

10 February 2017

Hon J A Trad MP
Deputy Premier, Minister for Transport and
and Minister for Infrastructure and Planning
c/- State Interest Feedback
Planning Group
Department of Infrastructure, Local Government and Planning
PO Box 15009
CITY EAST QLD 4002

Dear Minister

Subject: Planning Regulation 2017

Thank you for the invitation to make a submission on the consultation draft Planning Regulation 2017.

Master Builders strongly supports planning reform that provides greater certainty and consistency of outcomes. The lack of certainty adds delay which in turn adds to the cost of development, impacting significantly on affordability.

The key issue for the building and construction sector is to ensure that building work is not unduly caught up in local government planning schemes. In the current draft regulation at *Schedule 6 Development local categorizing instrument is prohibited from stating is assessable development Part 2 Section 2*, class 1 building work is still unduly being brought into the planning assessment process.

The exception given in this section to the use of overlays provides an open ended tool for a local categorising instrument to require a material change of use. While Master Builders recognises the value of overlays, they should only be used where relevant and to call up an existing code or Australian Standard for additional consideration by the certifier. It is not appropriate for them to trigger a material change of use in any circumstances for development that is otherwise prohibited from assessment.

Master Builders therefore recommends that the provision for an overlay to trigger a material change of use be removed.

A second area of concern is in *Division 3 Section 24 When no response by referral agency is taken to be direction to refuse - Act, s58*. Under this section the assessment manager is required to refuse a development application if the local government does not comply with Section 56(4) of the Planning Act, that is to give notice about their decision. This is against the

stated purpose of the new planning legislation to deliver greater planning and development outcomes for our state. By allowing provisions that do not require a timely response from local government the door is open to poor behaviour, leading to unnecessary costs and delays to the development process.

Thank you for consideration of these issues. We look forward to continuing to work with you on the ongoing reform of the Queensland planning system.

Yours sincerely

A handwritten signature in cursive script that reads "Paul Bidwell". The signature is written in black ink on a light-colored background.

Paul Bidwell
Deputy CEO