



Tasmanian
Government

Occupational Licensing (Building Services Work - Permit Authority) Amendment Determination 2018

I, Dale Edward Webster, in my capacity as Administrator of Occupational Licensing, acting pursuant to sections 27 and 31 of the *Occupational Licensing Act 2005*, amend the Occupational Licensing (Building Services Work) Determination 2017.

Determination title	Occupational Licensing (Building Services Work - Permit Authority) Amendment Determination 2018
Description	This Determination amends the Occupational Licensing (Building Services Work) Determination 2017 by specifying additional licensing requirements for the Category of Permit Authority, including mandatory qualifications that applicants and existing licence holders must have attained by 1 January 2019.
Version	Amendment of principal Determination, number 1.0
Application	This amendment of the Occupational Licensing (Building Services Work) Determination 2017 applies from the date of its Gazettal until: - <ul style="list-style-type: none">• its revocation, or• revocation of the principal Determination.
Date of Administrator's approval	13/12/2018
Date of Gazettal	2 January 2019

Dale Edward Webster

Administrator of Occupational Licensing
Consumer, Building and Occupational Services
Department of Justice

Document Development History

Version	Application Date	Sections amended
1.0	2 January 2019	Provisions of the Occupational Licensing (Building Services Work) Determination, dated 1 February 2017, relating to Permit Authorities were amended.

Additional licensing requirements for the Category of Permit Authority:

Category	Permit Authority
<p>Scope of work: (Standard requirements)</p>	<p>The licence allows the holder to perform all the statutory functions of a Permit Authority as provided for in the <i>Building Act 2016</i>, in particular Division 2 of Part 1, and the duties of a council under s.41 of that Act, including:</p> <ul style="list-style-type: none"> • Providing authorisations or approvals to perform building work, demolition work or plumbing work, on premises, buildings, structures or plumbing installations; and • Inspection, testing, assessment or certification of premises, buildings, building work, demolition work, plumbing work or plumbing installations; and • All associated functions necessary to regulate that work or ensure its compliance with the Building Act. <p>Note 1: For clarification, a Permit Authority's scope of work does not include those statutory functions that are normally within the scope of a licensed building surveyor.</p> <p>Note 2: If requested to do so, or where appropriate, the Administrator may conditionally licence a person to perform the functions of a permit authority only in relation to;</p> <ul style="list-style-type: none"> • plumbing work; or • building or demolition work; or • specific Classes or types of buildings.
<p>Licence restrictions/ conditions applicable</p>	<ol style="list-style-type: none"> 1. At all times, licensees must remain employed by a municipal council while performing the functions of a permit authority. 2. Licence holders must notify the Administrator upon a change to, or the cessation, of their: <ul style="list-style-type: none"> • employment by a council; or • appointment by a council as a permit authority. <p>Note 3: Councils may appoint more than one person to perform the functions of a permit authority within their municipality.</p> <p>Note 4: A licensed permit authority may perform their functions on behalf of more than one municipal council on the terms as agreed by the relevant general managers of those councils.</p>

New application requirements for this Category	
Licence pre-requisite	<ul style="list-style-type: none"> • Applicants must have been appointed by the general manager of a council under s.24 of the <i>Building Act 2016</i> as a permit authority and have evidence of such an appointment. • For this licence category, the Administrator will only accept an application from a natural person under section 37A and will not grant this licence to an entity under s.37C of the Act.
Minimum qualifications completed (all new applicants)	<p>Note 1: Application of the following qualification clause is mandatory from January 2019:</p> <ol style="list-style-type: none"> 1. Certificate IV in Government Investigations (Regulatory Compliance); or 2. Certificate IV in Government (Statutory Compliance); or 3. A qualification equivalent to the minimum qualification in clauses (1) or (2) above, including any one of the following: - <ul style="list-style-type: none"> ○ Planning qualifications: <ul style="list-style-type: none"> ▪ Certificate IV in Local Government (Planning) ▪ Diploma of Local Government (Planning) ▪ Graduate Diploma of Planning ○ Building surveying qualifications: <ul style="list-style-type: none"> ▪ Advanced Diploma of Building Surveying ▪ Graduate Diploma of Building Surveying ▪ Diploma of Building Surveying ▪ Associate Diploma of Building Surveying ▪ Are, or have been, accredited or licensed in Tasmania as a Building Surveyor or a Building Surveyor Limited ▪ Accreditation by the AIBS under their accreditation scheme as a Building Surveyor, Building Surveyor Limited, or Assistant Building Surveyor; ○ Local government qualifications: <ul style="list-style-type: none"> ▪ Certificate IV qualifications in Local Government: <ul style="list-style-type: none"> • Regulatory Services • Local Government Administration • Governance and Administration; ▪ Graduate Certificate in Local Government Management ▪ Diploma in Local Government Management; ○ Environmental Health qualifications:

	<ul style="list-style-type: none"> ▪ Has been appointed by the council General Manager as an Environmental Health Officer (EHO) and has performed that role for at least one year; or ▪ Is no longer appointed, but has previously performed the statutory EHO role for a council for at least one year; or ▪ Holds qualifications, as approved by Director of Health, to be appointed by a General Manager as an EHO, and has worked for a council in an allied environmental health or plumbing inspection role for at least two years; <ul style="list-style-type: none"> ○ A bachelor degree or a graduate diploma in: <ul style="list-style-type: none"> ▪ Law, public administration or similar disciplines. <p>Note 2: the Administrator has a discretion to accept an application from a person appointed by a council general manager under s.24, who does not hold one the minimum qualifications specified in (1) or (2) above, but who has a mix of qualifications and experience that together are deemed equivalent skills sets.</p>
Experience (all new applicants)	<ul style="list-style-type: none"> • None specified.
Insurance	<ul style="list-style-type: none"> • Professional Indemnity insurance
Licence application fee	<ul style="list-style-type: none"> • An applicant is to pay the fee(s) as prescribed in the regulations made under the Act
Obligations of every licensee after a licence has been granted:	
Continuing Professional Development	<ul style="list-style-type: none"> • 12 points minimum per year.
Code of Practice	<ul style="list-style-type: none"> • To observe or apply all relevant Codes.
Licence Fees (Ongoing)	<ul style="list-style-type: none"> • To be paid at the prescribed rate as per the Regulations
Insurance (Ongoing)	<ul style="list-style-type: none"> • Professional Indemnity insurance
Any other conditions/ requirements applicable to licensees	<ul style="list-style-type: none"> • Applicants who have started not yet fully completed the Certificate IV in Government (Statutory) Compliance course may be licensed on condition of their completion of that course (or a similar course) within a specified period.