

## Amendments to the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*

Reg	Amendment	What this means?
3	Consequential amendment – see reg 10 below.	This will mean that the accreditation authority is also able to refuse an application for accreditation where they have breached another Act of Parliament in the performance of their duty (for example, the <i>Building Work Contractors Act 1995</i> ) or a similar Act of another State.
4	Meeting the qualification, experience and skills requirements for accreditation at Planning Level 1 would satisfy the requirements for all other levels of planning accreditation. As such, this amendment provides that a person accredited as a Planning Level 1 may undertake the functions of a Planning Level 2, 3 or 4.	This will mean that anyone with Planning Level 1 accreditation can undertake or perform the functions of a Planning Level 2, 3 & 4 without the need to lodge any further applications.
5	Prescribe that a person accredited as a Planning Level 3 is also able to perform the functions of a Planning Level 2.	This will mean that anyone with Planning Level 3 accreditation can undertake or perform the functions of a Planning Level 2 without the need to lodge any further applications.
6	Remove the requirements for applications to vary a condition to be in the 'approved form'.	This amendment makes it simpler and more accessible for accredited professionals to apply for a variation to a condition on their accreditation.
7	Consequential amendment – see reg 9 below.	
8(1)	Consequential amendment – see reg 9 below.	
8(2)	Requires a renewal application to be lodged at least 14 days before the expiration of the accreditation (was previously 28 days).	This means an accredited professional can lodge a renewal application 14 days out from the expiry of their accreditation, which provides an extra 14 days to renew when compared to the current requirements.
8(3)	Consequential amendment – see reg 8(4) below.	
8(4)	Allows the expiry date of accreditations under the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i> to be aligned with accreditations issued by other professional associations.	An accredited professional will be able to apply to the Accreditation Authority when they renew their accreditation to change their anniversary date to a date that is earlier than what would otherwise be their next anniversary date. In doing so, an accredited professional may need to liaise with the Accreditation Authority regarding Continuing Professional Development (CPD) requirements.



Reg	Amendment	What this means?
8(5)	The Accreditation Authority must determine a renewal application, and this amendment provides an express provision to allow an application to be granted or refused if it is deficient.	This amendment makes it clear that the Accreditation Authority has the ability to either approve or refuse a renewal application and where it is refused, required reasons to be provided.
9	A new provision that allows the Accreditation Authority to extend an accreditation for three months due to extenuating circumstances.	An accredited professional may apply in writing to the Accreditation Authority to have their accreditation extended for three months in certain circumstances. Where an extension is approved, this will also provide an additional three months for the accredited professional to complete CPD.
10	Extend the grounds for suspension or cancellation to circumstances where an accredited professional has acted unlawfully or breached another Act in the performance of their duty as an accredited professional.	This means that an accredited professional may have their accreditation suspended or cancelled where they have breached another Act of Parliament in the performance of their duty (for example, the <i>Building Work Contractors Act 1995</i> ) or a similar Act of another State.
11(1)	The public register is currently required to contain information on each accredited professional's qualifications and experience. However, this information is unknown to those accredited through the <i>Mutual Recognition Act 1992</i> , so the requirement has been removed.	Details regarding an accredited professional's qualifications and experience will no longer appear on the register of accredited professionals.
11(2)	Make it clear that an accredited professional should be removed from the public register when their accreditation ceases.	The details of an accredited professional will only appear on the register while they remain accredited.
12(1)	Amend reg 25(2) so that the CPD period is the 12 months before the expiry date of the accreditation, not the 12 months preceding the renewal application	This means the period in which an accreditation professional will need to complete their CPD is the 12 months preceding the anniversary date of their accreditation, and not the 12 months preceding the date of their renewal application.
12(2)	<p>Consequential amendment - see reg 9.</p> <p>Where CPD periods do overlap going forward (as a result of an extension being granted) it has been clarified that CPD completed during this period can only be counted towards one CPD period.</p> <p>As part of this consequential amendment, it has also been clarified that completed CPD may be counted towards multiple accreditations held by one person.</p>	<p>This means that where an accredited professional undertakes CPD during a three-month extension period, that CPD can only be counted towards one CPD period.</p> <p>It will also mean that a person accredited as Planning Level 2 <b>and</b> Planning Level 1, 3, 4 or Surveyor will no longer be required to complete 30 CPD units.</p>



Reg	Amendment	What this means?
13	An accredited professional must refrain from performing the functions of an accredited professional in relation to a development where they are employed by the body undertaking that development. Under reg 30(2), State Government employees are exempt from this prohibition, and this has been extended to planning and building officers working for a local council.	This means accredited professionals working in a local council can assess any development that the council itself undertakes (and is the applicant).
14	Amend sch 1 cl 3 to require a Planning Level 2 to undertake 4 units of CPD (one for each competency).	If an accredited professional is only accredited as a Planning Level 2, they will only have to complete 4 units of CPD (one for each competency) rather than 10 units.
	Amend cls 2 and 4 of sch 1 to only require 1 unit of ethics (rather than 2) to be completed.	Planning and building accredited professionals will only be required to undertake 1 CPD unit of ethics for each CPD period.
	Remove the requirement for Planning Level 3, 4 and Surveyors to undertake CPD in 'performance-based planning' (but keep the required amount at 20 units).	Planning Level 3, 4 and Surveyors will no longer have to undertake CPD in the professional competency 'performance-based planning', as they only assess 'deemed-to-satisfy' planning applications.
	Remove the requirement for Building Level 4 to undertake CPD in decision making in development assessment (but keep the required amount at 10 units).	Building Level 4 accredited professionals will no longer have to undertake CPD in the professional competency 'decision making in development assessment', as they only perform inspections.
Sch 1	Consequential transitional amendments – see regs 14 and 12(1) above.	<p>This will mean that any application for renewal that is yet to be determined when the amendments commence will be assessed against the new CPD requirements.</p> <p>The second will mean that any CPD completed before an accredited professional's previous anniversary date will still be able to be counted towards their next renewal. For example, if the relevant anniversary date is 1 July 2023 and the accredited professional applies for continuation on 1 June 2023, CPD units completed from 1 June 2022 to 31 May 2023 may be counted. However, under the change in reg 10(1), only count CPD units completed from 1 July 2022 to 30 June 2023 may be counted (and CPD units completed in June 2022 could not be counted).</p>

