts that corporately cover, all of the aspects of the competencies defined in Section 3.2.

• a Reviewer, who is an expert in the relevant area of practice for which the application is being made; and

• three members selected by the Chairman of the PSOA form an Assessment Panel, to conduct a professional interview. These members will have expertise in the class(es) of matters in which accreditation is sought.

• an Appeal Process, section 4.2.5.

4.2.2 Assessment of Accredited Certifiers

The initial assessment of an application as an Accredited Certifier is undertaken by a Reviewer, who checks the documentation to ensure that:

• appropriate professional competencies have been exercised;
• experience gained is appropriate to the relevant area of practice and class of activity applied for;
• knowledge and understanding of the legislation pertaining to subdivisions, planning and environmental issues, and where relevant buildings, have been appropriately addressed;
• supervision and inspection of construction work displays, to an appropriate level, a familiarity with safety, health and amenity needs, and local environmental controls and shows that the applicant has the capacity to resolve disputes and embrace local community expectations;
• experience in certification work adequately demonstrates competence to deal with the requirements of the Environmental Planning and Assessment Act, relevant environmental legislation, health regulations, and planning instruments;

Based on this initial assessment the Reviewer will decide on whether an interview is required to assure the quality of the review process.
4.2.3 Assessment of Principal Certifiers - Subdivisions

The initial assessment of an application as a Principal Certifier - Subdivisions is undertaken by a reviewer, who checks the documentation to ensure that:

- appropriate professional competencies have been exercised;
- training has embraced construction techniques, health and safety regulations and relevant statutes governing public health, and protection of the environment;
- the applicant can apply regulations pertaining to subdivisions, planning and environmental matters and understands the conditions that are likely to be imposed by a consent authority;
- there is evidence of a thorough understanding of the duties and obligations imposed by the Environmental Planning and Assessment Act and Regulation;
- experience has included an understanding of the relevant requirements of the Environmental Protection Act and the control of soil erosion and sediment egress from construction sites;
- details of supervision and inspection of construction work show the applicant is familiar with safety, health and amenity needs, and local environmental controls and show the applicant has the capacity to resolve disputes and embrace local community expectations;
- the applicant understands how the practitioners from the various disciplines work together to achieve a successful subdivision development; and
- any experience in the certification of work has adequately addressed the requirements of relevant legislation and their underpining regulations, such as; the Environmental Planning and Assessment Act; environmental legislation; the Native Titles Act; the Occupational Health and Safety Act; the Construction Safety Act; the Local Government Act; the Roads Act; the Conveyancing Act; the Real Property Act; the Strata Schemes (Freehold Development) Act; and the Strata Schemes (Leasehold Development) Act.

The reviewer will seek such further information on training and experience from the applicant as may be deemed necessary.

4.2.4 Professional interview
Applicants will normally be subject to a professional interview by the Assessment Panel. The interview enables a quality assurance check of the educational and professional experience detailed in the Training and Experience Report. Applicants are required to provide examples of professional work that illustrate their experience and competencies.

4.2.5 Appeal following rejection of an application for accreditation

In the case where the PSOA rejects an application for accreditation, the applicant can appeal the decision within two months of being notified of such rejection.

Any resultant appeal will be heard by an Appeal Panel comprising three members of the Competency Panel, as selected by the Chairman of PSOA and, who were not involved with the original assessment.

A hearing will be held within 30 days of receipt of the appeal and the applicant will be invited to attend. The Appeal Panel will take additional information provided to it, (both written and verbal), including that which may not have been presented during the initial application.

Based on this information, the Appeal Panel will then make a recommendation to the PSOA Chairman. Any decision of the PSOA Chairman, taking into account the Appeal Panel Report, will be final and will be promptly conveyed in writing to the applicant.

4.3 Renewal of Certification

4.3.1 Persons accredited by the PSOA will be required to make an application for renewal of their accreditation on an annual basis, and to provide evidence that they have:

• complied with the conditions of accreditation;
• continued to provide services in the area of practice for which they were accredited;
• secured insurance coverage as required by the Environmental Planning and Assessment Regulation from time to time; and
• participated in Continuing Professional Development appropriate to their accredited area(s) of practice.
• a list of all projects for which a certificate was issued, including the estimated cost of the project
• the types of certificate issued for each project
• the Local Government area in which each project is located

4.4 Monitoring Conduct of Certifiers

4.4.1 The competence of a professional may be described as the effective performance of a service in a skilled, knowledgable, cost-effective and ethical manner, consistent with the position and responsibility of the practitioner. Professionals have the responsibility to remain abreast of developments and knowledge in their area of expertise in order to maintain their competence. This requires a personal commitment to ongoing Continuing Professional Development (CPD). As discussed in Section 3.3, the PSOA requires all practitioners to furnish an annual statement of their CPD activities and, in addition, conducts audits of these statements.

The PSOA will monitor the conduct of certifiers it accredits in the following ways:

i) it will establish and maintain the PSOA Private Certification Register and Files, as detailed in Section 4.6.1.

ii) when it receives a complaint against the conduct of one of the certifiers it has accredited it will implement proficient processes to handle the complaint, as discussed in Section 4.7, and detailed in Attachment C, “The Disciplinary Regulations of the Professional Surveyors’ Occupational Association”.

iii) when it determines that one of the certifiers it has accredited has engaged in improper conduct, it will decide and administer the appropriate penalty, as discussed in Section 4.7 and detailed in Attachment C.

iv) when the Administrative Decisions Tribunal makes a determination with respect to a certifier, accredited by PSOA, the PSOA will implement such determination, as discussed in Sections 4.7.3.6, 4.7.3.7 and 4.7.3.8.

In monitoring the conduct of certifiers the PSOA will be able to draw on the experience of the Survey Practice subcommittee of the Institution of Surveyors NSW Inc. This subcommittee has been
in operation for about 30 years and has, as one of its main tasks, the handling of complaints against its members and deciding and administering appropriate disciplinary action. The PSOA will therefore gain the benefit of extensive experience by senior professional surveyors in the areas of complaints handling and disciplinary procedures.

Section 109U of the Act provides that the Director (Department of Urban Affairs and Planning) may undertake an investigation into the work and activities of a certifier. Upon request, the PSOA will provide all reasonable assistance to enable the undertaking of such audits and investigations. Such reasonable assistance will also be extended to:

♦ the Department of Urban Affairs and Planning
♦ the NSW Ombudsman,
♦ the Independent Commission Against Corruption, in relation to any investigations they decide to conduct regarding persons accredited by PSOA.

4.5. Replacement of Certifiers and Refusing, Withdrawing or Suspending Accreditation

4.5.1 Replacement of an Accredited Certifier Appointed as a Principal Certifying Authority.

4.5.1.1 Under section 109E(3) of the EP & A Act “any accredited certifier who has been appointed as a Principal Certifying Authority must not be replaced” except with the approval of the accreditation body.

4.5.1.2 The PSOA will approve the replacement of an Principal Certifier - Subdivisions acting as a Principal Certifying Authority only where the practitioner concerned:

- dies;
- becomes mentally ill as defined under the Mental Health Act;
- ceases to maintain a place of business within the Commonwealth of Australia;
- has their accreditation suspended or withdrawn as a result of disciplinary action;
- fails to respond within a reasonable period to the PSOA requests for relevant information;
- ceases to comply with the insurance conditions applicable to accreditation;
- notifies the PSOA that they no longer wish to be accredited; or
- requests to be replaced for health, family, or other reasons.

4.5.2 Refusing, Withdrawing or Suspending Accreditation.
The PSOA may refuse, withdraw, or suspend the accreditation of an accredited certifiers if:

a) the person dies, or
b) the person is a mentally incapacitated person, or
c) the person makes a written request to the accreditation body for the withdrawal of that person’s accreditation, or
d) the person’s accreditation as a certifier (in whatever terms expressed) is suspended (otherwise than at that person’s request) under corresponding legislation of some other State or Territory, or
e) the person has been accredited on the basis of an error of fact (whether or not arising from a misrepresentation made by the person).

4.6 Management and Provision of Relevant Information

4.6.1 The PSOA Private Certification Register (the register) and Files.

The PSOA will establish and maintain the PSOA Private Certification Register and keep the following information with respect to persons it accredits as certifiers:

♦ the person’s name and the address of their place of business;
♦ the class(es) of activity for which the person is accredited;
♦ the date on which the person was first accredited;
♦ the date(s) on which accreditation has been renewed;
♦ the name of the insurer with whom the person has effected the required insurance, the identifying number of the relevant insurance contract and the dates between which the indemnity cover provided has effect;
♦ any terms or conditions applicable to the person’s accreditation status;
♦ information on whether a person’s accreditation is currently suspended or has previously been suspended by the PSOA, and
♦ the dates on which the person’s accreditation ceases to have effect.

At regular intervals the PSOA Private Certification Register will be provided, free of charge to the Department of Urban Affairs and Planning, the NSW Ombudsman and the Independent Commission Against Corruption.
In addition to the register, the PSOA will maintain files containing:

- all records in accordance with Clause 81I of the EP & A Regulation
- detailed information relating to each accredited person, eg, application, assessment, and renewal details, and information relating to the monitoring of conduct, continuing professional development, and complaints and disciplinary actions.

4.6.2 Provision of Information to the Public

The PSOA Accreditation Scheme and private certification register will be accessible by all persons who have access to the Internet through the IS NSW Web-Site at www.isansw.org.au.

In addition, PSOA will make the register of accredited persons accessible at all reasonable times to those persons who request access. This may be achieved through access to a paper document or by electronic or other means. Members of the public will be able to inspect the register free of charge, during normal office hours, at the IS NSW Office. Copies of extracts from the register will be available at this office on a user pays system, with reasonable charges.

The PSOA has systems in place to ensure that the register is kept up to date. It is able to provide information on accredited persons who have been deregistered otherwise than by resignation in good standing or following non-payment of fees. The PSOA Disciplinary Regulations are available to the public at the cost of reproduction.

4.6.3 Provision of Information to Government

From time to time the PSOA may receive complaints against persons it has accredited as certifiers. The PSOA will promptly provide, upon request, and free of charge, this information to the Department of Urban Affairs and Planning, the NSW Ombudsman and/or the Independent Commission Against Corruption.

The PSOA will provide an annual report to the Minister of Urban Affairs and Planning, relating to its activities as an accreditation body under the Act. The information provided will be in accordance with Clause 81K of the EP & A Regulation.
The PSOA will provide all reasonable assistance to the Ombudsman and the ICAC to enable those organisations to conduct preliminary and formal investigations into the Conduct of Accredited Certifiers and Principal Certifiers – Subdivisions.

4.7. Complaints Handling and Disciplinary Procedures

4.7.1 Scope

4.7.1.1 The system for accreditation has, as its primary focus, the protection of the community, and it is essential that accreditation bodies have effective mechanisms to deal with complaints by local authorities and consumers concerning the conduct of Accredited Certifiers and Principal Certifiers.

4.7.1.2 Matters of a purely financial or contractual nature would be beyond the scope of the PSOA, and would be referred back to the complainant for action to be taken through other avenues, such as alternative dispute resolution or the courts. When issues raised in a complaint relate to financial and contractual matters and also include matters concerning unsatisfactory professional conduct or professional misconduct, the PSOA will deal with those matters as detailed in section 4.7.3 below.

4.7.1.3 Complaints concerning the technical competence, or the ethical and professional conduct, of an Accredited Certifier and Principal Certifier will be dealt with expeditiously by the PSOA.

4.7.2 PSOA Disciplinary Regulations and Code of Ethics

4.7.2.1 Accreditation by the PSOA requires practitioners to be committed to:

- the PSOA Disciplinary Regulations (Attachment C)
- the PSOA Code of Ethics (Attachment D)

These documents, together with requirements under the Act, form the basis of the complaints handling and disciplinary procedures for the PSOA Accreditation Scheme.

4.7.2.2 Upon application for accreditation, Accredited Certifiers and Principal Certifiers will be required to declare themselves bound to these PSOA documents, and to the procedures laid down in the Act for dealing with possible breaches of the Act (unsatisfactory professional conduct and professional misconduct).
4.7.3 Disciplinary process

4.7.3.1 The PSOA’s procedures for dealing with complaints include mechanisms for:
- receiving complaints concerning the conduct of practitioners;
- practitioner’s to respond to the complaint;
- investigating the substance of the complaint;
- dismissing the complaint in accordance with the provisions of the EP & A Act;
- determining the complaint and applying sanctions where appropriate;
- referring certain matters for determination to the Administrative Decisions Tribunal;
- applying sanctions as determined by the Administrative Decisions Tribunal.

4.7.3.2 Where a complaint is made against a certifier under this accreditation scheme, the definitions of “unsatisfactory professional conduct” and “professional misconduct” contained in section 109R of the Act will be applied by the PSOA.

Section 109 R provides:

*professional misconduct*, in relation to an accredited certifier, means conduct that is unsatisfactory professional conduct of a sufficiently serious nature to justify suspension of the accredited certifier's accreditation as an accredited certifier or the withdrawal of the accredited certifier's accreditation.

*unsatisfactory professional conduct* includes conduct (whether consisting of an act or omission):

(a) occurring in connection with the exercise of an accredited certifier's functions as a certifying authority that falls short of the standard of competence, diligence and integrity that a member of the public is entitled to expect of a reasonably competent accredited certifier, or

(b) by which an accredited certifier exercises his or her functions as a certifying authority in a partial manner, or

(c) by which an accredited certifier wilfully disregards matters to which he or she is required to have regard in exercising his or her functions as a certifying authority, or
(d) by which an accredited certifier fails to comply with:

(i) any relevant code of conduct established by the accreditation body by which he or she is accredited, or

(ii) any other Act or law prescribed by the regulations, or

(e) by which an accredited certifier contravenes this Act, whether or not he or she is prosecuted or convicted for the contravention.

4.7.3.3 The procedures will be implemented to the point where an appropriate body within the PSOA determines that there is a reasonable likelihood that the practitioner would be found guilty of unsatisfactory professional conduct or professional misconduct. At this point, the matter would either be forwarded to the Administrative Decisions Tribunal for their determination, or, where the practitioner consented to the matter being dealt with by the PSOA, (in the case of unsatisfactory professional conduct only), the matter would be dealt with in accordance with the PSOA’s Disciplinary Regulations (Attachment C).

4.7.3.4 The PSOA’s Disciplinary Regulations authorise a range of sanctions against accredited persons, including to:

- caution or reprimand the accredited person
- direct that conditions be imposed on the accredited person’s accreditation status
- direct the accredited person to undertake specified professional development
- direct that the accredited person is to operate professionally for a specified time under the supervision of an appropriate person
- impose a fine not exceeding three hundred penalty units
- direct the accredited person to report on his or her practice in the manner and to the persons specified by the Disciplinary Panel
- suspend the person’s accreditation for a set period of time; or
- withdraw the person’s accreditation
4.7.3.5 When the PSOA takes disciplinary action against a person it has accredited, that person will have the right to appeal. The Appeal Panel established to adjudicate in the matter will not contain members who were involved in initially deciding that disciplinary action should be taken.

4.7.3.6 Appeals against the determinations of the Administrative Decisions Tribunal will be dealt with by PSOA in accordance with the Administrative Decisions Tribunal Act 1997.

4.7.3.7 Relevant determinations of the Administrative Decisions Tribunal will be implemented by PSOA.

4.7.3.8 Where the Administrative Decisions Tribunal has determined that certain conditions are to be imposed on the practice of an Accredited Certifier or Principal Certifier, the PSOA will require that practitioner to provide evidence that such conditions are being or have been observed.
The Professional Surveyors’ Occupational Association
NSW Incorporated

COMPETENCY STANDARDS FOR
A STAGE 2 PROFESSIONAL SURVEYOR

EXTACT FROM, “NATIONAL COMPETENCY STANDARDS FOR
PROFESSIONAL SURVEYORS – THE INSTITUTION OF SURVEYORS,
AUSTRALIA – FIRST EDITION JULY 1996”
COMPETENCY STANDARDS, STAGE 2

The General Range Statement for Stage 2

The competencies for Stage 2 will be typically demonstrated by experienced professional surveyors practising in any sector of the market, normally under the general direction of senior professional surveyors.

Experienced professional surveyors will normally have had at least three years satisfactory post graduate experience as Stage 1 surveyors.

The benchmark for post graduate experience will be a professional development program set or approved by ISA. This professional development program will be consistent with the training and development programs adopted by the Reciprocating Surveyors Board of Australia and New Zealand as a prerequisite for registered or licensed surveyors.

Stage 2 Professional Surveyors, as employees in the public, private or tertiary sectors, will be practising as competent professionals demonstrating expertise and professionalism within one or more of the functional areas set out under the “Definition of a Professional Surveyor” and adopted by ISA.

They will have demonstrated sound technical competence and management skills during their years of professional experience. They will work autonomously and accept responsibility for all professional work undertaken within their areas of expertise. However, they must recognise complex or unusual situations where professional guidance is required.

2.1 PROFESSIONAL PRACTICE

2.1.1 Advance the science of surveying and the image of surveyors.

- Conducts oneself in a manner that enhances the profession.
- Contributes to promoting surveyors and surveying.
- Participates in adopting advanced technology to improve service.
- Seeks reward through merit and quality of performance.
- Assists in contributing to professional renewal

2.1.2 Fulfil community service obligations.

- Recognises professional responsibilities to government and the community.
- Practises impartiality and objectivity in decision making.
- Participates in pursuing fair and equitable solutions that rank community interests before client and personal interests.

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• Places responsibilities for the welfare and safety of the community above sectional interests.
• Participates in community affairs.
• Provides specialist expertise to identify unqualified information that could mislead the community.

2.1.3 Follow an accepted code of professional conduct and ethics.

• Understands the profession’s code of ethics.
• Carries out professional activities in accordance with the code of ethics.
• Complies with legal requirements and obligations.
• Complies with professional responsibilities.
• Applies a high code of personal conduct.

2.1.4 Undertake a program for personal professional development and continuing education.

• Participates in the profession’s continuing professional development programs.
• Pursues continuous improvement in performance.

2.1.5 Promote sustainable development and apply environmental principles.

• Applies the profession’s policy on environmental matters.
• Recognises complex environmental issues encountered in regular practice and seeks guidance.
• Recognises the likely impact of developments on the life styles, cultures and heritage of all sections of the community.
• Participates in resolving environmental issues.
• Participates with colleagues in seeking to protect the environment and promote sustainable development.

2.1.6 Accept responsibility for professional activities.

• Recognises and understands potential risks and liabilities.
• Practises and enforces correct occupational health and safety.
• Understands the likely impacts of work undertaken.
• Works within the limits of personal skills and expertise and seeks professional advice and support for more complex work.

Range Indicator 2.1:
(See also the general range statement for Stage 2)

Stage 2 surveyors will have demonstrated high levels of professionalism during their years of professional experience. They will demonstrate increasing levels of professionalism in all aspects of professional practice and a sound understanding of the Institution’s policy on ethics and professional practice.
2.2 THE COLLECTION OF DATA AND INFORMATION

2.2.1 Collect data by measurement.

- Recognises and assesses the measuring technology available.
- Recognises and assesses technology available to collect data by indirect methods.
- Clarifies client needs and expectations.
- Participates in evaluating the various methods and procedures available.
- Uses measuring technology to meet client needs.
- Reviews the effectiveness of the methodology used.
- Ensures processes followed to achieve legal traceability.

2.2.2 Search and acquire existing data.

- Accesses relevant geographic and land information records, survey data bases, and general information depositories.
- Qualifies the integrity and value of stored data and information, and identifies possible uses.
- Understands the importance of historical records.
- Transfers data from existing data bases.
- Acquires information in an orderly manner.
- Determines if acquired information is relevant to client needs.

Range Indicator 2.2:
(See also the general range statement for Stage 2)

Stage 2 surveyors will be competent in collecting data and information that are relevant to their fields of surveying and will be accountable for the outcomes of work personally carried out or carried out under their direct supervision.

2.3 THE MANAGEMENT OF DATA AND INFORMATION

2.3.1 Design and develop system standards.

- Identifies the outcomes needed from a system.
- Identifies the various elements of a system.
- Develops standards across the total system.
- Defines system standards and integrates them into data management quality programs.

2.3.2 Process data to accepted standards and for specific requirements.

- Verifies the integrity of the base data.
- Processes data to achieve specific outcomes.
- Stores data in appropriate data bases for future access and use.
- Verifies the integrity of the processed data.

2.3.3 Convert data from one system or medium to another.

- Understands the various bases holding spatial and textual data.
• Identifies and collates appropriate data in one system for transfer and integration into other systems.
• Uses appropriate technology and procedures to convert and transfer data between systems and media.

2.3.4 Administer electronic and physical data bases.

• Applies effective procedures for recording, retrieving and updating information.
• Establishes security systems to ensure data integrity.
• Implements appropriate maintenance systems.

2.3.5 Analyse, evaluate and interpret data.

• Applies systems to analyse data.
• Determines the required accuracy and reliability of data.
• Interprets data and ensures its relevance to client needs.
• Enhances or adds value to data where applicable.
• Collates and relates data to specific areas of interest.

Range Indicator 2.3:
(See also the general range statement for Stage 2)

Stage 2 surveyors will be competent in managing all information and data that are relevant to their fields of surveying and will be accountable for the outcomes of work personally carried out or carried out under their direct supervision.

2.4 THE PRESENTATION OF INFORMATION

2.4.1 Assemble data into specific data or information sets.

• Recognises market trends.
• Clarifies and determines customer needs.
• Identifies the potential benefits of creating specific information from various data bases.
• Uses technology to assemble data into useful information.

2.4.2 Compile and produce maps, plans, charts and photographs.

• Uses the techniques available for graphical and photographic presentation.
• Determines the uses and limitations of base data.
• Applies appropriate cartographic principles.
• Applies computer aided drafting techniques.
• Identifies and uses the best methodology to meet client needs.

2.4.3 Provide digital spatial information.

• Recognises the accuracy, reliability and potential uses of data.
• Transfers spatial data files between various media.
• Integrates spatial data with other information.
• Formats data to meet customer needs.
2.4.4 Produce models.

- Creates digital models of natural or cultural entities and phenomenon.
- Creates model files and integrates model files with other information.
- Transfers model files between various media.

2.4.5 Formally present information to clients, government agencies and public forums.

- Identifies and uses appropriate communication and display techniques to present information in a usable manner.
- Addresses special interest groups.
- Conducts seminars and public meetings.
- Leads and/or participates in discussion groups.

2.4.6 Prepare reports.

- Prepares detailed technical reports.
- Prepares information brochures and reports.
- Prepares business reports on surveying matters.

2.4.7 Certify data.

- Understands the accuracy and reliability of data to be certified.
- Understands the responsibilities of data certification.
- Applies effective validation procedures.
- Applies effective risk management techniques.

2.4.8 Provide advisory services.

- Discusses information with potential users.
- Deciphers information and relates it to specific issues.
- Collates information and formats it into relevant advice.
- Provides advice on opportunities to add value to existing information.
- Provides sound advice to clients on surveying and land management matters.

**Range Indicator 2.4:**

(See also the general range statement for Stage 2)
Stage 2 surveyors will be competent in presenting all information that is relevant to their fields of surveying and will be accountable for the outcomes of work personally carried out or carried out under their direct supervision.

**2.5 BUSINESS, MANAGEMENT AND SUPPORTING QUALITY ASSURANCE PROGRAMS**

2.5.1 Plan, organise, direct and control tasks and people and other resources.

- Sets work objectives and prioritises activities.
• Determines work methods and procedures.
• Estimates times, costs and resources.
• Establishes work schedules and allocates resources.
• Organises small work teams.
• Advises and supervises subordinate staff.
• Monitors performance and reports progress to stakeholders.

2.5.2 Adopt sound business practices including economic planning, financial management and compliance with legal requirements.

• Prepares budgets.
• Estimates job costs and evaluates financial returns.
• Monitors running expenses against estimates or budgets.
• Demonstrates an understanding of the legal requirements for business operations.
• Assesses market needs and implements marketing plans.
• Participates in risk management programs.
• Demonstrates an understanding of the enterprise’s business needs.
• Operates in accordance with business plans.
• Provides and promotes excellence in customer service.

2.5.3 Manage human resources.

• Promotes and sustains an effective work culture for the enterprise.
• Applies an effective staff relations program.
• Promotes and monitors compliance with occupational health and safety requirements.
• Contributes to performance appraisal programs.
• Promotes and complies with equal opportunity, equity and anti-discrimination principles.
• Participates in developing and maintaining an effective industrial relations program.

2.5.4 Train and develop subordinates in the work place.

• Identifies training needs and implements training programs.
• Trains subordinates and shares new knowledge and technology with colleagues.
• Monitors training programs.

2.5.5 Apply project management principles.

• Demonstrates a sound knowledge of project management.
• Applies project management principles to work activities.
• Contributes to project planning and monitoring.

2.5.6 Apply self management principles.

• Undertakes professional development in management skills.
• Sets goals for personal, professional and business achievements.
• Practises effective time management.
Undertakes personal development in leadership and teamwork.
Undertakes personal development in lateral, analytical and creative thinking.

2.5.7 Apply quality assurance principles.

- Implements and maintains quality assurance programs.
- Complies with the requirements of an accepted quality assurance program.
- Contributes to internal auditing programs.
- Takes action to rectify non-compliance with agreed standards.
- Continually strives to improve performance.

2.5.8 Implement projects.

- Prepares specifications and contracts.
- Assesses tenders and lets contracts.
- Supervises contracts.
- Manages and programs development projects.
- Commissions completed projects.

Range Indicator 2.5:
(See also the general range statement for Stage 2)

Stage 2 surveyors must demonstrate sound management skills and be competent in those aspects of business and resource management that are relevant to their work activities within a general surveying environment. They will be accountable for management decisions taken in relation to work personally carried out or carried out under their direct supervision and for the prudent management of resources under their control. They will be responsible to senior colleagues for management decisions that could seriously impact upon the integrity or viability of the business enterprise.

2.6 COMMUNICATIONS

2.6.1 Communicate effectively.

- Communicates effectively, orally and in writing, at a professional level.
- Uses the full range of media options available to expedite communications.
- Compiles, interprets and presents information.
- Interprets briefs and instructions.
- Issues clear, accurate instructions and meaningful advice to colleagues and subordinates.
- Exchanges data and information through electronic communications.
- Takes into account the comments and concerns of others.

2.6.2 Present, promote, report on and advocate ideas on surveying and allied areas of practice.
• Prepares and presents technical reports and papers to professional forums.
• Prepares position and discussion papers on surveying and allied topics for publication.
• Presents papers to seminars and public meetings.
• Uses appropriate media to promote technical and professional matters.

2.6.3 Prepare and comprehend surveying documents.

• Prepares and interprets professional surveying reports.
• Prepares specifications and standards.
• Prepares submissions and quotations.
• Prepares documents defining work procedures and processes.
• Prepares documents on measurement technology, data acquisition and spatial relationships.

2.6.4 Comprehend, report on and discuss relevant legal matters.

• Operates in accordance with government acts, regulations or instructions.
• Discusses legal matters pertaining to land and land information with clients, colleagues and other professionals.
• Advises clients on legal requirements relating to land development.
• Advises clients on land rights, land tenure disputes, and rights of entry and occupation.
• Contributes to advising clients on legislation pertaining to planning, development and environment issues.
• Advises clients on responsibilities and liabilities pertaining to spatial information and spatial relationships.

2.6.5 Collaborate with colleagues and other interested parties.

• Contributes to discussions with stakeholders on development projects.
• Represents the concerns of clients and/or special interest groups to government, regulators and other stakeholders.
• Negotiates solutions to common problems with other parties.
• Contributes to the integration of surveying activities with the activities of other professionals.
• Provides advice and information on surveying, geomatics, spatial relationships, and developments.

2.6.6 Use professional expertise to contribute to the processes that shape society.

• Contributes to discussions on the sustainable development of national resources and the conservation of national heritage.
• Promotes opportunities to utilise surveying for the benefit of society.
• Advocates the orderly management and administration of land resources.
Range Indicator 2.6:
(See also the general range statement for Stage 2)

Stage 2 surveyors will be effective communicators who successfully communicate to colleagues, subordinates, and customers on all matters relating to their surveying activities in a professional manner. They will be responsible for any personal communications that reflect on the responsibilities and integrity of the business enterprise.

2.7 SPATIAL REFERENCE SYSTEMS AND CORE DATA BASES

2.7.1 Design reference systems.

- Evaluates system requirements.
- Designs appropriate reference systems.
- Monitors the effectiveness of existing systems.
- Ensures that equipment is calibrated.

2.7.2 Establish primary geodetic control datums.

- Undertakes work required in establishing primary geodetic control datums.
- Determines the locations of reference marks.
- Places appropriate reference marks in suitable locations.
- Analyses spatial data pertaining to the geodetic network.
- Evaluates and adjusts data created.
- Records all relevant information.

2.7.3 Establish subsidiary networks.

- Carries out or supervises the work required in establishing subsidiary network control datums.
- Determines the locations of reference marks.
- Supervises the placement of appropriate reference marks in suitable locations.
- Analyses spatial data pertaining to the geodetic network.
- Undertakes evaluation and adjustment of created spatial data.
- Records network information in appropriate data files.

2.7.4 Develop and implement network maintenance programs.

- Develops network maintenance systems.
- Carries out or supervises network maintenance programs.

2.7.5 Integrate spatial reference systems with fundamental physical and cultural data, and manage core data bases.

- Understands the logical structure of data bases.
- Interfaces spatial systems with physical data bases and cultural data.
• Integrates data into homogeneous data environments.
• Collates, updates and maintains core data bases pertinent to topographic data, administrative boundaries, transport corridors, infrastructure and geographic information.
• Creates new asset bases and integrates them with core data bases.
• Verifies the integrity of data in data bases.

2.7.6 Accredit spatial data standards.

• Contributes to the standards required for data created for specific purposes.
• Contributes to developing standard procedures for acquiring and storing spatial data.
• Contributes to developing procedures for testing and validating the integrity of spatial data.

2.7.7 Maintain and manage core data bases.

• Reviews and maintains existing data.
• Edits new data for inclusion in core data bases.
• Interprets data for potential users.
• Upgrades core data bases to meet community needs.
• Contributes to the administration of core data bases.

Range Indicator 2.7:
(See also the general range statement for Stage 2)

Stage 2 surveyors will be competent to contribute to designing, establishing and maintaining spatial reference systems; maintaining core data bases; and determining spatial relationships within land and geographic information systems. They will be accountable for the outcomes of work personally carried out or carried out under their direct supervision.

2.8 LAND ADMINISTRATION & PROPERTY DEVELOPMENT

2.8.1 Advise on appropriate land tenure and land tenure systems.

• Demonstrates a sound knowledge and understanding of the principles of land registration and land tenure.
• Complies with laws in relation to land and land development.
• Understands the advantages and disadvantages of various land titling systems.
• Understands the relationships between land and various ethnic groups and cultures within jurisdictions of practice.
• Participates in the rationalisation and operation of native title programs.
• Participates in the financial analysis of establishing and maintaining land administration systems.

2.8.2 Contribute information and advice to facilitate the administration, control and development of land resources.

• Demonstrates an understanding of planning laws and procedures.
Advises on environmental constraints and management policies applicable in various jurisdictions.
Understands the functions and roles of other disciplines in property development.
Accesses available land information resources.

2.8.3 Promote opportunities to expedite sustainable land development.

- Applies local knowledge of topography, land tenure, statuary controls and development policies to assist development.
- Participates with other professionals to optimise outcomes.
- Contributes to feasibility studies and impact assessments.

2.8.4 Provide advice on financial implications of land development.

- Participates in applying principles of land valuation.
- Evaluates and compares various land use options.
- Participates in cost/benefit analyses for land development projects.
- Investigates potential of land for further development.
- Advises clients on opportunities to enhance land value and use.

2.8.5 Provide design services to optimise land development and encourage sustainable land use.

- Plans and designs land boundary patterns.
- Participates in planning and designing infrastructure for land divisions and land developments.
- Identifies options for sustainable land development.

2.8.6 Manage properties and property development.

- Applies project management techniques to property development.
- Participates in managing, administering and maintaining property occupation schemes.

Range Indicator 2.8:
(See also the general range statement for Stage 2)

Stage 2 surveyors will be competent in carrying out land administration and property development and will participate in advising property developers or managing property development projects. They will be accountable for the outcomes of work personally undertaken and advice provided, and for work carried out under their direct supervision.

2.9 CONTROLLING THE LOCATION OF DEVELOPMENTS

2.9.1 Control and locate engineering works, development projects, and the building or installation of structures and machines.

- Reads, interprets and understands detailed design and construction plans.
- Understands the roles of other professionals, technicians and trades persons.


- Establishes appropriate reference systems.
- Selects and uses the appropriate technology for site operations.
- Sets out works.
- Establishes effective reporting systems.
- Validates results.

2.9.2 Control and measure the extraction of minerals and other materials.

- Recognises mining and excavation processes and applies appropriate surveying technology.
- Knows and understands the measuring and monitoring outcomes needed for the safe, cost effective extraction of materials.
- Recognises the roles of other professionals, technicians and trades persons.
- Establishes appropriate reference systems.
- Selects and uses appropriate technology.
- Establishes effective reporting systems.

2.9.3 Establish quality control systems.

- Determines client needs and required tolerances.
- Applies appropriate technology.
- Details methods and procedures.
- Implements measuring and monitoring programs.
- Implements effective reporting procedures.

2.9.4 Monitor the position, shape and size of structures, land forms and sea beds.

- Reads and understands design and detail plans, and applies the required tolerances.
- Understands the roles of other professionals, technicians and trades persons.
- Establishes appropriate reference systems.
- Applies appropriate technology.
- Implements effective reporting systems.
- Establishes procedures to validate results.

Range Indicator 2.9:
(See also the general range statement for Stage 2)

Stage 2 surveyors will be competent in the surveying required to control the location and quality of engineering developments including the measurement of earthworks; the installation of machines, structures or equipment at industrial sites; or the extraction of materials at mining sites. They will be accountable for the outcomes of work personally carried out or carried out under their supervision and control.

2.10 RESEARCH, DEVELOPMENT AND COMMERCIALISATION
2.10.1 Perform research.

- Contributes to identifying potential research areas.
- Undertakes literature and information searches.
- Undertakes fundamental or applied research.
- Broadens existing knowledge base and seeks new knowledge.
- Identifies and communicates research outcomes.

2.10.2 Formulate concepts for development.

- Contributes to identifying development opportunities.
- Conceptualizes thoughts and ideas.
- Assesses and appraises concepts.
- Nominates concepts worthy of further development.

2.10.3 Identify and seek resources to further research and development.

- Defines and enunciates probable outcomes.
- Undertakes cost/benefit analysis and estimates of resource requirements for development programs.
- Identifies potential resource suppliers.
- Prepares proposals and submissions setting out development plans and seeking resources.

2.10.4 Carry out market research.

- Contributes to determining desirable product properties.
- Contributes to determining potential product demand.
- Contributes to developing prototypes and pilot schemes.
- Contributes to identifying likely barriers to new products or services.

2.10.5 Commercialise research outcomes.

- Contributes to economic evaluation of research outcomes.
- Contributes to developing promotion and marketing strategies for new products or services.
- Contributes to the presentation of final products.

Range Indicator 2.10:
(See also the general range statement for Stage 2)

Stage 2 surveyors will be competent in undertaking research in various fields of surveying and participating in the development and establishment of new services and products that are relevant to the surveying profession. They will be accountable for any research and development work personally undertaken or carried out under their direct supervision.

2.11 EDUCATION AND TRAINING

2.11.1 Contribute to the development of surveying education.
Participates in determining the education needs of surveying personnel.
Participates in determining education plans and programs for tertiary education.
Participates in developing curriculum, syllabi or exercises in surveying.

2.11.2 Assist in conducting surveying education.

- Participates in developing courses and teaching material for education.
- Participates in effective teaching, development and learning activities.
- Uses appropriate technology to assist in supporting education.

2.11.3 Develop and conduct training programs.

- Participates in determining the training needs of surveying personnel.
- Participates in developing training material for training programs.
- Participates in developing practical experience programs.
- Participates in developing suitable training programs for surveying graduates seeking registration.
- Participates in implementing suitable training programs.
- Supervises the training of surveying graduates.

Range Indicator 2.11:
(See also the general range statement for Stage 2)

The competencies in this unit will be typically demonstrated by experienced professional surveyors working in the tertiary sector or providing assistance to professional educators and trainers on surveying matters. Stage 2 surveyors may be providing training for subordinates or assisting with continuing professional development programs. They will contribute to education and training at a level commensurate with their competence in a recognised field of surveying and their general knowledge of the surveying industry.
The Professional Surveyors’ Occupational Association
NSW Incorporated

CONTINUING PROFESSIONAL DEVELOPMENT POLICY
THE INSTITUTION OF SURVEYORS NSW INC.
CONTINUING PROFESSIONAL DEVELOPMENT POLICY

THE INSTITUTION OF SURVEYORS
NEW SOUTH WALES INCORPORATED

ACN 000 001 329

December 1998
CONTINUING PROFESSIONAL DEVELOPMENT

1. Policy

The CPD policy of the Institution of Surveyors Australia states that it is the responsibility of each member of the Institution to: "...endeavour to advance the science and practice of surveying ... and shall continue his professional development throughout his/her career..." in accordance with the Code of Ethics.

The Institution of Surveyors NSW Inc. recognises that it has a responsibility to promote and facilitate the advancement and updating of members' professional knowledge in order to meet the changing needs and expectations of society.

Finally, ISA Council has resolved that:

"Broad guidelines be developed for the implementation of compulsory continuing professional development to commence in 1994 for continuing membership of the Institution". (C90.2).

December 1993

2. Objectives of the Institution

The Institution of Surveyors NSW Inc. sets the following objectives for its active involvement in Continuing Professional Development:

♦ The preservation and enhancement of high standards of professional performance by its members throughout their career.

♦ The ensuring of currency in surveying knowledge by its members.

♦ The increase in individual surveying capability as a contribution to national development.

♦ The provision of a formal structure in support of Continuing Professional Development activity by its members.

♦ The undertaking of an adequate level of Continuing Professional Development by its members.

♦ The formal recognition of members' achievements in Continuing Professional Development.

♦ The availability of appropriate Continuing Professional Development opportunities for its members.

♦ The support of relevant Continuing Professional Development activities by the employers of professional surveyors as part of the employees' normal duties.


3. Requirement of Members

Members of the Institution are required to comply with the Code of Ethics promulgated under ISA By-Law 59 of the Constitution and By-Laws. Item 5 of the Code of Ethics states that:
“A member shall endeavour to advance the science and practice of surveying and the objects of the Institution and shall continue his/her professional development throughout his/her career and encourage the development of his/her subordinates”.

4. Definitions

4.1 CPD Definition

The definition of CPD adopted by the Institution is:

"The process by which a professional surveyor maintains the quality and relevance of professional services throughout his/her working life."

4.2 Professional Development

Professional Development as defined above, has two components:

♦ Professional experience; and
♦ Continuing education.

These, together with the intent of Item 5 of the Code of Ethics, require members of the Institution to undertake a compulsory program of Continuing Professional Development.

Finally, an important ingredient of professionalism dictates that members should maintain a responsibility to pass on knowledge acquired during the course of professional service.

4.3 Professional Experience

Professional experience is the practical experience gained throughout a person's career and varies according to the nature and scope of an individual's employment.

4.4 Continuing Education

Continuing education is the study undertaken by professionals to extend or update their knowledge or to prepare them to meet advances or changes of direction in their career.

4.5 FIG Definition of Cadastre (Commission 7, Cadastral & Rural Land Management, Melbourne 1994)

Cadastral systems of one form or another have developed in most developed and developing countries during the last one or two centuries. They have been the central component in establishing land taxation systems, land ownership systems, supporting land markets and in supporting efficient land administration in general. A definition of Cadastre, which is generally, accepted is:

A Cadastre is a complete and up-to-date official register or inventory of land parcels in any state or jurisdiction containing information about the parcels regarding ownership, valuation, location, area, land use and usually buildings or structures thereon.

4.6 Survey Practice

Areas of study which may qualify for survey practice include:

♦ Technology use related to surveying
♦ Engineering design, construction & management
♦ Risk management
♦ Planning and environmental studies
♦ Professional practice and Practice management
♦ Occupational Health & Safety
GUIDELINES
FOR
CONTINUING PROFESSIONAL DEVELOPMENT

1. Introduction

1.1 Administration

The CPD program will be administered by a Panel comprising three corporate members of the NSW Division of The Institution of Surveyors Australia, one of whom shall be titled the CPD Coordinator and shall chair the panel. A nominee from the Board of Surveyors NSW may assist the Panel regarding the Board’s requirements for registered surveyors.

1.2 Basis of the Program

The CPD program is based on four key features:

♦ The Institution of Surveyors Australia policy on the CPD obligation.
♦ Measures to increase CPD opportunities for members.
♦ A system of certifying that members have met those requirements.
♦ Adherence to other accrediting and occupational bodies requirements.

2. Detailed Advice

The following detailed advice is to assist members to fulfil their obligation for CPD:

2.1 Appropriate Content

Appropriate content for members’ CPD should include the theory and general practice of surveying, as defined for purposes of membership of the Institution. However, content could also include education for other skills and related professional practices including business management and ethical studies.

2.2 Appropriate Activities

Any CPD undertaking should seek to encompass a range of opportunities, to complement and update existing knowledge, sharpen skills or prepare a surveyor for additional responsibilities or tasks. Appropriate activities would include:

2.2.1 Conferences, Congresses and Conventions:

These include conferences, congresses or conventions run by allied professional bodies and which provide subjects of interest and education for surveyors.

2.2.2 Courses, Seminars, Workshops and Lectures:

Similarly, these can include those provided by a wide range of organisations including educational bodies, and government departments.

2.2.3 Group Meetings and Discussion:
Further information is given at 5.3.

2.2.4 Development Activities:

♦ Structured in-house learning. This type of CPD activity is more common within government departments although it is increasingly popular in larger firms or in some rural areas. It may also be a joint activity conducted by a number of firms.

♦ Presented by outside experts. These would be similar to structured in-house learning except that the accent is on bringing in outside expertise.

2.2.5 Tertiary Courses:

These are specific education courses including diplomas, degrees etc.

2.2.6 Research and Writing of Technical Publications and Presentation of Technical Paper:

This would include preparation of papers for the Australian Surveyor, Survey Congresses etc. Such papers should be at least 2,000 words, preferably typed, on surveying practice matters.

2.2.7 Service on Technical and Practice Sub-committees:

This would include committees of the Institution looking at specific technical subjects. It may also include service on technical committees of Local Government or State Government instrumentalities.

2.2.8 Other Individual CPD Activities:

Which have been specifically assessed by the Institution as being appropriate CPD activities of a technical nature. Where an appropriate measure of activity can be demonstrated, this may under certain circumstances include unsupervised structured self-education.

Wherever possible, the CPD Sub-committee, in association with the EO & CPD Officer, will assess the CPD points value before the commencement of any event. The program should be submitted to the CPD Sub-committee for assessment prior to the event.

2.3

Persons who are qualified by practical or academic experience in the subject area must present the course.

2.4

The course must be of significant technical, intellectual or practical content and must deal primarily with matters directly related to the practice of surveying.

2.5

The course must be relevant to the surveyors’ immediate or long-term needs, in relation to the practice of surveying.
3. Minimum CPD Requirement

From the commencement of membership, 15 CPD points must be accumulated in the first year. A system of “carrying over” CPD points in excess of that maximum is in place for subsequent years.

The CPD program must have a minimum aggregate value of thirty (30) CPD points in any rolling two-year period. Of those thirty points, no less than six points must be acquired from activities related to cadastral surveying, or the members’ specialist field. In any single year, a minimum of 2 points must be acquired from activities related to cadastral surveying or the members’ specialist field.

Points can only be carried forward, they can not be debited. The Institution will maintain a register of members CPD points for the purpose of determining the minimum requirements per annum.

Note: Information circulated to members may nominate CPD points for any particular activity, however for the time being and unless otherwise advised, one CPD point can be regarded as being equivalent to one hour of CPD activity.

4. Monitoring

The Institution will require evidence of Continuing Professional Development by Registered Surveyors, graduate surveyors, unregistered surveyors and members practising in fields outside the survey field.

4.1

For the purpose of monitoring and for the convenience of members, the Personal Record Sheet should be completed for the 12-month period to the end of April of each year and submitted to the Institution before the end of May.

4.2

The CPD Sub-committee will carry out random audits of no less than 3% of returned personal record sheets each year.

4.3

Each member will receive a CPD personal record sheet. It is the responsibility of each person to accurately record all CPD activities and forward the same when completed, to the Institution for assessment. Groups are to forward duplicates of attendance records for claimed CPD activities to the Institution, to maintain control. Other associated bodies may do the same.

4.4

CPD Personal Records Sheets must indicate the date, event, category (professional experience/continuing development), organiser and hours claimed per event. Further, the record must be signed by the member stating that the CPD requirements for the year have been satisfied.

5. Opportunities for CPD

5.1 Institution Activities Promotion

The Institution maintains contact with educational bodies, government organisations, other professional organisations and other agencies to develop an active CPD program. The CPD Officer assisted by the Executive Officer and the CPD Sub-committee will provide advice and assistance to members on the availability of suitable CPD activities.
5.2 CPD Delivered through the Institution's Groups

Groups are well placed to provide CPD opportunities, in that they are located across the state, meet regularly and can utilise their members’ wide experience and knowledge. A group CPD meeting will usually consist of a formal presentation on a previously agreed topic followed by discussion. Groups play an important role in providing valuable opportunities for members to achieve their CPD accreditation. It is essential that any CPD activity be carefully planned and promoted in advance through notices in the CPD Newsletter/Institution Calendar to enable maximum numbers to attend.

6. CPD Officer

A member of the Institution’s staff will serve as the Institution's CPD Officer. With the assistance of the Executive Officer and the CPD Sub-committee, he/she will be responsible for:

♦ Providing advice and information on CPD to all members.

♦ Liaison with various groups, educational bodies, kindred professions, employers and others to assist in maintaining a CPD network.

♦ Preparation of the editorial material for the CPD newsletter for distribution with Azimuth.

♦ Monitoring and evaluating member's involvement in the CPD program.

The CPD Officer will advise any member of his/her status if a member has not demonstrated compliance with the minimum CPD requirements as indicated by the record sheet, and of the CPD Sub-committee’s decision on his/her noncompliance. Also indicated will be what steps must be taken in order to meet the CPD requirements.

7. The CPD Newsletter

A CPD Newsletter will be promulgated to members through the Azimuth each month. Listed activities will carry CPD points where possible, to enable members to make informed choices as to how they are to attain their CPD requirement. The Institution will make every effort to include as many activities as are known in the Newsletter. However, the cooperation of the Institution's Groups is essential and it is the Groups' responsibility to advise the CPD Officer or Executive Officer of meetings and other CPD events for inclusion and assessment.

8. CPD Certificate

The Institution will issue a CPD Certificate for the current period to all members who have demonstrated compliance with the Institution's requirements.
The Division has also accepted the role of assessor for the Board of Surveyors of New South Wales. CPD requirements for annual registration. Members are required to forward a copy of the current CPD certificate to the Board of Surveyors as proof of attainment of their CPD commitment.
The Professional Surveyors’ Occupational Association
NSW Incorporated

DISCIPLINARY REGULATIONS

August 1999
PROFESSIONAL SURVEYORS’ OCCUPATIONAL ASSOCIATION NSW Inc

DISCIPLINARY REGULATIONS

COMPLAINTS

1. Making a Complaint

(1) Any person may make a complaint of improper conduct against a person who is or has been accredited by the PSOA.

(2) A complaint:
   (a) must be in writing, signed by the person making the complaint;
   (b) must set out the circumstances giving rise to the complaint; and
   (C) must be verified by statutory declaration.

(3) A complaint must be lodged at the office of the PSOA.

(4) The Secretary will provide reasonable assistance to the complainant in the preparation and lodging of a complaint.

2. Notification of Complaint

The Secretary, if satisfied that adequate particulars of a complaint against an accredited person have been provided by a complainant, must promptly:

   (a) inform the accredited person of the details of the complaint;
   (b) by notice, invite the accredited person to make a written submission in response to the complaint within a period of at least 21 days; and
   (c) forward the complaint to the Chairman of the PSOA.

CONCILIATION

3. Complaint may be Conciliated

(1) The Chairman of the PSOA may, with the consent of the complainant and the accredited person, appoint a suitably qualified person to attempt to conciliate a complaint.

(2) Where the Chairman of the PSOA determines that the complaint cannot be conciliated, or where conciliation has been attempted and failed, the complaint must be dealt with in accordance with these regulations.
(3) Where conciliation is successful, the conciliator is to prepare a statement outlining the basis on which the complaint has been conciliated. Both the complainant and the accredited person must sign the statement. The statement is to be forwarded to the Secretary.

(4) Successful conciliation of a complaint requires no further action under these regulations, unless the Chairman of the PSOA considers that the accredited person, on the balance of probabilities, may have engaged in improper conduct.

(5) When conciliation is successful but, on the balance of probabilities, the Chairman of the PSOA considers that the accredited person may have engaged in improper conduct, the complaint must be dealt with in accordance with these regulations.

INVESTIGATION OF COMPLAINT

4. Appointment of an Investigator

An investigator may be appointed by the Chairman of the PSOA to investigate a complaint.

5. Powers and Duties of Investigator

(1) An investigator may:
   (a) seek and consider information from any source;
   (b) convene conferences with the accredited person and witnesses, including the complainant, which are to be conducted as the investigator thinks fit; and
   (c) seek submission of statutory declarations to support evidence.

(2) An investigator may investigate one or more complaints against an accredited person in any investigation.

(3) If the accredited person does not respond to the notice of complaint, the investigator may still consider the matter on the basis of available material.

(4) If, during an investigation, it appears to an investigator that another complaint could have been made against the accredited person, the investigator may investigate and report as if a separate complaint had been made.

(5) Where an investigator exercises power under subsection (4), the investigator must notify the Secretary of the circumstances giving rise to the complaint, who must notify the accredited person and the Chairman of the PSOA in accordance with section 2.

(6) Where an investigator has investigated a complaint, the investigator cannot be appointed as a member of either a Disciplinary Panel or an Appeal Panel established to hear that complaint.
6. **Investigator to Prepare Report**

(1) Upon completion of an investigation, the investigator must prepare a written report, which must include:

   (a) details of the complaint submitted by the complainant;
   (b) any additional matter or complaint arising as a result of the investigation;
   (c) the response, if any, provided by the accredited person;
   (d) any other relevant material that the investigator has become aware of in the course of the investigation;
   (e) a recommendation that:
       (i) the complaint be dismissed on the grounds that the complaint is vexatious, frivolous, misconceived or lacking in substance; or
       (ii) in the investigator’s opinion there are reasonable grounds for the accredited person’s conduct to be considered by a Disciplinary Panel; and
   (f) a statement of reasons for the recommendation.

(2) The investigator must complete his investigations and provide the report to the Secretary within a reasonable time span.

(3) The Secretary is to forward the report to the Chairman of the PSOA.

(4) The Secretary must by notice:
   (a) provide a copy of the investigator’s report to the accredited person; and
   (b) invite the accredited person to respond in writing to the investigator’s report within a period of at least 14 days.

7. **Dismissal of Complaint**

(1) The Chairman of the PSOA may dismiss a complaint if an investigator recommends that it be dismissed on the grounds that the complaint is vexatious, frivolous, misconceived or lacking in substance.

(2) The accredited person and complainant must be promptly advised in writing when the Chairman of the PSOA has dismissed a complaint on the grounds set out in subsection (1).

**DISCIPLINARY HEARING**

8. **Complaints and Appeal Panels**

The Chairman of the PSOA may:

   (a) appoint the members and Chairman of a Panel;
(b) remove members from a Panel;
(c) appoint an investigator, or withdraw an investigator’s appointment;
(d) suspend, terminate or re-initiate an investigation; or
(e) suspend or re-initiate any proceedings.

9. Establishment of Disciplinary Panel

(1) A Disciplinary Panel is to be established where the Chairman of the PSOA determines that there are reasonable grounds for the conduct of the accredited person to be considered by a Disciplinary Panel.

(2) The Chairman of the PSOA must appoint not less than three persons to be members of the Disciplinary Panel.

(3) In determining the complaint, the Chairman of a Disciplinary Panel has a deliberative vote and, in the event of an equality of votes, has a second or casting vote. A decision supported by the majority of the votes cast is the decision of a Disciplinary Panel.

(4) A Disciplinary Panel may meet at such times and places as determined by the Chairman of the Panel.

(5) If the accredited person does not respond to the notice of complaint, the Disciplinary Panel may consider the matter on the basis of available material.

10. Hearing by Disciplinary Panel

(1) A Disciplinary Panel must determine whether the accredited person has engaged in improper conduct.

(2) The determination is to be by way of hearing of the matter.

(3) The Secretary must:
   (a) notify the accredited person and the complainant of the date of the hearing, and invite their attendance
   (b) advise that the accredited person may be represented at the hearing;
   (c) advise that the accredited person may, at the hearing, question any parties referred to in the investigator’s report, within reasonable limits set by the Chairman of the Disciplinary Panel;
   (d) advise that the accredited person may call witnesses and produce any information relevant to the hearing;
   (e) advise that the matter may be determined in the absence of the accredited person on the basis of material before the Disciplinary Panel.
(4) The accredited person must receive the notice of the hearing at least 21 days prior to the hearing.

11. Accredited Person to Notify Secretary of Certain Matters

The accredited person must notify the Secretary at least 10 days prior to the hearing whether the accredited person:
   (a) will attend the hearing;
   (b) intends to call witnesses and how many; and
   (c) will be represented at the hearing and by whom.

12. Procedures for Conducting Hearing

(1) Subject to subsection (2), the Disciplinary Panel may determine its procedures for conducting a hearing.

(2) A Disciplinary Panel:
   (a) is not bound by the rules of evidence;
   (b) is bound by the rules of natural justice;
   (c) may ask questions or seek clarification from any party;
   (d) may call and examine witnesses;
   (e) may request physical evidence be presented if it exists;
   (f) may inform itself on any matter in any manner it thinks fit; and
   (g) must conduct its proceedings with as much speed as proper consideration of the matters before it permits.

(3) If the accredited person agrees, a Disciplinary Panel may conduct a hearing on the basis of documentary evidence, without the physical appearance before a Disciplinary Panel by the parties or their representative or witnesses.

(4) If the accredited person has been given at least 21 days notice of when and where the hearing is to take place, and the accredited person fails to appear, a Disciplinary Panel may proceed to hear the matter in the accredited person’s absence.

(5) A hearing may be adjourned to a specified date at the discretion of the Chairman of the relevant Disciplinary Panel.

13. Decision of Disciplinary Panel

(1) The Disciplinary Panel must make a determination based on the material produced at the hearing in relation to each complaint referred to it that:
   (a) the complaint be dismissed; or
   (b) the accredited person has engaged in improper conduct.
A Disciplinary Panel must prepare a statement outlining the reasons for its decision.

**14. Referral of Matter to Other Tribunal**

Where provision is made by Statute that the matter may be referred to another Tribunal for final determination, the Disciplinary Panel may refer the matter in accordance with the procedures set down by that Statute.

**15. Imposition of Sanctions by Disciplinary Panel**

(1) Where a Disciplinary Panel is satisfied that the accredited person has engaged in improper conduct sufficient to warrant a sanction, a Disciplinary Panel may direct the imposition of one or more of the following sanctions:
   - caution or reprimand the accredited person;
   - direct that conditions be imposed on the accredited person’s accreditation status;
   - direct the accredited person to undertake specified professional development;
   - direct that the accredited person is to operate professionally for a specified time under the supervision of an appropriate person;
   - impose a fine not exceeding three hundred penalty units;
   - direct the accredited person to report on his or her practice in the manner and to the person specified by the Disciplinary Panel;
   - suspend the person’s accreditation for a set period of time; or
   - withdraw the person’s accreditation.

(2) When considering the imposition of a sanction or sanctions against the accredited person, a Disciplinary Panel may take into account any previous finding against the accredited person and the sanction applied.

(3) The Disciplinary Panel must notify the Secretary in writing of its finding on each complaint and any sanction it directs.

**16. Imposition of Sanction Determined by Other Tribunal**

Where a matter has been referred to another Tribunal in accordance with section 14, and that Tribunal has made a determination of the matter and recommended the imposition of a sanction, the Chairman of the PSOA must impose the sanction determined by that Tribunal.

**17. Notification to Accredited Person and Complainant**

(1) When a Disciplinary Panel has notified the Secretary of a decision, the Secretary must promptly advise the accredited person and the complainant of the Disciplinary Panel’s decision and the reasons for it.
(2) Where the Disciplinary Panel has found that the accredited person has engaged in improper conduct, the Secretary must notify the accredited person of the right of appeal and the time period for lodging an appeal.

APPEAL

18. Appeal by Accredited Person

(1) Where a Disciplinary Panel makes a finding of improper conduct against an accredited person, the accredited person may appeal the finding, or terms of any sanction, or both. The appeal is to be made within 28 days after notification of a decision of the Disciplinary Panel.

(2) An appeal may be made:
   (a) on the grounds that the procedures required by these regulations had not been followed;
   (b) on the grounds that the conduct complained of does not constitute improper conduct;
   (c) against the severity of sanction imposed by a Disciplinary Panel.

(3) The appeal by the accredited person must:
   (a) be in writing;
   (b) set out the grounds for appeal; and
   (c) be lodged with the Secretary.

19. Duties of Secretary

On receipt of an appeal, the Secretary must:
   (a) forward the notice of appeal to the Chairman of the PSOA;
   (b) give written notice to the accredited person that the appeal has been received;
   (c) inform the accredited person of the date on which the Appeal Panel will consider the appeal; and
   (d) inform the accredited person as to the procedure of the Appeal Panel.
   (e) inform the complainant that an appeal has been lodged

20. Establishment of Appeal Panel

(1) Where an appeal is made pursuant to section 18, the Chairman of the PSOA is to appoint an Appeal Panel to conduct the appeal.

(2) The Chairman of the PSOA must appoint not less than three persons to be members of the Appeal Panel.

(3) In determining the complaint, the Chairman of an Appeal Panel has a deliberative vote and, in the event of an equality of votes, has a second or casting vote. A decision supported by the majority of the votes cast is the decision of an Appeal Panel.
(4) An Appeal Panel may meet at such times and places as determined by the Chairman of the Panel.

(5) A person must not serve as a member of an Appeal Panel where that person has served as a member of the Disciplinary Panel dealing with the same complaint.

21. Conduct of Appeal

(1) Subject to subsections (2) (3), and (4), the Appeal Panel may determine its procedures for conducting a hearing.

(2) The Appeal Panel:
   (a) is not bound by the rules of evidence;
   (b) is bound by the rules of natural justice;
   (c) may ask questions or seek clarification from any party;
   (d) may call and examine witnesses;
   (e) may request physical evidence be presented if it exists;
   (f) may inform itself on any matter in any manner it thinks fit; and
   (g) must conduct its proceedings with as much speed as proper consideration of the matters before it permits.

(3) The accredited person, or the accredited person’s representative, is entitled to make a submission to the Appeal Panel detailing why the decision or sanction of the Disciplinary Panel should be quashed or varied.

(4) The Appeal Panel must take into consideration:
   (a) the investigator’s report;
   (b) the response of the accredited person to the report (if any);
   (c) any matters raised at the Disciplinary Panel hearing;
   (d) the statement of reasons of the Disciplinary Panel;
   (e) the grounds of the accredited person’s appeal;
   (f) any relevant submissions made orally or in writing to the Appeal Panel.

(5) If the accredited person has been given at least 28 days notice of when and where the proceeding is to be heard, and the accredited person fails to appear, an Appeal Panel may proceed in the accredited person’s absence.

22. Accredited Person to Notify Secretary of Certain Matters

The accredited person must notify the Secretary at least 10 days prior to an appeal whether the accredited person:
(a) will attend the appeal;
(b) intends to call witnesses and how many; and
(c) will be represented at the appeal and by whom.

23. **Adjournment of Appeal Proceedings**

Appeal proceedings may be adjourned to a specified date at the discretion of the Chairman of an Appeal Panel or with the agreement of the parties.

24. **Determination of Appeal**

(1) When determining an appeal, an Appeal Panel may:
   (a) confirm, quash or vary a decision or sanction of the Disciplinary Panel;
   (b) impose such other sanctions as it thinks fit, being one of the sanctions specified in section 15; or
   (c) refer a complaint back to the Chairman of the PSOA to be reassessed.

(2) The Appeal Panel must prepare a statement of reasons for its decision and notify the Secretary of its decision.

25. **Notification of Decision of Appeal Panel**

(1) The Secretary must provide the accredited person with a written statement of the decision of the Appeal Panel, including the statement of reasons and any sanctions imposed.

(2) The Secretary must notify the complainant in writing of the outcome of the appeal and, if requested by the complainant, provide the complainant with a copy of the Appeal Panel’s statement of reasons.

**MISCELLANEOUS**

26. **Conflict of Interest**

1. Where an investigator, or a member of a Panel has any material, pecuniary or other interest that would lead to a reasonable apprehension that the investigator or panel member may be biased in the conduct of their role, they:
   (a) must disclose the facts and circumstances to the Chairman of the PSOA as soon as possible; and
   (b) must not participate in the consideration or investigation of a complaint unless the Chairman of the PSOA is satisfied that in all the circumstances it is appropriate that the investigator or member of the Panel should continue in the role.
2. Where the Chairman of PSOA has any material, pecuniary or other interest that would lead to a reasonable apprehension that he may be biased in the conduct of an aspect of his role, he:
(a) must disclose the facts and circumstances to the Board of PSOA as soon as possible, and
(b) must not participate in the conduct of that aspect of his role unless the other members of the Board of PSOA are satisfied that in all the circumstances it is appropriate that the Chairman of PSOA should continue that aspect of his role.
(c) where the other members of the Board of PSOA are not satisfied that the Chairman of PSOA should continue to act in that aspect of his role, they shall nominate one of their number to act as the Chairman of PSOA for that particular aspect.

27. Costs

(1) The accredited person, complainant and/or witnesses are not entitled to recover any sum from the PSOA in respect of expenses relating to a complaint other than those awarded by the PSOA under subsection (2).

(2) A Panel, at the time of making its decision in relation to a complaint, may make a recommendation to the Chairman of the PSOA regarding the extent to which the expenses of the accredited person, complainant and/or witnesses incurred in the proceedings should be paid by the PSOA.

(3) Where the accredited person fails to notify the Secretary in accordance with sections 11, 22 and 29(3), the accredited person will be liable to pay costs associated with the deferral of proceedings.

28. Notices

(1) Any notice to be given under these regulations is deemed to be properly served if sent by certified post to the last address advised to the PSOA by the accredited person.

(2) If the accredited person, either before or after the complaint has been disposed of, satisfies the Chairman of the PSOA:
(a) that any notice to them was not in fact delivered; or
(b) was delivered later than delivery might have been expected in the ordinary course of certified post; and that in consequence, they were unaware of the proceedings being taken against them,
then, at the accredited person’s request, the Chairman of the PSOA must re-initiate proceedings, notwithstanding that the proceedings may have been concluded.

29. Representation

(1) A legal representative may be engaged by the PSOA for the purpose of advising an investigator, Disciplinary Panel or Appeal Panel on the manner in which their functions may be exercised.

(2) In any proceeding, the accredited person may appear in person or may be represented by some other person at his or her own cost.

(3) Where the accredited person intends to be represented by legal counsel in any proceeding, the accredited person must notify the Secretary of that intention at least 10 days prior to the proceedings.

30. Legal or Other Proceedings

The accredited person and/or complainant are required to advise the Secretary of any known Court or Tribunal proceedings relevant to the complaint.

31. Deferral or Suspension of Proceedings

The Chairman of the PSOA must defer or suspend an investigation of a complaint, if the Chairman considers that commencing or continuing proceedings may:

(a) give rise to conduct that may be considered contempt of any Court or Tribunal having power to punish for contempt;
(b) prejudice the fairness of any proceedings relating to the matters giving rise to the complaint before, or likely to come before a Court or Tribunal having power to determine rights or liabilities in relation to those matters;
(c) if the complaint is referred to another deliberative body established under Statute; or
(d) in other circumstances as deemed necessary by the Chairman of the PSOA.

32. Indemnity of Office Bearers and Others

Persons undertaking duties on behalf of the PSOA, pursuant to these regulations, are indemnified in the discharge of their duties under these regulations by the PSOA.

33. Register of Complaints
(1) The Secretary must keep a register of all complaints made under these regulations.

(2) Access to the register is to be determined in accordance with policy approved by the PSOA.

34. Definitions

In these regulations the following words have these meanings unless otherwise specified:

“accredited person” means a person accredited by the PSOA to undertake specific activities in accordance with any accreditation scheme of the PSOA.

“complainant” means the person who initiated a complaint.

“document” includes:
(a) any paper or other material, including maps plans and drawings, on which there is writing;
(b) any paper or other material on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them; or
(c) any article or material from which sounds, images or writings are capable of being reproduced with or without the aid of any article or device.

“improper conduct” means conduct that includes:
(a) a failure to observe one or more requirements of the Code of Ethics;
(b) a failure to maintain appropriate surveying standards as determined by a Panel;
(c) conviction of a person for an indictable offence, or another offence that, in the opinion of a Panel, renders the person unfit to be accredited by the PSOA;
(d) conduct, whether consisting of an act or omission, occurring otherwise than in connection with the practice of surveying, that would, in the opinion of a Panel, render a person unfit to remain accredited;
(e) professional misconduct or unsatisfactory professional conduct by an accredited person which the PSOA, pursuant to Statute, is required to investigate.

“Panel” means a Disciplinary Panel or an Appeal Panel.

“penalty unit” means a pecuniary penalty unit as defined by Section 4AA of the Crimes Act 1914 (Commonwealth) as amended from time to time.

“person” includes a body corporate.

“proceeding” means a proceeding commenced under these regulations and includes both an investigation and a hearing.

“PSOA” means the Professional Surveyors’ Occupational Association NSW Inc.

“Secretary” means the Secretary of the PSOA. The Secretary is responsible for ensuring the performance of administrative actions required by the Chairman of the PSOA, the investigator, Disciplinary Panels or Appeal Panels.
“Tribunal” means any Tribunal, or other judicial body set up by Statute.

In these regulations unless the context otherwise requires:

(a) expressions used to denote persons include a firm, a body corporate as well as an individual;
(b) a reference to the singular includes the plural and words in the plural number include the singular;
(c) words importing a gender include every other gender;
(d) where any person occupying a particular office or position is referred to, the reference shall include all persons who, at the relevant time, are occupying and performing the duties of the said office or position;
(e) where a provision of the regulations provides that a person or body may do a particular thing, the act or thing may be done at the discretion of, or delegated by the person or body.
THE PROFESSIONAL SURVEYORS’ OCCUPATIONAL ASSOCIATION NSW INC

(PSOA)

ATTACHMENT D

CODE OF ETHICS

**Ethics** are rules of conduct based on honesty, justice and courtesy. To merit the trust of the community, the respect of colleagues and the support of the PSOA, members are required to comply with the *Code of Ethics*.

1. Members’ responsibility for the welfare and rights of the community shall come before their responsibility to the profession of surveying, to sectional or private interests or to other surveyors.

2. A member shall uphold the standards, the honour and the dignity of the profession and shall conform to the Institution’s decisions on questions of ethics and conduct.

3. Members shall accept full responsibility for professional advice and work performed and shall discharge their duties with integrity to their clients and employers and shall be scrupulous in the use of their employer’s property and services.

4. Members shall not undertake professional responsibilities beyond their competence or authority nor allow their subordinates to do so.

5. Members shall endeavour to advance the science and practice of surveying and the objects of the Institution and shall continue their professional development throughout their career and encourage the development of their subordinates.

6. Members shall not reveal facts, data or information obtained in a professional capacity, which are personally identifiable, without the prior consent of the client or employer except as required by law.

7. Members when acting as a consultant or holding public office shall perform their duties impartially without fear or favour.

8. Where a member has any material, pecuniary or other interest that would lead to a reasonable apprehension that the Member may be biased in the conduct of an aspect of their professional role, they:
   
   a. must disclose the facts and circumstances to the Chairman of the PSOA as soon as possible; and

   b. must not participate in the conduct of that aspect unless the Chairman of the PSOA provides written advice that he is satisfied that in all circumstances it is appropriate that the Member should continue in the given aspect of their professional role.
9. Members shall build their reputation on merit and shall refrain from any form of unfair competition including:

- Using a professional designation to which they have no entitlement.
- Offering inducements to secure work or advancement.
- Seeking to supplant another surveyor who has been appointed.
- Neglecting to comply with provisions of rules or regulations governing the practice of surveying.
- Accepting a fee which would preclude them from providing adequate and appropriate professional service.
- Advertising in a fraudulent or misleading manner or in any other way not in the public interest.