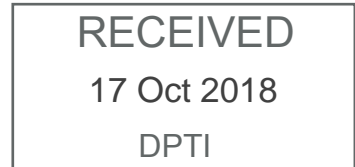


Wednesday, 24 October 2018

Communications and Engagement Team
Planning and Development
Development Division
Department of Planning, Transport and Infrastructure
E dpti.planningengagement@sa.gov.au



Dear Communications and Engagement Team

RE: Responses from SSSI-SA Land Surveying Committee

Thank you for the opportunity to provide feedback to the documents currently open for consultation, as follows; Draft Accredited Professionals Scheme; Assessment Pathways – assessing development; Performance Indicators – monitoring development.

The response to these documents from the Surveying & Spatial Sciences Institute SA Land Surveying Committee is provided below.

Performance Indicators - Monitoring Development

The SSSI-SA Land Surveying Committee are encouraged by the proposed measures of transparency in decision making and processes. We would particularly like to encourage the spatially enabled results to allow geographical comparisons of approvals and applications.

Assessment Pathways

Our main comments about this document are as follows:

- Why are land divisions excluded from “deemed consents” where the assessment body fails to meet time frames?
- What is the pathway for deemed to satisfy land divisions?
- We support the concurrent assessments of different consents so that the land division and planning consents are not dependent on each other.
- Could we have some clarification on what is currently defined as Major and minor land divisions, and how they will be defined in the new legislation. Complex divisions including new roads and significant infrastructure still will need a greater level of detail provided at the application stage.
- We feel Community Divisions have been too simplistically handled since their inception. Leaving them all bundled with traditional Torrens Title Division applications may not be the most appropriate approach. We have found that there is often a lack of suitable governance/oversight between the Land Use and Ownership. Once an application is approved, there are many examples where future purchasers are caught out because of a lack of obvious lines of responsibility once the initial developer has gone. We would be happy to discuss his further.

Accredited Professionals Scheme

The SSSI – SA Land Surveying Commission has been following this Scheme with much interest and has responded to previous calls for comment. Now that there has been some more detail and specifics added to the concept we have a few comments and areas of input.

1. From our verbal conversations, the need to have Surveyors involved is supported and encouraged. While it is seen that Surveyors and in particular Licensed Surveyors should have the opportunity to apply for greater Accreditation levels, the SSSI has its main focus on the Level 4 Deemed to Satisfy land divisions. We would perhaps like to see a little more clearly how this fits in with the Level 4 Planning accreditation level discussed in the document. And as subsequent comment, we would like to have a greater acknowledgement of Industry Experience (specifically in Land Division applications) in some of the Key technical skills required to be accredited.
2. The SSSI -SA had proposed to be a 'Quasi' or accepted Certification body for Licensed Surveyors to be Accredited under Level 4 Deem to Satisfy Land Divisions. We have prepared a draft Certification document attached which represents a possible structure that we propose in this certification process.
3. The Accreditation Authority is the Chief Executive. There is no detail on the structure of an assessment panel, if there is to be one, who will assess the applications.
4. There are no details on the rights of appeal process if in accreditation, an applicant is refused by the accrediting authority.
5. There is no mention of how industry schemes will interact with the accreditation process or the renewal and CPD requirements.
6. If an industry scheme has recognised certification levels, will this certification provide automatic certification at the equivalent levels as an accredited professional?
7. We strongly feel that Licensed Surveyors need to be included in the "Related Field" for Level 2 Assessment Panel Members.
8. The qualification requirements for all four levels of accredited planning professionals require a "relevant planning qualification". The relevant planning qualifications listed in the draft regulations are all at a bachelor or master's level of university education. It does not seem viable that there will be a pool of people with this level of education in South Australia who will be able to fulfil the number of accredited professionals required at each level.
9. The "Recognised equivalent schemes" mention a requirement to hold a "planning or planning related tertiary qualification" there is no detail of what will be recognised as a planning related qualification. We recommend that examples of planning equivalent qualifications should be specified for each level and recommend that a Bachelor or Surveying be recognised as a planning equivalent qualification for a Level 4 accredited planning professional.
10. The overall feel of the document does not give us the comfort that the principal of having a broad base of Industry assessors is being encouraged at all.

11. Other possible additional technical skills/competencies that could be added to list of required skills based on industry experience.
- a. Active involvement in planning applications for Land Divisions, minimum 5 years' experience;
 - b. investigation of zoning and land use by application of the Planning Code;
 - c. evaluation of environmental issues;
 - d. preparation of land division proposal plans in accordance with the PDI Act;
 - e. procedures for processing development applications;
 - f. understanding of the development process, including the determination of the relevant authority and the expected timeframes for approvals;
 - g. reports required by the relevant authority;
 - h. the referral process and liaison with authorities and government agencies;
 - i. application of land management agreements;
 - j. an understanding of the operation of the electronic Land Division Application System for South Australia
 - k. Knowledge of land title administration in SA being familiar with the following Acts and the regulations thereto:
 - i. Planning, Development and Infrastructure Act 2016
 - ii. Roads (Opening & Closing) Act 1991
 - iii. Real Property Act 1886
 - iv. Crown Lands Act 1929
 - v. Fences Act 1975
 - vi. Community Titles Act 1996
 - vii. Survey Act 1992
 - viii. Survey Regulations 2007

Thank you, and we look forward to the continuing conversation to help create better planning outcomes.

Kind regards

A handwritten signature in black ink, appearing to read 'Michael Grear', is written over a light blue horizontal line.

Michael Grear
Chair, SSSI-SA Land Surveying Committee

SSSI CERTIFICATION

MINOR LAND DIVISION ASSESSOR SA

INTRODUCTION

Specialist certification in minor land division assessment is the official recognition that an individual possesses the necessary knowledge to assess minor land divisions as complying with applicable legislation, planning policies and local and state government requirements along with the demonstrated ability to apply that knowledge to assess proposed minor land divisions as being suitable and compliant.

Applicants are assessed by a panel and are required to provide verified evidence of their post-qualification experience supporting their skills in defined competencies. Collectively, an individual's qualifications and experience are essential components of the minor land division assessment certification process. Applicants who are Licensed Surveyors registered with the Surveyor's Board of South Australia are deemed to have the requisite qualifications.

Certification will confer eligibility for membership of the SSSI, with notation as a Certified Minor Land Division Assessor and inclusion on the SSSI List of Certified Professionals.

The SSSI Certification Program is available to SSSI members and non-members. Each applicant must satisfy the requirements set out by that level of SSSI Certification.

Certification in this category will align with the competency requirements to be accredited as a Land Division Accredited Professional under the Planning, Development and Infrastructure Act 2016.

To retain certification the individual must demonstrate a commitment to Continuing Professional Development (CPD) by meeting the requirement of yearly CPD points

as detailed for SSSI members which will include a minimum of 6 CPD points relevant to land division assessment. CPD is required every year post initial certification. Further details of the CPD requirements are found in the SSSI Continuing Professional Development Policy. CPD will be assessed annually by the assessment panel.

Failure of to commit to CPD may result in the removal of the individual's name from the SSSI List of Certified Professionals. To regain certification subsequent to being removed from the List, it will be necessary for an individual to re- apply for certification providing the submission of documentation providing evidence that skills in the competency levels have been retained since the individual's certification lapsed.

ASSESSMENT PANEL

Assessment will be undertaken by a SSSI assessment panel. The panel will be comprised of a chairperson, two members of the SSSI land survey committee and an independent member with a planning background who is an accredited professional in the category of Assessment Panel Member under the PDI Act.

The chairperson will not form part of the assessment process but will be responsible for managing the panel and the assessment process.

ASSESSMENT APPEALS

If an applicant has been denied certification, they may appeal to the Chair of the assessment panel for the application to be reconsidered.

If an applicant is not satisfied with the outcome they may appeal to the national chairman of the SSSI land survey commission whose decision will be final.

ASSESSMENT PROCESS

Applicants must complete the required application form along with the required documentation and fee.

Applicants are required to submit :

- A Logbook of Practical Experience (Logbook) detailing their work experience in the format prescribed. This logbook must contain sufficient detail for the assessment panel to assess their land division experience and competencies.
- A minimum of two references are required. These should be from the applicant's most recent supervisors, or clients who are familiar with the applicant's technical work experience. Applicants must provide a copy of their Logbook to their referees for comment and verification. Referees must complete the Referee's Report and return it directly to the assessment panel.
- Examples of two land division assessments undertaken by the applicant with evidence of the assessment process undertaken and the criteria against which the land division was assessed. One of the applications will be for a non-complying land division.
- Individuals must submit proof of their registration as a Licensed Surveyor.

COMPETANCIES

Applicants are expected to demonstrate their competency in :

- the practical application of the planning process for land development including
 - investigation of zoning and land use by application of the Planning Code;
 - evaluation of environmental issues;
 - preparation of land division proposal plans in accordance with the PDI Act;
 - procedures for processing development applications;
 - understanding of the development process, including the determination of the relevant authority and the expected timeframes for approvals;
 - reports required by the relevant authority;

- the referral process and liaison with authorities and government agencies;
 - issuing of the Certificate in respect to the division of land;
 - application of land management agreements;
 - an understanding of the operation of the electronic Land Division Application System for South Australia
- Knowledge of land title administration in SA being familiar with the following Acts and the regulations thereto:
 - Roads (Opening & Closing) Act 1991
 - Real Property Act 1886
 - Crown Lands Act 1929
 - Fences Act 1975
 - Community Titles Act 1996
 - Survey Act 1992
 - Survey Regulations 2007
- A thorough understanding of Planning and Development administration in SA being familiar with the following Acts and the regulations thereto:
 - Development Act 1993
 - Planning, Development and Infrastructure Act 2006
 - Local Government Act 1999
- Knowledge of legislation, policies, codes and rules affecting land development including:
 - Building Code of Australia
 - Water Industry Act 2012
 - Requirements of water and waste water authorities within SA
 - Electricity Act 1996
 - Requirements of Electricity providers
 - The role of the Office of Technical Regulator
- A thorough knowledge of the Professional Conduct:

- Code of conduct
- Ethics
- Professional standards
- Continued Professional Development requirements
- Complaints procedures
- Investigation
- Disciplinary procedures