

THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON ACCREDITATION OF BUILDING PRACTITIONERS MET IN THE UNDUMBI ROOM, PARLIAMENT HOUSE, BRISBANE ON MONDAY 9 OCTOBER 2006.

Mr GEOFF MITCHELL, AUSTRALIAN INSTITUTE OF BUILDING SURVEYORS WAS CALLED AND EXAMINED.

CHAIR (Mr Harriss) - We generally choose to be fairly informal, so if you are happy with that we will use first names.

Mr MITCHELL - That is fine.

CHAIR - As this part of our deliberations we have been referred to the Queensland for accrediting or registering building practitioners as being a really good scheme. We thought that was okay to hear from some witnesses in Tasmania but we thought it was prudent to come here and make ourselves familiar with the scheme as it operates here. We have had a bit of a brainstorming session as to who we would like to hear from. We have heard from some of your colleagues in the institute in Tasmania. As the next couple of days unfold we will be hearing from the HIA, the Master Builders Association, architects and engineers. You are the first cab off the rank. We are recording the proceedings so that we can then transcribe.

Mr MITCHELL - I don't have a problem with that.

CHAIR - With that, is there any short introduction that you would like to make? We are here to gather as much information as we can. If there is any clarification you would like before we start, we are happy to answer any questions you might have.

Mr MITCHELL - As an introduction to my background, I am a past national president of the Institute of Building Surveyors. I am a practising building surveyor in private practice and have been since the introduction in Queensland. I spent 12 years in local government before that. One of the roles I had on the national executive of the institute was set up the education processes. I headed up the committee that established all the benchmarks and competencies that are now currently used as the basis for accreditation in the institute so I have had an intimate knowledge of the education requirements. I have also been on advisory panels that looked at the introduction here in Queensland. I still sit as part of the Queensland reference group from Building Codes Queensland and I also sit on the building codes committee, which is the ABCB committee that writes the Building Code of Australia. So I have a rough understanding of what building surveying does.

CHAIR - To say the least. Thank you for that. One of the issues which has confronted our committee as we have taken evidence in Tasmania is that our relatively new accreditation system ranges across everybody involved in the building industry: your profession, builders, architects, engineers. We have had some criticism shared with this committee that there are professions - the Institute of Building Surveyors being one, the architects and engineers being others - who have their own accreditation process and therefore there has been the suggestion in our State that there should not be this

all-embracing overarching body. We have got a company called the Tasmanian Compliance Corporation, which was appointed by the Government to accredit all building practitioners, not just builders.

Does your accreditation come under the Building Services Authority?

Mr MITCHELL - We are accredited by the Building Services Authority but not under the Building Services Authority Act. We are under the Building Act which establishes private certification or the certification components. The BSA has basically the authority under that act to license us, but it is a dual licensing process. To qualify for licensing you first have to be accredited by the Institute of Building Surveyors and in that respect we look at purely the education, qualifications and experience components. That is all we look at because as a profession that is what we know about. The licensing, auditing discipline is all done currently by the BSA but it is not under the BSA Act, it is under the Building Act. In that sense, yes, the BSA looks after all the trade contractors and they look after us as a professional body but only under another instrument.

CHAIR - Okay. With your own accreditation you have mentioned first of all how your institute goes about that and the issues taken into consideration. Is there a fee paid to the institute for that?

Mr MITCHELL - Yes.

CHAIR - Could you tell us what that is please?

Mr MITCHELL - Annually it is \$100-odd and you are reaccredited every three years.

CHAIR - So it is a \$100 annual fee?

Mr MITCHELL - Yes, to maintain the licence.

CHAIR - Okay, to maintain a licence. That is paid to your institute?

Mr MITCHELL - Yes.

CHAIR - And then on top of that I presume there would be a fee which you would need to pay to the BSA for them to provide the licensing?

Mr MITCHELL - It is about \$600 a year per practitioner.

CHAIR - To the BSA?

Mr MITCHELL - Yes.

CHAIR - What about if there is a practice in private operation that might have half a dozen directors?

Mr MITCHELL - We are all licensed individually. I have 23 people in my practice, four of whom require licences. That is four by \$700 a year.

CHAIR - Okay. No capacity for discounts at all through the BSA?

Mr MITCHELL - No.

Mrs SMITH - Could I qualify that? You only have four licences in your entire business. Do you have some that do some work and the four sign off on it? Is that a concept you use?

Mr MITCHELL - We have cadets because there are not enough qualified people in the market place. I have six cadets which is the only way of really breeding new people into the industry. The legislation allows them to work under supervision but they cannot sign anything. They are basically our eyes and ears. We use them a lot for inspection-type work and also assisting in the processing. Also, on top of that I have administrative staff who do not require any licensing.

Mr WILKINSON - You say you are accredited by the Institute of Building Surveyors, it would be the same with architects, engineers and surveyors - you go through a university course, you finish your course and you then go out to practice. Normally there is a year or two you have to spend out there in practice before you then can become properly accredited. Is that the same here?

Mr MITCHELL - Exactly the same. There is a national accreditation framework that was set up by the Australian Building Codes and we accredit to that framework. The idea was to get national portability of building surveying practitioners through the country.

Mr WILKINSON - Yes. So your accreditation here accredits you to work in any other State?

Mr MITCHELL - Yes - any other State that adopts those protocols which is currently South Australia, Northern Territory, ACT, the Department of Defence and Queensland.

Mr WILKINSON - It would seem to me to be a fair idea that Tasmania adopt that so that people are accredited not only within Tasmania but also the other states that you have mentioned.

Mr MITCHELL - If you hold an AIBS, an Australian Institute of Building Surveyors, accreditation at whatever level, our optimum thing is that that is recognised at any level of licensing.

Mr WILKINSON - Sure, and if you have to do some work, let us say, in South Australia, do you have to do anything at all in South Australia to go there and work?

Mr MITCHELL - Yes, you need to do a local content-specific program. That is the same if you come to Queensland - you have to do a two-day course on issuing development approvals and there is also another program basically just on our State-specific stuff. When we set up the accreditation processes that was the whole aim. With the universities all the course structures we have are generic building surveying. They do weight their assignments in the different States towards the closest legislation but the whole idea of generic accreditation is that when you go to practise in a State you then need to do your State-specific items - the idiosyncrasies in everyone's acts that you have to look at.

Mr WILKINSON - So you pay \$100 and once you do that to the licensing body, is that correct?

Mr MITCHELL - That is to the accreditation part.

Mr WILKINSON - Okay, and then over and above that you have to pay \$600 to the BSA?

Mr MITCHELL - Yes.

Mr WILKINSON - If you have to deal with a number of different areas in your surveying practice and you tender for a building but it requires a number of different disciplines within your surveying expertise, do you have to pay for each of those disciplines or just the one?

Mr MITCHELL - No. The way the system operates the building certifier, the one who is appointed, is the key person. If you do not have an expertise in some area and legislation prohibits you from practising, it is up to you to gain that advice but the building certifier is still the responsible person.

Mr WILKINSON - Like solicitors, let us say, in order to get your practising certificate you have to pay a certain amount each year and part of it is in relation to insurance as well. Each not only partner but employed solicitor pays around about \$2 400 down in Tasmania so if you have a firm of 20 you each have to pay \$2 400. Sometimes what can occur is if you do not pay that you just say, 'I'll do all the work leading up to going to court or signing the documentation' and therefore you can do it with four or five paying that \$2 400 as opposed to another 15. Is that the way people work it up here?

Mr MITCHELL - Generally most practices have key people and then you have qualified or semi-qualified people underneath you to do the legwork. Another important part of the accreditation process is to be relicensed: in the three years you must have continuing professional development and you must have evidence of continuing professional development.

Mr WILKINSON - I was going to get into that. Professional development can range over a number of different areas in order for some to obtain their points to get that professional accreditation. You might go to a meeting with Kemp and Denning who will tell you what a good job they can provide - and they have done a good job down in Tasmania over many years. Some builders might say, 'I'd rather be working on a job with a master builder. I'd be getting more professional experience doing that than I would sitting in on a meeting to tell you what certain suppliers can provide'.

Mr MITCHELL - The continuing professional development scheme the institute has is well documented and it covers different areas. You can go and get some training in an associated profession but it does not gain as many points as it does in specific training to the profession. To gain the points the training or whatever you are doing must be approved by a local CPD convenor so it is strictly controlled to make sure you are updating your skills and there is a subtle difference between CPD and working as well. It is to try to broaden horizons. I suppose from the institute perspective, that is one of the key things behind it. It really behoves the institute to provide that training and to put the training sessions together.

CHAIR - If I can just come in there on the CPD. You mentioned the local CPD convenor, is that a convenor appointed by the AIBS?

Mr MITCHELL - Yes. His role is to look at the content that is being delivered and allocate points to it.

Ms FORREST - Is the allocation primarily based on a time component?

Mr MITCHELL - Loosely, one point per hour.

Ms FORREST - And it does vary on the content perhaps?

Mr MITCHELL - Yes, if it is non-related content it does not attract as many. There are also limits on what you can do. You can only do x number of points over the three years in unrelated and you must do two-thirds basically on personal and surveying skills.

Ms FORREST - Within the components that are related, are there still categories within that, like attending conferences as opposed to doing a study course?

Mr MITCHELL - Conferences, seminars, university courses. It is all set out.

Ms FORREST - So within that structure is there still a limitation on where you can get your points? An example of that is if you go to a five-day international conference then potentially you get a number of hours and potentially a 100 points of whatever the requirement is and get it all in one hit as opposed to doing a variety of activities. Is there an expectation that you will get them from a variety of activities?

Mr MITCHELL - You have to. It is over a triennial and you can only earn a certain number of points in each of the years. Sorry, it has been changed now to over two years because we had no provisions for maternity leave and leave of absence. It has been changed recently so that you must achieve a minimum number of points over two years. So you cannot do exactly what you said: go to one conference and knock it all over in one hit. You just can't do that.

CHAIR - Is there a minimum requirement, Geoff?

Mr MITCHELL - Yes.

CHAIR - You might have mentioned it but I missed it if you did.

Mr MITCHELL - Yes, the minimum requirement is 90 points in three years.

CHAIR - So that is roughly 90 hours of some form of CPD year on year. That's to qualify for your three-year renewal?

Mr MITCHELL - That is to renew, yes.

CHAIR - And you could do that all in your last year if you wanted to?

Mr MITCHELL - No.

Ms FORREST - No.

CHAIR - You've been down that track?

Ms FORREST - Yes. It's 30 points a year basically.

Mr MITCHELL - Loosely it's 30 points a year but they have stretched it now so that you can achieve a maximum of 70 in one year.

CHAIR - Is there anything else on CPD for a moment, members?

Mrs SMITH - You are looking at their qualifications, their education et cetera on \$100?

Mr MITCHELL - Yes.

Mrs SMITH - And then you are paying \$600, each individual, for a licence out of the BSA, auditing which would be spot auditing -

Mr MITCHELL - That's covered in that licence.

Mrs SMITH - Right - and any discipline. That appears to be a significant amount of money to the BSA. What do they do for their \$600?

Mr MITCHELL - If you talk to the BSA you will find it does not cover the costs. The legislation allows us to be audited annually -

Mrs SMITH - Does that happen, do you think?

Mr MITCHELL - It is usually biannually currently, purely on manpower. They also do complaint investigation through that; they do targeted audits as well.

Ms FORREST - So there's audits expected of every building practitioner or accredited builder -

Mr MITCHELL - Yes.

Ms FORREST - every year but in reality it is within two years?

Mr MITCHELL - Currently it is about two years when they get around. Some people have been audited three or four times already but that is because of results of other things.

Ms FORREST - Everyone will be audited within a two-year time frame, for example, but they may be audited in addition on the spot audits? Everyone is at least within two years?

Mr MITCHELL - Everyone has been audited at least every two years.

Mr WILKINSON - So you are looking at \$600 to the BSA per practitioner that has to be paid each year?

Mr MITCHELL - Yes.

Mr WILKINSON - How many practitioners are there?

Mr MITCHELL - The highest level, I think, is about just under 300. At the second level there is about 200 odd.

Mr WILKINSON - So you are looking at 300 paying \$600 or \$700?

Mr MITCHELL - Yes.

Mr WILKINSON - and another 200 paying the same?

Mr MITCHELL - The same fee.

Mr WILKINSON - So all up you are looking at 500 and the authority is saying it is not enough?

Mr MITCHELL - They have two full-time people but that is all they do. It is a whole day. You are given three months' warning or you can be given up to three months warning. Basically you give them a list of all projects you have done. They come to the office and I'll just say that project, pick the projects at random, do a technical audit through the paper trail. Currently they are also doing technical audits on site. They are going on site looking at projects, identifying issues and calling surveyors in to explain actions.

Mr WILKINSON - Are there any benchmarks for CPD to see whether it is working or not? If not, is it working and how can you tell?

Mr MITCHELL - It must be, I suppose, because I am writing half the training programs in Queensland.

Laughter.

Mr WILKINSON - It is working magnificently.

Mr MITCHELL - I find that members are calling out for education because we are in a legislation overload at present, so from a training perspective it is absolutely wonderful that we can pick a topic and we can run a training session on it. But they are always calling out for training. We have just finished our State conference, and we used that as our major training tool for the year.

Ms FORREST - Queensland is quite a big State, much bigger than Tasmania. I am thinking of how our builders in Tasmania are saying how much trouble they had to get to a CPD and you have the whole of Queensland, your outback -

Mr MITCHELL - It's a problem for the remote areas. I have nine branches through the State which basically run up the seaboard; we go inland slightly here in the south-east.

Most people will go to those centres for training. Out west there are very few certifiers and what is becoming more of a trend now is the councils are outsourcing the entire process. My company are actually building surveyors for five councils out west. I have an office out west. The five regional councils around that engage us to do all their work for them.

Mrs SMITH - So you'd be sending staff out to those offices that were doing their training here or at Rockhampton, or somewhere, and then they are moving out?

Mr MITCHELL - Yes.

Ms FORREST - Technical audits as well as on-site inspections are done. What qualifications do the auditors have?

Mr MITCHELL - We made very sure they are all building surveyors in their own right.

Ms FORREST - Right. So obviously they would be well equipped to thoroughly assess the building surveying side of the work.

Mr MITCHELL - Yes. That was one of the criteria. When we assisted the BSA set up the process, that was one of the things that we asked for, that those people are qualified so it is peers looking at peers.

Ms FORREST - You may not be able to answer this question, but when you are looking at, say, architectural issues or other issues, do the surveyors undertake the audits of the others?

Mr MITCHELL - No.

Ms FORREST - They don't. So with every discipline the auditors are qualified in that area?

Mr MITCHELL - The engineers and the architects don't come under the licensing regime at all, they have their own State registration so it's a totally separate thing, whereas the BSA with their trade contractors - I am not sure on the audit regime on those but they license everyone right down the line from trade contractors. As a profession, our audit process is the only legislated audit process.

Ms FORREST - So you are not sure about whether the builders -

Mr MITCHELL - I don't think they are audited per se, except by the public. The public makes a complaint and the BSA looks at it.

Mrs SMITH - It would be true to say, would it, that if you have a building surveyor who is in control virtually of the plans, and so on, and it is his qualification on the line, there would be a presumption that he is checking that his reputation is not going to be muddied by the builder doing shoddy work?

Mr MITCHELL - The big thing is you are individually licensed. Even the other practitioners in my practice, if they sign on the line, yes, they are covered by my corporate insurance but they are personally responsible. It's a big ask.

Mr WILKINSON - After you've gone through your licensing and you have gone through your uni, you pay your \$100 to your - what do you call it?

Mr MITCHELL - Institute.

Mr WILKINSON - Institute - to become accredited, are your professional qualifications immediately taken into account and there is no further inquiry into them? In other words, do you have to prove to the accrediting body that you are up to scratch, or is it just, 'This person is accredited with the institute, he has gone through his education process to get where he is, therefore he can be accredited' and therefore all you have to do is pay your \$600. Is that the way it goes?

Mr MITCHELL - Regarding the \$600 side, once the institute does the accreditation, in Queensland you just take that to the BSA and it covers both private practice and people in public practice. Everyone has to have a licence to be accredited by the ARBS. Then when you go to the BSA for your licence, if you want to practise privately, you have to produce PI as well.

Mr WILKINSON - And that is the way it should be, I think.

Mr MITCHELL - It is something the institute has been looking at in looking at maybe some of the education of practitioners, mainly because currently just about 90 per cent of the practitioners Australiawide have been doing the job. You have to a line in the sand; you cannot just say, 'Today you practise, tomorrow you can't'. You just cannot do it.

What we have done is - for want of a better word - people have been 'grandfathered' in and the system works so that when a State actually calls the institute's accreditation processes up, you have a transition period, and we ask the Government to give us the criteria by which we should admit people so that current practitioners do not fall off the edge. If they have been doing the job for 30 years, just because we change legislation does not mean that they have lost all that knowledge.

The young people we are bringing up through have no outs and then after a certain period it is cut off. It is well advertised. In Queensland now there is no provision for retrospectivity or 'grandfathering' in. You must have the qualifications now because we have been doing it for eight years.

What we have found, though, is that some of those people who have come in have had all the licensing and the proper government bits and pieces but maybe some of their skills are lagging in some areas because they have not been exposed to some of the areas. That is something that we are looking at as targeted education-type programs.

Mr WILKINSON - Did Tasmania come to you at all and ask for any assistance in setting up their TTC?

Mr MITCHELL - Yes, we actually bid for the job. When I say 'we', I should say the Australian Institute of Building Surveyors applied to be an accrediting body.

Mrs SMITH - Under the act?

Mr MITCHELL - Yes.

Mr WILKINSON - You were aware that Tasmania was looking at it and therefore you put in an application?

Mr MITCHELL - Yes, definitely. The institute did quite a bit of work. There are a couple of reports that went to the department. We were only interested in the professional licence - the education and qualification - because that is what we are good at and we believe there should be someone else to do the audit and discipline. It was tried in New South Wales and failed.

Ms FORREST - Having the one body do the lot?

Mr MITCHELL - Yes, a private body to do the licensing and the audit and discipline. That was a body that the institute set up and it just could not do the audit and discipline because they did not have that government-type authority to do it.

Mr WILKINSON - You were told, 'No, you didn't get the tender', is that right? Were you told why?

Mr MITCHELL - I stepped off the board just at the end of those processes so I am not sure of the intricacies behind it but I know that when we did not get it and the Compliance Corporation was appointed, we basically sat back and said, 'We'll wait and see'.

Mr WILKINSON - And when the Compliance Corporation was appointed, did anyone there give you a ring and ask how you were doing it? Glen Milliner is up here.

Mr MITCHELL - There were some issues that happened down there. I know they approached a couple of members outside without coming through the formal structure, which ostracised a few members down there.

Mrs SMITH - The TTC actually approached some members outside the institute?

Mr MITCHELL - Yes, to be their advisers to the qualifications in that process. They virtually saw the institute, I think, as someone trying to do what they wanted to do.

CHAIR - Do you know who the people were that they approached?

Mr MITCHELL - Not offhand.

Mrs SMITH - So you made a formal application to the State Government in Tasmania to become -

Mr MITCHELL - I do not think we ever applied to be the accreditation body but we made lots of submissions as a process going through.

Mrs SMITH - Okay, and at some stage you evidently got the message that, no, they were just going for one private company, a not-for-profit organisation?

Mr MITCHELL - Yes. The other thing is that we were not interested in licensing people we did not know - brickies and all those sorts of people. We were purely going in and saying, 'Building surveying is what we know. We have the expertise, we can lend you'.

CHAIR - Geoff, if there was an opportunity to have various streams of accreditation in Tasmania, you would have been interested clearly on a building surveyors stream, somebody else on the builder stream, and architects and engineers likewise. From your best recollection, is that where essentially your application fell down, because there was a decision by the Government to have an accreditation body to look at the whole lot?

Mr MITCHELL - Yes, I believe so.

CHAIR - Is there any possibility of you tracking back any key correspondence?

Mr MITCHELL - I could certainly do that.

CHAIR - Could you provide that to our secretary at some stage, just within your working commitments and training et cetera?

Mr MITCHELL - Yes.

CHAIR - I think the committee is aware that there was a joint industry group working at the very early days of this - the HIA and the AIBS were part of it. Then, and I suspect we will need to find this out at a later stage, the Government made a decision, 'No, we are going this direction with a private company'. Our Consumer Affairs department was interested and started to put together their own submission. The joint industry group then pulled back and said, 'Well, if Consumer Affairs is going to proceed, then that is the place it ought be. We will discontinue'. So if you could provide us with some key correspondence I think that would be useful for us to make some considerations there.

Jim asked you a question about the number of building surveyors you have accredited in this State - and you have given that number. Are you aware of just what the break-up might be in terms of private practice versus those employed in council?

Mr MITCHELL - It changes from week to week. I think we have just reached the cusp now where private practitioners are probably outweighing local government.

CHAIR - You mentioned that are essentially two levels: accreditation at the higher level and an accreditation at the lower level.

Mr MITCHELL - Yes, building surveyor and assistant building surveyor. The Queensland Government has also allowed the third level of building surveying technician. We have a list in the Building Act of remote local governments, and if they are employed by one of these remote local governments they can act as a certifier on small buildings and houses, but only for a local government.

CHAIR - And that is quantified in legislation as to where their jurisdiction ends?

Mr MITCHELL - Yes.

CHAIR - The same for assistant building surveyor?

Mr MITCHELL - An assistant building surveyor can practise privately and in local government. They are limited to three storeys and 2 000 square metres.

Ms FORREST - So the third category was really only established to help those remote areas?

Mr MITCHELL - Yes. We have a lot of people who have only diploma-level qualification. It is really an entry level. We still have a lot of people out there doing it. In a lot of the remote areas they couldn't get qualified people, yet they had these people there already, so it was brought in for those people. The institute is looking at ramping that up a bit more and classifying that level with the diploma qualifications inspectors so that we can have an inspectors-type qualification, not dissimilar to Victoria.

Mrs SMITH - So you are quite happy in the way you have those three levels, that it isn't taking anything away because of the restrictions on how they can operate, that it is not taking anything away from the quality of work that is being produced for the consumers?

Mr MITCHELL - Definitely not. Also, within the profession, it gives you a career path. We can get people in and say, 'Work for your diploma. Then work for your advanced diploma. Now work for your degree'.

Mrs SMITH - What is the time line for a technician to get that qualification if they were, say, a full-time student?

Mr MITCHELL - I think it would be two years at TAFE.

CHAIR - Geoff, you mentioned the Australian Building Codes Board at the outset and the fact that you were on the board -

Mr MITCHELL - I am on one of the committees. I am not on the board yet.

CHAIR - The ABCB has developed a national accreditation requirement, or framework?

Mr MITCHELL - It is called the National Accreditation Framework. It was a joint process. It was set up in 2000. It relied on the institute providing all the benchmarks and education qualifications underneath it and the ABCB put a framework above that.

CHAIR - Okay. And because it is a framework then most states pretty much pick up what it has got?

Mr MITCHELL - Most states have. In actual fact every state has committed to it.

CHAIR - And picked it up in total?

Mr MITCHELL - No. Every state has made a commitment to it, and Queensland, South Australia, ACT and NT have adopted it into their legislation as part of the process. Victoria uses the framework as a basis for the Building Commission, for the licensing of building surveying practitioners. The New South Wales Government also uses it as a

framework. They are in the process of setting up a new licensing regime in New South Wales.

Ms FORREST - Could I clarify that point? You are saying that Victoria and New South Wales are working toward adopting the national framework whereas Queensland -

Mr MITCHELL - No. They adopt the principles of it so that their licensing regimes are not against the principles of the accreditation framework. Western Australia has adopted the framework in their new Building Act as well.

CHAIR - On that matter of accreditation, can I get some terminology clear in my mind. Your institute conducts accreditation assessment. Does the BSA then licence or -

Mr MITCHELL - They licence. It used to be called accreditation but two amendments ago in the legislation it was changed to a licence. We have a licence because it is really our licence to practice, so it was more appropriate to be a licence.

CHAIR - Yes. When was the legislation last changed?

Mr MITCHELL - On 4 September, the last big one. We have just had a whole remake of our acts, but in one of the amendments before that it was changed from 'accreditation' to 'licensing'.

Ms FORREST - The institute accredits the surveyors and the BSA licences them.

Mr MITCHELL - Yes.

CHAIR - Maybe we will stay with the act for the moment. You mentioned you have had major changes to the act. That is the Building Act?

Mr MITCHELL - Yes. It had to be remade. It ran out of its 10-year period.

CHAIR - So that is a mandatory revisit after 10 years?

Mr MITCHELL - Yes, the act and regulations.

CHAIR - And there were significant changes?

Mr MITCHELL - We were not allowed to do any policy changes, but there were a couple of small ones. The act has been remade to current standards.

CHAIR - Based on any other model in the nation?

Mr MITCHELL - I am not sure; whatever counsel told us we had to do.

CHAIR - Okay. What were the significant changes that affected your institute, your profession?

Mr MITCHELL - There are a few changes in the inspection regimes. It is itemised. There were some changes to get building surveyors to the sites a lot earlier. All the rest were processes.

CHAIR - Any significant changes to the licensing process?

Mr MITCHELL - No, it was not touched.

Mrs SMITH - Does that say the Government is happy it is working well for the practitioners and the consumers? Is that a fair comment?

Mr MITCHELL - I believe so, yes.

CHAIR - Going to your application to the Tasmanian jurisdiction, you mentioned that you made submissions to the department. That would be Building Standards and Regulation, Workplace Standards?

Mr MITCHELL - Yes.

CHAIR - Who in particular would you have been communicating with?

Mr MITCHELL - I know we had some people from the institute who had meetings with Graeme Hunt.

CHAIR - Is Graeme still on the ABCB? I suppose he does represent Tasmania on the ABCB.

Mr MITCHELL - Yes, he has represented Tasmania and I think he still does. Tony Rowell from that department sits with me on the Building Codes committee.

CHAIR - Okay. What was their response to your initial interest?

Mr MITCHELL - Initial interest was there but, as I said, in that time I also left the board as well so I was not there to see it through, but initially interest was there because of the processes we had in place.

CHAIR - Did you gain an impression that Graeme and/or Tony saw that as an accreditation process in Tasmania, that we might have had the various streams?

Mr MITCHELL - I could not really comment on that. I know initially we had a good hearing because we approached Graeme - and I have known Graeme for a fair time - about the processes. When they were preparing the legislation we probably did a fair bit up to that. When we saw the draft of the legislation that is where we made some approaches.

CHAIR - We have not yet spoken with Building Standards and Regulation, BSR, because what is happening in Tasmania - and stop me if you are aware - is that our Director of Public Prosecutions has been asked by the Premier to conduct an investigation as to whether the operation of the Tasmanian Compliance Corporation and a contract or deal signed between them and the former minister has any criminal component of it. Until

that is concluded we have stayed right away from that. We will be getting Graeme and Tony and Rob Pearce or whoever before us, but that is just so you are aware we have not spoken to them yet.

Is it a requirement in this State to be a member of the AIBS to practise?

Mr MITCHELL - No, and you do not have to be a member of the AIBS to be accredited by the AIBS. We had to do that to get government support.

CHAIR - What is the membership like - what sort of percentage?

Mr MITCHELL - I would say 70 per cent.

Ms FORREST - What would be the benefit of being a member?

Mr MITCHELL - Cheaper training, better access to training, newsletters; non-members are charged administrative fees on top to attend our training sessions.

Ms FORREST - What is your membership fee?

Mr MITCHELL - \$250 a year.

Ms FORREST - And do you get discounts on training?

Mr MITCHELL - Yes.

Mr WILKINSON - In Tasmania, as far as getting a system up and running which is going to be a workable one, there is no problem with surveyors because you have your institute; there is no problem with architects or engineers as far as getting the accreditation is concerned because you have your professional bodies and courses that say whether people should be or should not be in those professions. However, one of the areas, though, seems to be the building area - your roof tilers, plasterers, carpenters, et cetera. In Tasmania there was the HIA and there is the MBA - the Master Builders Association and the Housing Industry of Australia - where most of the builders registered with one of those two bodies but not the two of them. Are some with the two, Paul?

CHAIR - Yes.

Mr MITCHELL - Yes, a lot of people are dual members.

Mr WILKINSON - What should be the overarching body to cover builders, roof tilers, plumbers, plasterers et cetera?

Mr MITCHELL - A government regulatory body, not dissimilar to the Building Commissioner or the Building Services Authority.

Mr WILKINSON - And call it what? What do you call it here?

Mr MITCHELL - That is the Building Services Authority.

Mr WILKINSON - So it is your BSA.

Mr MITCHELL - Yes, and they licence your builder right down through to your trade subcontractors.

Mr WILKINSON - So you have a body, call it something like a BSA, and that deals with all the building and allied trades.

Mr MITCHELL - That assists us in our profession, too, because we are at the top of the tree. If you get a trade subcontractor who is not doing the right thing at least you have an avenue to get something done on those people.

Ms FORREST - So even the trade side is licensed as well?

Mr MITCHELL - Yes, every trade is licensed.

Ms FORREST - Every person who works on that site?

Mr MITCHELL - Yes.

Mrs SMITH - So your painter and decorator, as classified in this list at appendix A, would be paying \$600 to the BSA?

Mr MITCHELL - No.

Mrs SMITH - They have a different scale?

Mr MITCHELL - It is a different licence fee. I am a licensed builder as well and I think it is about \$260 a year. The BSA will be able to give you all that.

Mrs SMITH - I could imagine some painters and decorators being horrified to have to pay \$600 for their accreditation.

Mr MITCHELL - No, they have only stung the building surveyors because that, as I said, is a separate licence under a different act, and the fact that it involves on-site audits.

Mrs SMITH - Are you paying the highest in the industry, in your opinion?

Mr MITCHELL - Yes.

Mr WILKINSON - With your BSA, what is involved there? How many people have you - two full-time employees?

Mr MITCHELL - I believe there is a manager and two auditors and they also have two technical auditors as well.

Mrs SMITH - But that is only auditors to audit yours and the others to audit builders.

Mr MITCHELL - Plus they have a whole staff of hundreds, then, for builders, for the site stuff.

Mr WILKINSON - If we wanted to set-up a BSA in Tasmania what would we need? Would we need a manager, do you believe?

Mr MITCHELL - Yes, a manager. Then you have to get down to your sites - your case officers basically.

Mr WILKINSON - How many of those would we need?

Mr MITCHELL - I am not sure what your building activity is down there. It would be volume driven.

CHAIR - Two and a half thousand residential starts, that is probably about it.

What are your residential starts here? We could ask the HIA and MBA, I guess.

Mr MITCHELL - I am not sure, but I do more than that in approvals just in our company. There would be tens of thousands.

Mr WILKINSON - Let's say I said to you, Geoff, come down we have some strife with the accrediting body; no problem with the surveyors, no problem with the architects, engineers et cetera, but maybe with the builders. Call it a BSA, what would you be doing to set it up?

Mr MITCHELL - It is not an area of my knowledge basically. I concentrated purely on building surveying and that is all I've done for 30 years. Yes, I am a licensed builder. I have a licence but I've never really swung a hammer per se.

Mr WILKINSON - So the BSA here - I might be a bit slow to pick it up, but it would seem to me that you have three full-time employees - a manager and two auditors - plus you have two technical auditors. Are they full-time employees of the BSA as well?

Mr MITCHELL - Yes and that is just looking after building surveyors.

Mrs SMITH - Of which there are 500 odd in the two streams.

Mr MITCHELL - Five hundred odd.

Ms FORREST - But they are all going to be audited within a one or two-year period, so obviously that is why they are reasonably busy.

Mr MITCHELL - There are not many of us, put it that way.

CHAIR - If you could get us the numbers please because we will be -

Mr MITCHELL - The BSA will be able to tell you that straight from their licence numbers.

CHAIR - Good, thank you.

Mr WILKINSON - Those five full-time employees are looking after just the building surveying. I have a problem with a building surveyor. I come to the BSA and say, 'Look, the building surveyor has mucked up; I want you to have a look at this'. What happens?

Mr MITCHELL - You want to know how the complaint process works?

Mr WILKINSON - Yes.

Mr MITCHELL - If someone lodges a complaint against a certifier it is sent to the certifier first to explain or give their position. The BSA then assesses the complaint and makes a finding. They then give that finding back to the certifier.

Mr WILKINSON - Who is on the BSA to make the finding? Do you have a separate committee which is voluntary?

Mr MITCHELL - Yes. One of the people who does it currently is a legal person and he is also a building surveyor in his own right. It is a finding from the department officers, the BSA officers. They give you an opportunity to dispute the finding. If they give a finding and you disagree with it your next port is going to the tribunal.

Mr WILKINSON - And that's a tribunal set up under the BSA?

Mr MITCHELL - It is the Queensland Government Building Development Tribunal.

Mrs SMITH - Do you set time lines so that this does not go on and on for years? There are mandatory time lines for the responses and back and forth?

Mr MITCHELL - I am not sure on that because I know there have been some that are quite complex. Once they make a decision, yes, there are time lines in which you have time to appeal and so forth. Then after the Building Development Tribunal it is the courts. It is an open-ended system.

Mr WILKINSON - Who pays for it?

Mr MITCHELL - The BSA does. That is what sucks up that \$600 a year if you are a bad lad.

Mr WILKINSON - So you pay for who - your solicitor who is sitting as the tribunal?

Mr MITCHELL - If you have a complaint against you, you foot the bill for that. Your licence fee does not cover any of that; you have to foot the bill.

Mr WILKINSON - But the BSA's legal advice is paid through the licence fee?

Mr MITCHELL - Yes. If there are quite a number of findings - obviously not guilty, guilty, unsatisfactory conduct and professional misconduct. They can impose conditions, they can remove licenses, they can even make other rulings for restitution.

Mr WILKINSON - Say I am a builder and I have some problems myself: I think I have done a poor job on a house, I have a conscience and I want to sort that out. If I come to you are you then going to immediately turn around and sue me?

Mr MITCHELL - No. There are only a couple of areas in the act where the building certifier must take action, but apart from that there are government guidelines on enforcement action. The overarching principle is to negotiate before you run in, horns and all.

Mr WILKINSON - The problem in the legal sphere in Tasmania has been that the Law Society is also the disciplinary body. If people have a problem in law, they don't really want to go to the Law Society because they realise that what they are telling them is then going to be used against them straightaway in discipline. That is what I was getting at when I asked that question.

Mr MITCHELL - That is why the institute pushed very hard to have the assessment of education criteria totally separate from the auditing discipline. The licence you get from the Building Services Authority is really just a 'give me' after you have your education assent. There are obviously other things, but they are seen as the government body that licences, and I think people accept it when it comes from government.

CHAIR - Geoff, you have just referred to some terminology like 'unprofessional conduct' or 'professional misconduct' et cetera, they are terms which are consistent with our legislation. Are you aware whether the Tasmanian people use any of your legislation as a guide in producing what we now have?

Mr MITCHELL - I could not answer that.

CHAIR - Okay, we can ask them. Are you aware of whether any of your building surveyors here in this State have sought accreditation in Tasmania since we have had the accreditation in place for a couple of years?

Mr MITCHELL - Yes, I am. There are a couple.

CHAIR - Are you aware of any of the outcomes there or could you refer us to people? I am interested to see just what confronted them.

Mr MITCHELL - A colleague of mine was doing a lot of work down there but I don't think he is certified; I think it is more consultancy advice.

CHAIR - My understanding is that even if he was not certified he would still need to be accredited, but probably not just simply to practise. He can practise and give advice -

Mr MITCHELL - I don't think you have to be licensed to do that. This chap up here is part of a national company. They do consultancy services and building audits right through. You only have to have your licence to do the certification side.

CHAIR - I would be interested, and the committee may be as well, to determine just what processes the Tasmanian Compliance Corporation has used to apply mutual recognition.

Mr MITCHELL - I know they did have access to our accreditation processes because I think there were some meetings with an organisation called the Building Surveyors and Allied Professions Accreditation Board. That was a body that the institute set up but it has now been dissolved. I know they had some initial discussions with that body.

CHAIR - Where was that established? Nationally?

Mr MITCHELL - That was nationally. It was set up by the Australian Institute of Building Surveyors as a separate entity to do accreditation. When it first got out there it decided to do the audit, the discipline and the accreditation. It was great at the accreditation but the audit and discipline just fell over. It was a big problem in New South Wales.

CHAIR - You mentioned earlier that the New South Wales exercise failed, and that was a private body appointed by the Government.

Mr MITCHELL - Yes, they appointed Building Surveyors and Allied Professions Accreditation Board as one of the licensing bodies.

Ms FORREST - So did they license just surveyors or other professions as well?

Mr MITCHELL - Only building surveyors.

CHAIR - What were the main difficulties there that you would be aware of?

Mr MITCHELL - I do not think they knew how much time and cost it was going to take to do the audit and discipline. There was a lot of antagonism within our own industry about the whole process down there.

Ms FORREST - Because it was a private company?

Mr MITCHELL - Because it was a private company but also the governing legislation around it wasn't very good. It only applied to private practitioners; it didn't apply to local government. So it brought in a very big them and us scenario as well.

Mr WILKINSON - I was just trying to work out a diagram of how it works, Geoff. You've got your licensing on the one hand - correct?

Mr MITCHELL - Yes. It is probably easy to explain that it is a dual accreditation process. The Institute of Building Surveyors assesses a person for education and competence. Once you get that assessment, you then go to the State government body, the BSA, which issues you your licence to practise. What they look for is, firstly, that you have qualification from this body; secondly, if you want to practise privately you have the proper insurances; and, thirdly, you're a fit and proper person. Those are the criteria.

Mr WILKINSON - Right, okay. Say you go to the BSA for the licence, and there's a problem that has to be looked into and therefore that goes to a disciplinary board?

Mr MITCHELL - No, the BSA. The public, or anyone with a complaint goes to the BSA.

Mr WILKINSON - Right, I understand that. Then the BSA go where?

Mr MITCHELL - It's part of their role, they investigate the problem and make a finding.

Mr WILKINSON - Right. Through their disciplinary body? They have a sub-committee, have they?

Mr MITCHELL - It's within their role. What they have to do is actually legislated, so their audit and discipline and their findings and everything is legislated.

CHAIR - We can get that flow chart and details from them.

Mr MITCHELL - Yes. I take it you will be meeting with officers -

CHAIR - On Wednesday, yes, with Col Wright.

Mr MITCHELL - Col is the managing of licensing for the builders, and probably Tony Townsend, who is the building surveying.

Mr WILKINSON - I'm just looking at the flow chart; to me it paints a better picture as to how it works.

Mr MITCHELL - I am not intimate with some of their inner workings; I am on the other side of the fence here.

CHAIR - If you were sitting in our position in two days' time and you had an opportunity to ask the BSA a number of searching questions as to things that you would like to see fixed for your institute, if there are things that need fixing or things that you'd like to see made better, what sorts of things would you pose to the BSA?

Mr MITCHELL - On a whole, because we have been in an evolving process over the last eight years, I think we've now got it to a point where it is quite a workable system. I think the suggestions that the institute has given the BSA and the department up here have been taken into account. We have just had our last round of changes and it really hasn't had time to kick in yet, but I think generally the system works quite well.

Ms FORREST - Can I just pick up on that point. You said up to now you have got to a point where it's working. What were some of the early problems that have been addressed?

Mr MITCHELL - The legislation was too vague, and the BSA weren't sure what their role was per se. When they did get an investigation they weren't sure what avenues they had. In the first round of legislation the only finding they could have was 'unprofessional conduct' which, even if that was a minor misdemeanour, in the greater scheme of things 'professional misconduct' looks like an anchor round your neck. One of the findings we have now brought in is 'unsatisfactory conduct', which covers a few misdemeanours.

Ms FORREST - They were the only things really that you had to work on?

Mr MITCHELL - It was really refining legislation, refining roles. It has been good in that the BSA can feed back to the institute where problem areas are so we can go and target training for them. Probably the first round of audits revealed a whole heap of issues

because there were 300-odd people out there all doing their own thing. They can put suggestions up to government and we've been able to bring in legislation that sort of formalises things so people are generally on the same track wherever you go now. I think it has evolved to the stage where it is now working quite well.

Mr WILKINSON - Do you think the architects and the engineers are of the same opinion? Do they work in as well, as it would seem you do, with the BSA?

Mr MITCHELL - No, they don't. There has been probably an adverse reaction from both those professions that the BSA wants to have nothing to do with them because they have their own acts and they audit and discipline within themselves. Up here there has only ever been one engineer struck off and that is what we did not want to have. You give them a licence and then you have to audit and discipline, and it is not a role for a private body, it is a government role.

CHAIR - Geoff, at the outset you mentioned that you have had a long involvement in the education development for your institute both nationally and in this State. What are the key issues for ongoing education pursued by a building surveyor?

Mr MITCHELL - The biggest problem we have is the numbers to come in because it makes it very hard to make it viable for an organisation. The two most successful ones are TAFE Tasmania who take up most of the advanced diploma-type people throughout the country and Central Queensland University which offers an external program. Next door here at QUT they have an on-campus program; western Sydney has a program; the University of South Australia has a program; Victoria is developing one. They have not a mainstream building surveying program down there. But it is mainly because you cannot get the numbers. The institute have just employed a new CEO who has a marketing background and they want to get out there and market the institute a bit more now because they still see you as a council building inspector. It has not really been a profession and kids do not want to leave school and be a building inspector.

CHAIR - So TAFE Tasmania plays a pretty central role with the diploma?

Mr MITCHELL - A very significant role with the diploma and advanced diploma. They use those programs down there as the basis for the competencies which now form the national training package.

Mrs SMITH - Is there anything else in the Queensland legislation itself that you believe should be changed?

Mr MITCHELL - Yes.

Mrs SMITH - If you were given a pen by Premier Beattie this week and he said, 'Write it in', what would you put in it?

Mr MITCHELL - We have a couple of issues but we are working on those with the department now. We are a little bit tired with this last round because it was a remake and we were not given any charter to change policy except in a couple of small areas. We are now under a new minister, as of a few weeks ago, so we do not know what direction -

Mr WILKINSON - It is not Peter Beattie, is it?

Mr MITCHELL - No, he has not taken on another portfolio.

Mr WILKINSON - I was up here a couple of weeks ago and I said, 'Who's minister for this?', Peter Beattie; 'Who's minister for this?', Peter Beattie.

Mr MITCHELL - There has been a change of minister and we have not got to meet the new minister yet to find out what direction and certainly the department is still feeling their way under the new minister as well to see what policy direction we are going to have or if there is a change in policy direction.

Mr FORREST - You are suggesting there is some need for policy direction change?

Mr MITCHELL - We have a few issues that are just generally not working that need to be fixed.

Ms FORREST - Can you tell us what they are?

Mr MITCHELL - There are a couple of intricacies in the legislation and one is that prior to us giving a permit to the applicant, we have to give it to the local government and the local government has to receipt the fee and acknowledge receipt of the fee before we can give the permit. It was a result of some legislation that was brought in about four years ago because we had one practitioner who was not doing it and they put this piece of legislation in and now it is a case where some local governments do not acknowledge the fee comes and it just does not work and it just adds time to the process. The department agrees that we need to get rid of it because it is not working. The Department of Local Government agrees -

Ms FORREST - It is more an administrative hiccup.

Mr MITCHELL - Administrative yes, but that was a policy push from the minister at the time because we had one practitioner who was just tainting our whole barrel. We had one apple that was just sending the whole barrel off and they made some very severe legislative changes for one person.

Mrs SMITH - That happens a lot, doesn't it.

Mr MITCHELL - We wore the scars and now the system is working so we are now asking the Government if we can wind some of these things back because these things are just not working now.

Mrs SMITH - Should the consumer be happy, since the legislation and the BSA came into being, that they are fully protected, that they will have quality builders, quality building, quality surveyors, et cetera?

Mr MITCHELL - From a building side I think there has always been that expectation. The BSA has been quite strong up there. From a building surveyor's perspective, the general public still does not know what we do. They still think most of us work for council and it is becoming more and more familiar out there now because when you talk to the BSA

they will tell you that they are not getting complaints from local governments anymore, it is coming from consumers.

Mrs SMITH - Usually if you have got an issue you find out who you think is responsible and where you can take that issue, if you have a proper process that people can follow.

Mr MITCHELL - All the complaints in the initial instances came from local governments and when it first came in I think it was a knee-jerk reaction that you have taken away this whole part from us, even though for all the years I worked for local government the building department was always in the basement and never heard of. 'If a building falls down we'll drag you out of the cupboard for a couple of minutes to say something and then put you back down there again.' When we left, all of a sudden they wondered where this income stream went and a lot of it has been misinterpretation of planning schemes, a lot of the planning schemes were very loose and I think relied on the officers that had been there for an eternity to interpret them but when you got people out and starting to read them and taking them on their literal terms, there were clashes on interpretations and that is where the department brought in this compulsory course we have to do now. If you are going to issue permits you have to know how to read planning schemes. But the complaints now generally tend to be coming from aggrieved owners and adjoining owners.

Ms FORREST - Just slightly off the track but how many planning schemes do you have in this State?

Mr MITCHELL - Every single council; 123 of them, I think, and every one is different.

Ms FORREST - So a two-day course covers that?

Mr MITCHELL - The Integrated Planning Act here brought in a framework for the planning schemes. They all should follow a set framework. They do not but there are concepts in there that they all have.

Ms FORREST - So you study a framework in those two days rather than individual planning schemes?

Mr MITCHELL - It is how to interpret a scheme, yes.

CHAIR - We are chuckling, Sue and I, because we are part of another committee looking at that very issue.

Mr MITCHELL - It is honestly one of the hardest areas.

Mrs SMITH - Every community is different. That's what makes them special. I want to live in one place because it is different to where you want to live and that makes it difficult, but you have to get some commonality of terminologies.

Mr MITCHELL - The big thing here now is that most of the schemes are under the Integrated Planning Act. If you have something you know in the scheme where to go to find those answers. The problem we have, though, is that under the schemes each local

government gives separate approvals on different parcels of land and to try to get that information when someone comes to you makes it extremely interesting.

CHAIR - Geoff, does the national body of the AIBS have a preferred position regarding accreditation/licensing?

Mr MITCHELL - Yes.

CHAIR - What is that?

Mr MITCHELL - The dual accreditation process model.

CHAIR - Yes. So any licensing body essentially says, 'You're accredited by your professional group, therefore you are a fit and proper person and you have the right insurance so we tick you off and we take \$600 from you for doing that'?

Mr MITCHELL - No, the \$600, they tell us, is to cover the cost of the auditing.

CHAIR - And as you have indicated to us earlier, that is a pretty scant sort of auditing regime which they have so it is possible that you are cross-subsidising other licensing processes of the BSA?

Mr MITCHELL - No, I think you will find, and I am sure the BSA will tell you, the money that we pay does not cover their processes and I think that is going to be an issue for Tasmania because you only have about 70-odd to 80-odd building surveyors. There is not going to be a big pool to drain from.

CHAIR - No, and that may be one of the reasons the Government in the end said, 'We'll put them all in together. We'll get 2 500 people accredited.'

Mr MITCHELL - Yes, that could have very much been a reason because you do not have a big pool.

Mrs SMITH - Is there anything wrong when you look at industry holistically, that there should be some cross-subsidisation between the different streams of the building industry from the top down?

Mr MITCHELL - I've always had an adage that it should be the consumer who pays.

Mrs SMITH - They usually do at the end, one way or the other.

Mr MITCHELL - They do. The licensing and the auditing I believe should be part of a levy that is on all building work. We pushed quite a lot to get that up here so that when you build a building you pay a percentage levy. We have it for the construction industry and a few other bits and pieces and that would be a much fairer system rather than the situation where I have to pay four times. There are other practices with a couple more licensed people than me. It should be on the volume of work you do and the only way to do that is really on a levy on the building work.

CHAIR - And clearly you pass that back on to your customer -

Mr MITCHELL - Yes.

CHAIR - as part of your business costs?

Mr MITCHELL - It's a government levy that's on every application. Currently everybody who lodges a building application pays 0.35 per cent into a government levy, into portable long service and construction safety.

Ms FORREST - So if you did that, have a levy on each application that came through, that would then provide some relief in that \$600 fee?

Mr MITCHELL - Yes.

Mrs SMITH - Or put more into it because the Government, if they are correct, are subsidising some areas now. It could be more than \$600.

Ms FORREST - It could be but it depends how much the levy is. It would certainly offset some of those costs anyway.

Has any consideration be given or was it ever considered appropriate that auditing every builder every year or every surveyor every year or within a two-year time frame at the outside is necessary and random spot audits are enough to ensure that that quality is there?

Mr MITCHELL - I believe that is probably an issue that is coming up. We haven't seen a lot of changes in our industry. I think we are going to in the next 10 years because we have just done some auditing on a State perspective as to how many people of 55 plus are in the game. We have a significant number of our members who in the next 10 years will not be practising.

Ms FORREST - Do you see the cost involved in auditing everyone so frequently as a disincentive for people?

Mr MITCHELL - Probably as a sole practitioner. Personally I have found the audits very, very good because you get good constructive feedback; you know that your processes are right.

Ms FORREST - So in the audit process - and you have been going eight years so there have been a lot of audits carried out in that period of time - how many unsatisfactory audits have been carried out?

Mr MITCHELL - There have been a few.

Ms FORREST - So it has been effective then?

Mr MITCHELL - Yes. There have been a few directions given, some adverse findings coming out of the audits.

Ms FORREST - When that occurs, are they given a time frame to undertake further education, or whatever (e) is -

Mr MITCHELL - Fixed processes.

Ms FORREST - and then they are re-audited?

Mr MITCHELL - Yes.

Ms FORREST - So that is where you get some of these people being audited four times in a year?

Mr MITCHELL - Yes.

Mrs SMITH - So over a period of x number of years the auditing process being mandatory, as it is, will take some of the cowboys, for want of a better word, out of the industry?

Mr MITCHELL - Definitely.

Mrs SMITH - Therefore Ms Forrest's comment of being able to expand it out is a possibility once you are set up and have a system working well in the State, would you say?

Mr MITCHELL - I would think so, yes.

Mrs SMITH - You have had eight years and quite evidently it has taken some people some time to understand their responsibilities but there appears to be a system where Queensland now may be able to sit back and say maybe it is spot audits rather than mandatory et cetera.

Mr MITCHELL - Random audits, I would think. We are probably getting to that stage now.

Mrs SMITH - But you would suggest in a new system that it ought to be mandatory audits to start with?

Mr MITCHELL - I definitely do because you have to bring everyone to a playing field and the only way you can do that is have a look at what everyone's doing so you can get an idea of that.

Ms FORREST - So when surveyors or whoever are accredited and then licensed, they are aware of what the audit will consist of?

Mr MITCHELL - Yes.

Ms FORREST - So they know what criteria they have to meet and there is three months' notice, is that right?

Mr MITCHELL - Yes, six weeks, three months.

Ms FORREST - So they are given notice. It is not just that someone rocks up at the door and says we are going to audit today?

Mr MITCHELL - Not currently, no.

Ms FORREST - Are spot audits like that or do you get a notice?

Mr MITCHELL - On the spot ones, yes, they will ring you up and say, 'Give us a list of all the town houses you've done. We're going to be on the Gold Coast next week' and then they go to the sites and go through it.

Ms FORREST - That's a spot audit? It is a short-notice thing.

Mr MITCHELL - A technical audit, yes.

CHAIR - Geoff, thank you very much. We do recognise that as a private practitioner you have given up your time completely voluntarily to share that sort of information with a committee of the Parliament from Tasmania. We really do appreciate that. That is an indication of your commitment to getting things right. You are satisfied with what is happening in this State and I am sure that we can learn much from what you have told us when we revisit the *Hansard* and the record that you have provided for us. Thank you so much for that time.

THE WITNESS WITHDREW.