



City of **HOBART**

Memorandum: Lord Mayor
Deputy Lord Mayor
Elected Members

Response to Question Without Notice

BUILDING PERMITS - POLICY

Meeting: City Planning Committee

Meeting date: 28 September
2020

Raised by: Alderman Briscoe

Question:

Can the Director advise if there is any internal policy or efficiency measure to limit the amount of time it takes to receive a building permit?

Response:

Numerous business system improvement measures have been introduced over several years to reduce building approval timeframes including paperless applications and internal referral systems. A new business system is currently being introduced to manage all development applications and we are taking the opportunity to identify and implement additional efficiencies were ever possible. However the timeframe for the determination of an application for a building permit is governed by the Building Act 2016.

The Director's Specified List specifies a timeframe of 7 days for a permit to refuse or grant a building permit. However, the Permit Authority, when granting a building permit has to be satisfied as the following matters:

- (a) the suitability of the premises where proposed permit building work is to be performed;
- (b) whether the premises are in, or are, a hazardous area, including the stability of the site;
- (c) whether, in the opinion of the permit authority, all appropriate protection work has been performed in respect of the work;
- (d) the means of access to the premises, during and after the work, and the provision of water and sanitation to those premises;

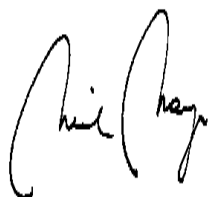
- (e) any relevant requirements of this Act or of a permit, consent or authority in force under any other Act in respect of those premises;
- (f) any other matter that the Director of Building Control determines to be relevant to an application under this Subdivision;
- (g) any other matter that the permit authority considers relevant.

If the Permit Authority cannot be satisfied as to the above matters it is bound to refuse the application.

While officers undertake the assessment as quickly as possible with available resources consideration of the above matters cannot always be completed in 7 days. In a large number of applications, the information submitted is deficient and does not allow the Permit Authority to complete its assessment. Rather than refuse an application where the documentation submitted is not sufficient as to be satisfied as to these matters, the Permit Authority requests further information until it is satisfied the building works will comply. While this may lead to delays in granting the permit, it is considered a better outcome for an applicant rather than the application being refused for lack of sufficiency of information.

If an applicant is not satisfied with the timeframe for a decision by the Permit Authority, the Building Act 2016 provides a right of appeal to the Resource Management and Planning Appeal Tribunal against the refusal, or failure, to grant an application for the permit in accordance with the Act. We have had no such appeal against the failure to determine a building application in the last 10 years.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.



Neil Noye
DIRECTOR CITY PLANNING

Date: 14 October 2020
File Reference: F20/109745