



September 2023

South Australian Registration of Engineers

**SUBMISSION TO CONSUMER AND BUSINESS
SERVICES SOUTH AUSTRALIA DISCUSSION
PAPER**

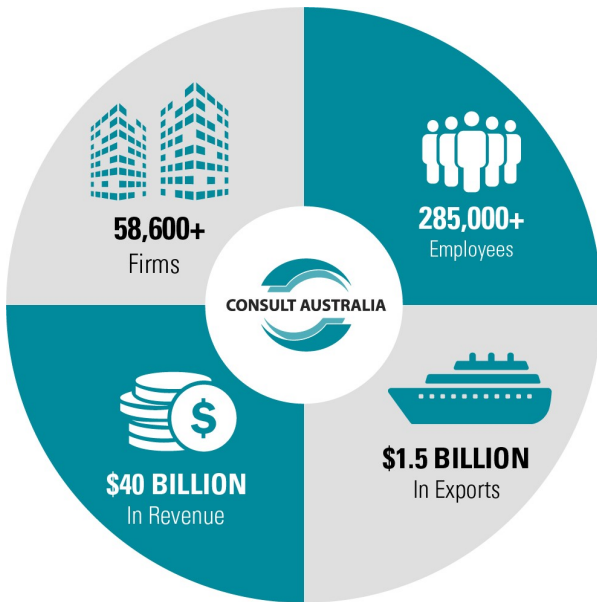
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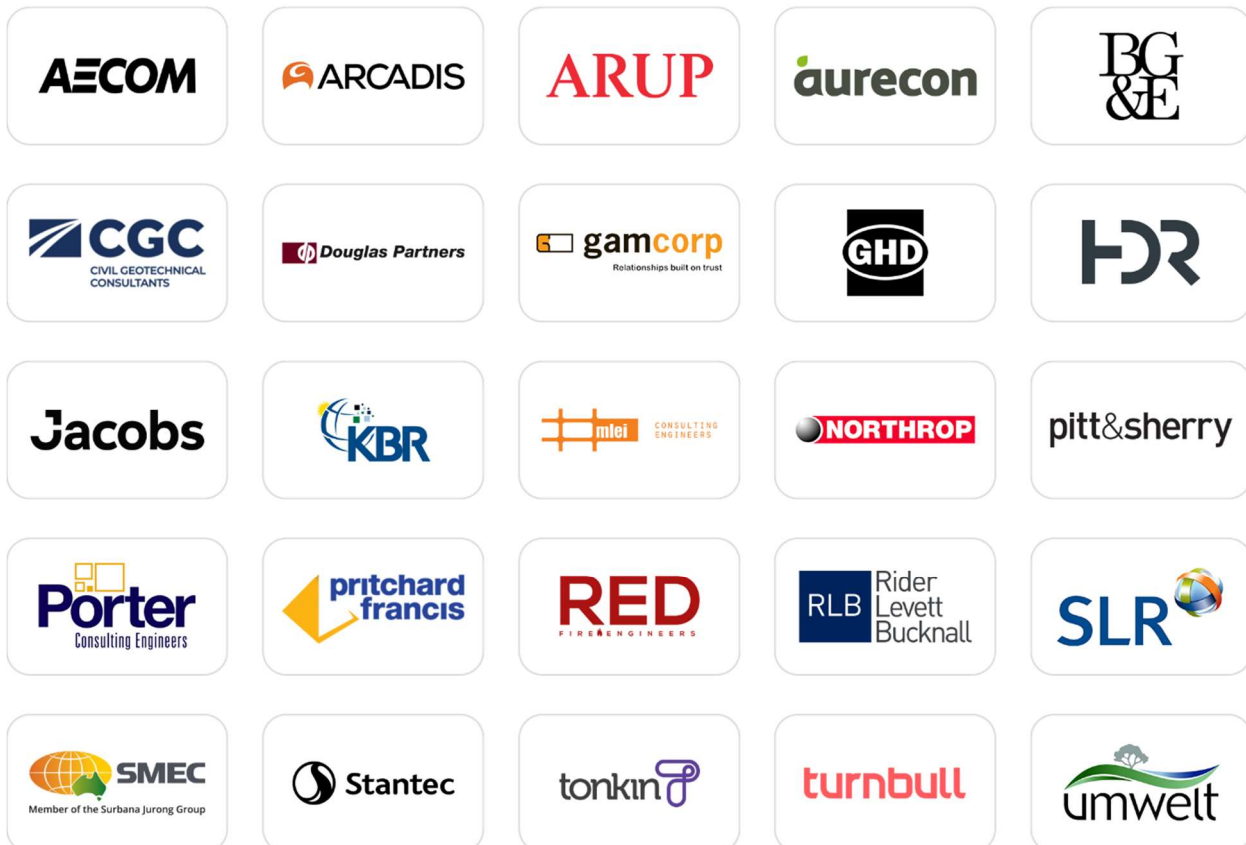
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ABOUT US

Consult Australia is the industry association representing design, advisory and engineering consulting businesses, an industry comprised of over 58,600 businesses across Australia. This includes some of Australia's top 500 companies and many small businesses. Our members provide deep technical solutions for individual consumers through to major companies in the private sector and across all tiers of government. Our industry directly employs over 285,000 people in architectural, engineering and technical services and many more in advisory and business support. It is also a job creator for the Australian economy, the services we provide unlock many more jobs across the construction industry and the broader community.



Our members include:



A full membership list is available at: <https://www.consultaustralia.com.au/home/about-us/members>

Executive summary

Consult Australia welcomes the opportunity to respond to the letter from the Minister for Consumer and Business Affairs on 11 August and the South Australian Consumer and Business Services Discussion Paper released in August on the proposed scheme for engineering registration in South Australia.

Following our participation in the South Australian government's roundtable on 29 May 2023, we provided a submission on 17 July to Consumer and Business Affairs outlining our position on several matters raised in the Government's Discussion Paper.

For completeness, this submission contains the same high-level points as outlined in our submission of 17 July with new additional comments and suggestions by our members.

We have previously expressed concerns with the introduction of jurisdiction-by-jurisdiction government registration schemes across Australia in the absence of fully effective automatic mutual registration, because of the administrative and financial burdens on businesses whose engineering staff work on projects across state and territory borders. The first section of our submission addresses this aspect which we understand requires not only South Australia's buy-in but every state and territory as well as the Federal Government.

The rest of the submission outlines the aspects of the proposed South Australian framework we support and those where we see potential issues or opportunities for improvement. We have prepared this submission in consultation with our member businesses who operate locally, across Australia and the world, and who represent the full spectrum of business types from sole traders, up to large multinationals. The experience of members we can draw on is extensive and we trust this will assist the government in its implementation of the proposed registration scheme.

Our submission covers the following elements:

- engineering disciplines
- continuing professional development (CPD)
- fees
- date of implementation
- building and construction sector considerations.

We would be pleased to provide further context and background as needed and propose a meeting with our members and Consumer and Business Affairs to work through some of our comments and suggestions.

We look forward to continuing to work with the South Australian Government as the registration scheme is developed.



Matthew Williams, State Manger, Consult Australia

NATIONAL REGISTRATION

Consult Australia continues to advocate for harmonised national registration that enables design consultants to access work across inter-state jurisdictions without facing the administrative and financial burdens of different application processes and fees. Design consultants from small businesses through to global operate cross-jurisdictionally. Therefore, inconsistencies in registration schemes pose a significant barrier to productivity in the built and natural environment.

Significant occupational mobility is needed to enable businesses to deliver the vast range of projects in different parts of the country for different clients, whether it be Department of Defence, state/territory governments or local councils. Therefore, to maintain registration of their staff, ready for deployment on projects in various locations, the registration costs are significant for businesses.

We understand national registration is a topic outside of the South Australian Registration of Engineers consultation, however, it is an area we believe could gain greater traction with the support of the South Australian Government. We include our comments here to put the proposed South Australian registration scheme in its broader context and highlight areas of business concern that could be alleviated with a collaborative whole of government approach.

To quote one of our members who reviewed the Discussion Paper,

With each state requiring registration, there is a significant time and cost burden associated with upkeep of multi-state registrations. We are in favour of a "national" registration process with a single federal body which the state jurisdictions can interface with as required.

Financial and administrative burdens

If a business has a qualified engineer in Australia that works on projects across Qld, NSW and Vic they need to spend approximately \$858.63 in initial registration fees, and approximately \$829.36 in renewal costs. The new SA registration costs would be added to this if that practitioner also worked on a SA project. Further, the administrative burden from this 'multiple fee, multiple registration' arrangement should not be ignored.

Mutual recognition has not been effective

When recent amendments to the *Mutual Recognition Act 1992* (Cth) were proposed, Consult Australia was supportive of the mutual registration elements. Unfortunately, the implementation of the Act has not resulted in a fully effective mutual registration system because of the flaws in the definition of 'home state'. The definition focusses on the state in which a person has their principal place of residence or principal place of work. The drafting assumes that a person's initial registration will be in the state that is also their 'home state', which is not always the case.

For example, we will have many engineers living and working in South Australia who are already registered in Queensland – the jurisdiction which has had professional engineering registration for the longest time. It is also possible that engineers working on South Australia projects will be registered in Victoria and/or NSW as professional engineers given the recent introduction of government registration schemes there. Using the 'home state' definition these practitioners will not benefit from automatic mutual recognition because their 'home state' is South Australia. This is the case even if South Australia introduces a scheme that is identical to any of the other jurisdictions.

From Consult Australia's perspective, restrictions on the movement of skills across Australia through 'multiple fees, multiple registration' arrangements are a key market capacity constraint. Given the engineering skills shortages across Australia, we recommend the SA government advocate with its federal and state/territory counterparts for amendment to the 'home state' definition to recognise a practitioner's first registration as the principal place of residence or work.

COMMENTS ON THE SOUTH AUSTRALIAN SCHEME

Engineering disciplines

We understand the proposed categories of engineering registration are:

- civil engineering
- structural engineering
- hydraulic
- mechanical engineering
- geotechnical engineering
- fire safety.

We would like to further unpack the reasoning behind the choice of 'hydraulic' as a category. Our members and Consult Australia have already provided feedback that this qualification is not available as a standalone. Generally, engineers working on hydraulics are those with a mechanical engineering qualification. Therefore, we recommend removal of hydraulic as a standalone discipline.

Hydraulic Engineering is a subset of Mechanical, and we don't believe this should be a separate registration category. Note that this is not an 'area of engineering' to be registered in currently under either the RPEQ or RPEV equivalents.

Under Eligibility Criteria, we feel that CPEng through Engineers Australia (or equivalents) could be mentioned as a recognised qualification that can be used to apply for registration, rather than referencing degree type and years of experience. Our members have asked if this will be provided in the final detailed process.

Similarly, other members have observed that it is not clear if there will be a requirement for engineers to supply full details of qualifications, experience and competency – or if this information can be directly confirmed by the approved assessment entity. For example, to be a CPEng of Engineers Australia, minimum qualifications, competency and continuing professional development requirements need to be maintained. We believe that relying on advice from the approved assessment entity (rather than requiring practitioners to re-state this information) would be sufficient to demonstrate competency for a government-based scheme.

First Operative Phase of the Act - Building Work

We note that the Discussion Paper states that:

In the first operative phase of the Act, registration would only be required for people providing professional engineering services relating to "building work".

Although a couple of members raised questions about the narrow scope of "building work", we understand that Victoria commenced their scheme in a similar way and had a staggered phasing in so understand the South Australian Government's approach to follow what has worked in another jurisdiction.

CPD

We understand that the proposed scheme will incorporate CPD requirements as determined by the Commissioner for the maintenance of registration. Employees of most of our member businesses already undertake voluntary training and education to extend their knowledge and skills in the industry, often through on the job-learning and development activities. This education comes in various forms from attending external presentations, joining committees, preparing educational content such as videos or articles, attending structured learning activities in their own workplace and more. It is vital that a variety of education formats be accepted as part of the proposed CPD

under the South Australian scheme to ensure that all tiers of business from small through to large can participate in accessible and affordable learning.

We have concerns that any apportionment model that does not consider the extensive range of skills and experiences directly developed through an engineer's day-to-day work will impose both financial and administrative burdens on engineering businesses, particularly small and medium businesses where resources are finite.

Fees

We understand that the scheme is proposed to be self-funding. We welcome any opportunity to comment on the proposed fee scheme prior to its implementation.

Date of implementation and timing

It is not clear from the discussion paper when the proposed registration of engineer's scheme would take effect. We would appreciate the opportunity to be kept informed should this be determined.

It would also be useful to have some understanding of the timeframe or scope of the 'first operative phase'.

Building and construction sector considerations

As Consumer and Business Affairs are likely to be aware, the culture in every building and construction project starts at the top with the commissioner/developer of the project. They establish the priorities for the project, the extent to which time and cost is valued over other factors such as quality and sustainability (which have a significant impact on the outcomes of the project). Developers are the biggest beneficiary of the build and have the ultimate sign-off on design and construction work.

If the intent of the registration scheme is, inter alia, to improve the quality of work undertaken in buildings, it will be important for all stakeholders, including the government, to continue to work closely with developers to ensure optimal outcomes. This is not limited to developers following advice provided by Building Practitioners.