



NEWSLETTER

# ISSUE 35 MAY 2017

THIS ISSUE:

1. **A WORD FROM THE REGISTRAR**
2. **BUDGET 2017-18**
3. **CAIRNS RPEQ EUAN BRUCE RECOGNISED AND REGISTRATION ROADSHOWS TO CAIRNS AND ROCKHAMPTON**
4. **SPOTLIGHT ON RPEQ SIGN OFF AND CERTIFICATION**
5. **WHEN A REGISTERED CADASTRAL SURVEYOR IS REQUIRED TO IDENTIFY A PROPERTY BOUNDARY**
6. **WELCOME TO OUR NEWEST RPEQS**

---

## A WORD FROM THE REGISTRAR

The BPEQ office has been a hive of activity in the last month – registration roadshows to Cairns and Rockhampton, the Cairns regional Board meeting, RPEQ meet and greet, university lectures, the IPWEAQ South-East Queensland Conference, the 6th Women in Engineering Leadership Summit and of course annual registration renewals.



The registration roadshows to Cairns and Rockhampton were a useful exercise for BPEQ to engage and educate the profession and gather feedback from engineers in the regions. Thank you to all the engineering firms, councils and other stakeholders for hosting seminars with BPEQ as part of the roadshow. While at the Cairns meet and greet, BPEQ recognised Euan Bruce for his more than 50 years' service as a RPEQ.

BPEQ was proud to sponsor and take part in the 6th Women in Engineering Leadership Summit earlier this month. The summit featured several prominent speakers, including BPEQ Deputy Chairperson Evelyn Storey. Evelyn encouraged summit attendees to plan and invest in personal development and said managers should lead by example to make flexible working hours and working from home a norm in the workplace.

A regular topic of discussion amongst RPEQs and here in the BPEQ office is RPEQ sign off and certification.

No mention or definition for RPEQ sign off and certification is provided in the PE Act, so the question becomes, what does RPEQ sign off and certification mean in practice? BPEQ's legal officers will attempt to provide greater clarity on this topic in this issue of the BPEQ e-news

RPEQs can also read about the 2017 Budget and find out what it provides for infrastructure in Queensland.

A final reminder that Wednesday is the due date for all [registration renewals](#) for 2017/18. Failure to submit a renewal application by 31 May 2017 will result in your registration lapsing.

We trust you enjoy and find the e-news useful; and please feel free to contact BPEQ at [admin@bpeq.qld.gov.au](mailto:admin@bpeq.qld.gov.au) or call (07) 3198 0000 if we can be of assistance.

**Kylie Mercer**  
Registrar



## BUDGET 2017-18

One of the key talking points from this year's [Federal Budget](#) is the highlight figure of \$75 billion for infrastructure over the next decade from 2017-18. Over the forward estimates (the next four years), \$70 billion is allocated to transport infrastructure.

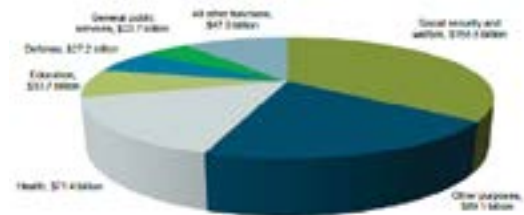
Rail features prominently in this Budget with around \$8 billion allocated to the Melbourne to Brisbane inland freight rail line. This investment coupled with a \$1.8 billion investment announced by the government in April and the \$593 million allocated in last year's Budget for the purchase of land for the project, is expected to cover most of the cost of the new rail line. Construction is anticipated to start this financial year and once complete the new rail line will take the equivalent of 110 B-double truckloads of freight off the highways and roads and allow goods to be transported from north and south in less than 24 hours.

The Budget also allocates \$10 billion for the creation of the National Rail Program that will help fund urban and regional rail projects across Australia. Cross River Rail and Brisbane Metro projects are eligible to apply for funding from the program.

Roads will be another focus of the Budget, with \$552 million set aside for Bruce Highway upgrades in 2017-18 between Pine Rivers and Caloundra, Wide Bay Highway/Bruce Highway intersection and additional safety work, while the Toowoomba Second Range Crossing will be provided \$248 million during 2017-18. M1 Pacific Motorway, Ipswich Motorway, Warrego Highway and Gateway Upgrade North are also allocated funds.

Significant interstate infrastructure projects budgeted for include the second Sydney Airport at Badgerys Creek and the expanded Snowy Hydro scheme.

Infrastructure Australia receives a \$12 million boost in investment to progress current projects and undertake future works, while a new Infrastructure and Project Financing Agency will be established on 1 July 2017. This agency will be tasked with assisting the federal government identify, assess and broker financing opportunities for infrastructure projects, and to work with governments at all levels and the private sector to fund and finance projects.



*Health and social security are the biggest areas expenditure in the Budget*

To assist domestic manufacturing the Budget provides funding over five years to establish the Advanced Manufacturing Fund to promote research, development and capital funding for high technology manufacturing. Funding is also provided for water infrastructure, through the National Water Infrastructure Loan Facility, and for increased natural gas exploration and production.

Revenue generated from the government's previously announced changes to visa categories is factored into the Budget. The new Temporary Skills Shortage visa will incur a cost of \$1,060 for two years or \$2,400 for four years. This revenue will go towards the Skilling Australians Fund for the training of up to 300,000 Australians in apprenticeships. The government will also invest \$13 million over five years to encourage and support more women to pursue a career in STEM.

While the Budget has been generally well received by stakeholders connected with engineering and infrastructure it is acknowledged that most of the new funding announced is beyond the forward estimates. The lack of specified funding for Cross River Rail has also been criticised.

Visit <http://www.budget.gov.au/> for more information on Budget 2017-18.



## CAIRNS RPEQ EUAN BRUCE RECOGNISED AND REGISTRATION ROADSHOWS TO CAIRNS AND ROCKHAMPTON

BPEQ's meet and greet with Cairns RPEQs had an added significance with Euan Bruce (RPEQ 00491) recognised for his more than 50 years of registration.

BPEQ Chairperson Dawson Wilkie congratulated Mr Bruce and presented him a commemorative badge displaying his years of service. Mr Wilkie stated Mr Bruce had consistently displayed the competence, integrity, morality, and altruism expected of RPEQs.

During his career, Mr Bruce has been involved in countless projects in Far North Queensland, including the Peets Bridge across the Mulgrave River, the National Mutual Tower and Sunshine Towers in Cairns, wastewater treatment plans, government projects on Palm Island as well as the Mount Isa rail duplication.

During the roadshow to Cairns BPEQ staff met with engineers from Cairns Regional Council, Douglas Regional Council, Black & More, PDR, Aurecon, Flanagan Consulting Group and Glanville and Co. for seminars on the PE Act and RPEQ system.

Seminars in Rockhampton were held with DTMR – Fitzroy, Civil Support, Aecom, Calibre Consulting, Cardno/Construction Sciences and CHJ Engineering and BPEQ presented a guest lecture for Central Queensland University engineering students.

To organise a seminar on the PE Act and RPEQ system for your workplace, or for information on the next registration roadshow contact BPEQ at [admin@bpeq.qld.gov.au](mailto:admin@bpeq.qld.gov.au) or call (07) 3198 0004.



*Dawson Wilkie with RPEQ Euan Bruce*



## SPOTLIGHT ON RPEQ SIGN OFF AND CERTIFICATION



BPEQ Principal Legal Officer Jon Gormley presenting a seminar on the PE Act

One of the most frequent inquiries to BPEQ relates to RPEQ ‘sign off’ and ‘certification’.

While ‘sign off’ and ‘certification’ (which are often interchangeable terms; we will use the term ‘certification’ for the purposes of this discussion) are embedded requirements in engineering, they are not requirements contained in the *Professional Engineers Act 2002* (Qld) (‘PE Act’). BPEQ considers ‘certification’ in the broader context of the overall professional engineering service that has been undertaken, i.e. has the service been undertaken by, or under the direct supervision of, a RPEQ.

### WHAT IS A CERTIFICATION?

A certification is a positive representation of certain things by a RPEQ. Simple examples include certifications that something is ‘structurally sound’, ‘complies with the building assessment provision’ or complies with ‘all applicable standards and codes’. Of course, some certifications are much more complex.

Additional to any specific words used, it is reasonable for a positive certification to be interpreted that a professional engineering service has been undertaken in a professional and competent way by an appropriately registered and competent RPEQ. Furthermore, the professional engineering service has been undertaken to a standard expected by professional peers and the public through the exercise of adequate knowledge, skill, judgement or care in the practice of engineering.

### THE REQUIREMENTS FOR A CERTIFICATION

The specific requirements for any certification will be determined on a case-by-case basis. This may or may not require a certification to be in a particular format and to address certain things.

However, by way of general principle, a certification should be:

1. accurate;
2. clear and precise about what is being certified (and if appropriate - what is not);
3. limited to what is known;
4. exclusively reflect engineering considerations; and
5. based on appropriate evidence to the positive satisfaction of the RPEQ.

Importantly, a requirement for certification and certification itself are not the same. Where a contractual or other requirement specifies that certain certifications be made, for instance, that an ‘as built’ structure complies with an approved design, that certification would not be accurate if it does not. Where there have been changes, but it meets the ‘design intent’, then that would be the appropriate and preferential certification. Put simply; any certification must reflect the underlying engineering reality.



## TIPS FOR RPEQS UNDERTAKING CERTIFICATIONS

### Pre-certification

1. Be appropriately registered and competent in the relevant area
2. Be appropriately informed on an evidential basis to allow exercise of professional judgment for the certification
3. Be clear about the source and nature of any certification required
4. If certification is going to be required at the end of a service, then as early as possible ensure that:
  - a. The certification is appropriate
  - b. The certification is achievable including involvement of appropriate resources
  - c. Includes a process which addresses necessary or reasonable change
  - d. Includes sufficient arrangements and allowance to properly inform any certification

### The certification

5. If there is more than one area of engineering involved, more than one certification may be required from more than one RPEQ
6. Be clear and precise about the scope and nature of what has and has not been certified
7. Limit the certification to what is known
8. Keep appropriate records about what was certified and the basis for the certification
9. If reliance is placed on evidence from other RPEQs, engineering reports and data, keep appropriate records of what was relied on, though understand it will ultimately involve and require the independent exercise of professional judgment
10. If the circumstances reasonably deprive a RPEQ of sufficient evidence and/or basis to certify, then **do not certify**. Poor planning or resourcing by a third party does not alleviate a RPEQ of professional responsibilities to exercise sound judgement, even if this is inconvenient or costly to a third party

## NOT A SUBSTITUTE FOR DIRECT SUPERVISION

Where a person who is not a RPEQ has undertaken a professional engineering service and there has not been 'direct supervision' during the lifecycle of the service, an end of process certification will not constitute 'direct supervision' or cure the absence of 'direct supervision'.

### CONCLUSION

Resources available on the BPEQ website concerning this issue include a 'practice note' and previous e-news articles in September 2014 and May 2016. Reference to these resources is recommended.

For more information contact BPEQ's Legal, Compliance and Investigation Unit at [legal@bpeq.qld.gov.au](mailto:legal@bpeq.qld.gov.au) or by calling (07) 3198 0000.

While BPEQ staff will endeavour to provide assistance about processes and procedures, staff will not provide legal advice.





## WHEN A REGISTERED CADASTRAL SURVEYOR IS REQUIRED TO IDENTIFY A PROPERTY BOUNDARY

The Surveyors Board of Queensland has identified a persisting uncertainty across both industry and the public in respect to when a registered cadastral surveyor is required to identify a property boundary.

To assist industry and the public, the Surveyors Board of Queensland has prepared a set of guidelines concerning boundary identification requirements.

A property boundary is any boundary relating to a right or an interest in land and may include:

- A property boundary between neighbours or owners, including between private and government owned land;
- A boundary defining a lease of land;
- A boundary defining a secondary interest (e.g. easement; covenant; profit à prendre).

The terminology cadastral boundary may also be used as it has the same meaning as property boundary.

### WHO CAN PERFORM A PROPERTY BOUNDARY (CADASTRAL) SURVEY?

Under the *Surveyors Act 2003* (Qld), there are two specific requirements that are relevant:

1. The person undertaking the survey must be a registered cadastral surveyor or a registered person supervised by a registered cadastral surveyor (Section 75(1)(a) & (b)); and
2. To provide the cadastral survey service or charge a fee, the registered person / company must also have a consulting surveyor endorsement (Sections 75(2) & 76).

This means that property boundaries can only be determined or identified by a registered cadastral surveyor.

### WHEN IS A CONSULTING CADASTRAL SURVEYOR REQUIRED TO BE ENGAGED?

The requirement to use a consulting cadastral surveyor to determine the property boundary depends on a number of factors.

- If the property boundary is evident on the ground from corner marks such as survey pegs and the marks have been recently placed or checked by a cadastral surveyor, then a cadastral surveyor may not be required.
- If, however, the property boundary cannot be identified on the ground by existing recent survey marks, then a cadastral surveyor should be engaged.

### HOW CAN I IDENTIFY IF I HAVE ENGAGED A CONSULTING CADASTRAL SURVEYOR?

There are two potential options, namely:

3. The Surveyors Board Web Site lists registered consulting cadastral surveyors in Queensland. Web site link <http://sbq.com.au/find-a-surveyor/search-cadastral/>
4. Request the surveyor to provide evidence of their current Surveyors Board registration.

### WHO CAN PROVIDE A CERTIFICATION OF LOCATION IN RESPECT TO A PROPERTY BOUNDARY?

If a certification is required regarding the location of any building, improvement, or utility in relation to a property boundary, this should be provided by a registered cadastral surveyor. This includes a Form 16 certification in relation to boundary clearances of a building per s18 of the *Building Regulation 2006* relating to the *Building Act 1975* (Qld).

### FOR FURTHER INFORMATION

Should further clarification be required please contact the Surveyors Board of Queensland at [admin@sbq.com.au](mailto:admin@sbq.com.au) or by calling (07) 3839 7744.



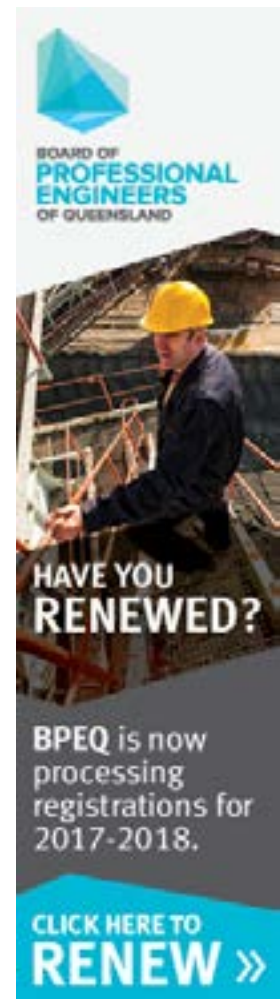
## WELCOME TO OUR NEWEST RPEQS

BPEQ extends a warm welcome to the following engineers who became registered in the last month:

Syed Tirmizi  
Nicholas Purdam  
Nathan Denzin  
Jennifer Brett  
Zhengwu Su  
Brendan Ballment  
Pamela El Jbeily  
Nicole Lovibond  
Vijayasundar  
Rajaparameswaran  
Anthony Wadham  
Arvin Silagan  
Kunal Narayan  
Terence Wong  
Myron Flunt  
Jeffrey Roper  
Simon Swindells  
Ljupco Apostoloski  
Peter Jordan  
Nicholas Rees  
Anthony Bennett  
Michael Scott  
Olena Van Spaandonk-  
Hryshko  
James Murray  
Jay Purcell  
Ashley Harris

Eng Wei Fung  
Jerom Fox  
Andre Hoffman  
Thomas Lake  
Michael Saunders  
Madhu Pullikkunnath  
Augustine  
Theruviparambil  
Dinesh Thilakasiri  
Paul Purazeni  
John Stuart  
Jonathon Elliott  
Alan Johnson  
Neil Thomas  
Russell Foots  
Mehdi Sabet  
Mikolaj Zieleniewski  
Carl Venville  
Tung Nguyen  
Scott Walter  
James Iopu  
Akhilesh Verma  
Thayalan Krishnan  
Daryl Maisey  
Ken Chan  
Samuel Holden  
Mogana Narayanasamy

Aaron Meehan  
Tim McComb  
Ken Fong  
Matthys Loedolff  
Omer Yeni  
Salomon Gelete-Beratu  
Astrid Bealing  
Mark Edgerton  
Andre van As  
John Buck  
Riccardo Bragoli  
Rowan Neville  
Dario Menendez  
Bernard du Toit  
Steve Mitchell  
Colin Yeoh  
Hamid Ali  
Stephan Siryj  
Gavin Clair  
Sammy Shing Kwok  
Jake Salomon  
Yufeng HE  
Matthew Knowles  
Alexandra Kelly  
Patrick Whittle  
David Bryant  
Alberto Escobar



## CONNECT WITH BPEQ ON LINKEDIN



Don't forget BPEQ is on LinkedIn. To keep up to date with the latest news and events from BPEQ or to start a discussion on registration or engineering issues generally, click [FOLLOW](#).

T 07 3198 0000 E [admin@bpeq.qld.gov.au](mailto:admin@bpeq.qld.gov.au)

Level 15, 53 Albert Street Brisbane 4000  
PO Box 15213 CITY EAST QLD 4002

*This newsletter is provided for general information only. It is not legal advice and should not be taken or relied upon as such. If you have any questions or concerns about your compliance with the Professional Engineers Act 2002 (Qld) or your general legal obligations as an engineer, you should obtain appropriate legal advice. The Board accepts no legal responsibility or liability for any loss you may suffer as a result of reliance upon the information contained in this newsletter.*