

Peter Graham  
Executive Director  
Consumer Building and Occupational Services  
30 Gordons Hill Road,  
Rosny, Tasmania 7018

Dear Peter,

The Australian Institute of Architects (the Institute) is the peak body for the architectural profession in Australia, representing around 12,000 members. The Institute works to improve our built environment by promoting quality, responsible, sustainable design. Architecture influences all aspects of the built environment and brings together the arts, environmental awareness, sciences and technology. By combining creative design with technical knowledge, architects create the physical environment in which people live, which in turn, influences quality of life. Through its members, the Institute plays a major role in shaping Australia's future.

Architects are a key component of Australia's \$100 billion built environment sector and there are around 13,500 architectural businesses in Australia with around 40,000 employees. Approximately 25,000 people in the labour force hold architectural qualifications (Bachelor degree or higher) and architectural services in Australia in 2017-18 had revenue of \$6.1 billion and generated \$1.1 billion of profit.<sup>i</sup> The Institute welcomes the opportunity to make a submission to the Tasmanian Government Department of Justice and Consumer Building and Occupational Services on the Consultation on Private Planning Consultant – No Planning Approval Required Certificates.

The options paper offers three options, two of which allow private planning consultants to provide statements or certificates that no planning approval is required and another that maintains the status quo. The Institute prefers Option 3 Status Quo and supports retaining the current processes.

The Institute supports the Tasmanian Government's commitment to cut red tape, providing more efficient processes for all, however we remain unconvinced that either Option 1 or 2 proposed in the Options Paper would deliver that desired outcome that government, industry and consumers seek. In fact, we don't think either option will achieve more timely or efficient confirmations and in fact might deliver the opposite. It also has the potential to lead to additional challenges and subsequently a lack of clarity in the process, along with additional costs to the consumer.

Our members identified the following points when considering the options and the broader issues surrounding it;

- Options 1 and 2 would allow land developers to cut and paste development design without architectural input which focuses on good design and best practice outcomes for community;
- Our members are concerned that the system proposed in Option 1 and 2 could lead to the types of failings we have seen interstate where building surveyors were given sign off controls without the integration of design and building professionals;
- Impact of additional costs to clients for a currently free process;
- Efforts would be better focused on appropriately resourcing planning sections of local councils and our members have suggested that they would be potentially faster than the private sector;
- Our members have asked if there would be the potential for the Director of Building Control to develop a tick box form (similar to the Tas Water CCW exempt form) allowing licensed building practitioners to complete the exempt form.

Over all we support reviewing how we can achieve planning exempt status in a more straight forward manner, but we don't see any specific benefit of a planner delivering this service. We see that this will just increase the costs to the clients.

In answer to some of your specific questions yes Part 21 Division 5 of the Building Act 2016 does provide sufficient immunity from liability for approval providers in our view – but only for government officials, permit authorities and building surveyors.

A requirement for a Private Planning Consultant to be licensed would be our preference if Option 1 or 2 were moved forward and yes it would provide further clarity.

In closing, regulation is not necessarily red tape, and the time it takes to consider a proposal thoroughly is time well spent, particularly if we want to achieve the best possible built outcomes for our community and ultimately preserve the qualities that make Tasmania unique, which are our built and natural environments.

We appreciate that some are frustrated by current processes, but delays are most likely related to other factors such as heritage, infrastructure, coastal protection and the like. Our members have agreed that City of Hobart has been consistently timely with planning permits and No Planning Approval Required notices and have a confidence in the current system and local governments inherent objectivity and duty of fairness.

Thank you for the opportunity to contribute to this discussion.

Yours sincerely,



Jennifer Nichols

Tasmanian Executive Director

Australian Institute of Architects