

26 February 2021

Community Consultations
haveyoursay@justice.tas.gov.au

Dear Sir/Madam

No Planning Approval Required Certificates Feedback

The City of Launceston has reviewed the discussion paper and has concerns regarding the proposal to introduce a No Planning Approval Required Certificate.

The purpose of the No Permit Required (NPR) status of a proposal is to provide a developer a pathway without having to gain additional approvals. If it's determined a proposal meets all the acceptable solutions and the use status is NPR then you can proceed without seeking consent. The proposal to require a certificate to determine the NPR status only adds to the approval process and creates additional cost to the developer.

The service that is currently offered by our Council occurs in an efficient and timely manner without additional costs put onto the developer. Council's process to review NPR proposals occurs when a Building Application is submitted to the Permit Authority. The application is referred to Planning to review and determine the NPR status. This is usually completed within 24 - 48 hours and there are no major delay in the process. Our Planning Department also receive proposals directly from developers to determine whether a permit is required or not. These are usually responded to within 48 hours at no cost to the developer.

We have concerns regarding the outsourcing of this process to external Planning Consultants especially where information to determine whether a code applies to a site is not easily found on the endorsed planning scheme overlays. This can occur when Council is aware of potential land contamination or where an attenuation distance triggers the requirement for an application. There are also situations where a condition on a planning permit may change the status from NPR to requiring a permit.

This information can be provided by Council's Planning Department to a Consultant Planner on request, however the purpose of the certificates is to free up resources at

local council's and this will defeat the purpose of a Consultant Planner being able to provide the advice without seeking information from Councils.

In the event that a certificate is issued by a Consultant Planner and then Council determines the proposal requires a permit, what will the recourse be for Council to appropriately assess the development? Especially in the event that the development is under construction or is built.

I understand that the purpose of the certificates is to speed up the approval process for developers, however for this to be achieved the legislation will need to include a timeframe for Consultant Planners to issue the certificates and then what is the penalty when those timeframes aren't met.

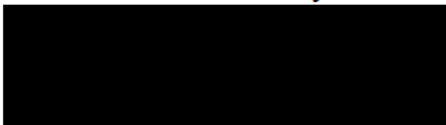
It's likely in our view that this process will add additional cost and time to a developer, especially in the instance when a developer applies to a Consultant Planner for a certificate, which is then determined to not comply with the scheme provisions and requires a permit. This will result in further costs and time, having paid a Consultant Planner to undertake an assessment and then having to pay further fees to apply for a planning permit.

Additionally, if the requirement for a NPR Certificate is implemented, will the Council be able to provide certificates to developers for free or would this impact on providing fair competition between local government and the private sector.

We are generally not supportive of Options 1 and 2 as discussed above and recommend that Option 3 Status Quo be the preferred option. The City of Launceston is focused on provided an efficient and timely approval process for developments within our municipality and therefore believe that any additional approval process such an NPR Certificates will only cause further delays in the process.

We would be happy to discuss this further if you seek further comments on the matter.

Yours sincerely



Pip Glover
TEAM LEADER PLANNING ASSESSMENTS

