

Accredited Professionals Policy

Council Policy

Policy Reference Number	ECM 6356295
Responsible Department	Infrastructure, Planning and Sustainability Services
Related Policies	
Related Procedures	Council Assessment Panel Meeting Procedures Assessment Panel Review of Decisions of Assessment Manager
Date of Initial Adoption	7 July 2020
Last Reviewed by Council	16 May 2023

1. Purpose

The purpose of this Policy is to provide direction to persons appointed, engaged or employed by Council as Accredited Professionals under Section 88 of the Planning, Development and Infrastructure Act 2016 and Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019.

2. Introduction

This Policy provides the framework for Accredited Professionals to ensure that they have and maintain the appropriate accreditation class to perform their role or function for Council.

The Policy is intended to commence on the day that the Planning and Design Code commences operation for Council.

3. Power to Make the Policy

Council is empowered to make this Policy to facilitate its obligations in accordance with Section 88 of the Planning, Development and Infrastructure Act 2016.

4. Strategic Plan Link

This Policy has the following link to Council's Strategic Plan 2024:

- Leading our People (Goal 5)

5. Principles

Council is committed to:

- effective and compliant development assessment and approval decision making
- supporting its Employees, Contractors, Agents and Council Assessment Panel members to meet their Accreditation obligations

6. Definitions

The following definitions are applicable to this Policy.

- **Accreditation** means the steps undertaken by Accredited Professionals to gain and maintain accreditation under the Act and Regulations at the class required under the Act and Regulations for the role or function they have been employed, engaged or appointed to perform
- **Accreditation Authority** means the DTI (Department for Trade and Investment) Chief Executive
- **Accredited Professional** for the purposes of this Policy, means all:
 - employees of the Council;
 - contractors and/or agents of the Council during the course of their engagement; and
 - members of Council's Assessment Panel,who are or become accredited as accredited professionals pursuant to the scheme established under Section 88 of the Planning, Development and Infrastructure Act 2016 and Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019.
- **Act** means the Planning, Development and Infrastructure Act 2016
- **Chief Executive Officer** means the Chief Executive Officer of Campbelltown City Council
- **Code of Conduct** means the Code of Conduct adopted by the Minister under Schedule 3 of the Act
- **Council** means Campbelltown City Council
- **Notifiable Event** means:
 - a change to the class of an Accredited Professional's Accreditation
 - the addition, substitution or deletion of a condition or limitation on an Accredited Professional's Accreditation pursuant to Regulation 17(5) of the Regulations
 - the surrender by an Accredited Professional of his or her Accreditation pursuant to Regulation 20 of the Regulations
 - the cancellation or suspension of an Accredited Professional's Accreditation pursuant to Regulation 21(1) of the Regulations or Regulation 93A of the Development Regulations 2008

- the provision of notice to an Accredited Professional by the accreditation authority of a proposal to suspend or cancel the Accredited Professional's Accreditation pursuant to Regulation 22(1) of the Regulations
 - the provision of a final report by a qualified auditor pursuant to Regulation 27(13) of the Regulations, where a copy of the report is provided to the Accredited Professional
 - any action taken by the accreditation authority (including giving directions to an Accredited Professional) pursuant to Regulation 27(14), (15) or (16) of the Regulations
 - the provision of notice to an Accredited Professional of a decision by the accreditation authority to investigate a complaint made against the Accredited Professional under Regulation 28 of the Regulations which relates to an act or omission of the Accredited Professional in the course of their employment with, or engagement or appointment by, the Council
 - the provision of a final report of an investigator to the accreditation authority pursuant to Regulation 28(11)(b) of the Regulations, or the outcome of any process that the accreditation authority has adopted to investigate a complaint made against an Accredited Professional pursuant to Regulation 28 of the Regulations
 - any action taken by the accreditation authority against an Accredited Professional pursuant to Regulation 28(13) of the Regulations following the investigation of a complaint
 - any decision made by SACAT (the South Australian Civil and Administrative Tribunal) or any South Australian Court in relation to an Accredited Professional's Accreditation
 - a finding of guilt for an offence against the Act or the Repealed Act
 - a finding of guilt for an offence against any regulations under the Act or the Repealed Act, including the Regulations.
- **Planning and Design Code** means the Code established by Section 65 of the Act
 - **Regulations** mean the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019
 - **Repealed Act** means the Development Act 1993

Clauses 7.1 and 7.2 of this Policy apply only to Accredited Professionals who require accreditation in order to carry out the functions and/or duties associated with their employment with, or engagement or appointment by, the Council.

7. Policy

7.1 Responsibilities of Accredited Professionals

- 7.1.1 All Accredited Professionals must take all steps necessary to gain and maintain Accreditation including:
- applying for the continuation of their Accreditation annually as required under the Act and Regulations; and
 - ensuring they fulfil all requirements of continuing professional development under the Regulations; and
 - acting in accordance with the Accredited Professionals Scheme Code of Conduct when carrying out their functions and duties as an accredited professional.

7.2. Obligations of Accredited Professionals

- 7.2.1 An Accredited Professional must, within 5 business days of the occurrence of any of the following events:
- the commencement of this Policy;
 - becoming registered as an Accredited Professional by the accreditation authority;
 - commencing employment with the Council;
 - being engaged by the Council to act as, or provide advice to the Council in the person's capacity as, an Accredited Professional; or
 - accepting an appointment to the Council Assessment Panel,
- provide a copy of his or her Accreditation to the Chief Executive Officer, including any conditions or limitations imposed on the Accreditation by the accreditation authority, unless the Accreditation has already been provided to the Council (for example, during the recruitment process).
- 7.2.2 An Accredited Professional must, within 5 business days of receiving confirmation of the renewal of his or her Accreditation, provide a copy of the renewal to the Chief Executive Officer.
- 7.2.3 An Accredited Professional must, within 5 business days of the occurrence of a Notifiable Event, provide to the Chief Executive Officer written notification of the Notifiable Event and a copy of any correspondence or other documentation (including electronic) received from the accreditation authority in relation to the Notifiable Event.
- 7.2.4 The Chief Executive Officer may take such action as is reasonable and appropriate in relation to:

- the failure of an Accredited Professional to comply with Clauses 7.2.1 to 7.2.3 of this Policy; or
- written notification from an Accredited Professional of a Notifiable Event.

8. Review & Evaluation

Within six months of each new Council term, Council will review this policy. Following this initial review, this policy will be reviewed annually by Employees with minor administrative adjustments being approved by the Chief Executive Officer.

9. Availability of the Policy

Copies of this Policy will be available at Council's principal office during ordinary business hours and at Council's website www.campbelltown.sa.gov.au.