

27 August 2025



Angela Moody
Productivity Commissioner and Chair
Queensland Productivity Commission

Via online portal

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Dear Commissioner

Re: Queensland Productivity Commission Construction Productivity Interim Report

Ipswich City Council welcomes the opportunity to provide feedback to the Queensland Productivity Commission on the 'Opportunities to Improve Productivity of the Construction Industry' interim report.


Ipswich City continues to be one of the fastest growing local government areas in Queensland and council is committed to working in partnership with all levels of government, the industry, and the community to face the challenges which lie ahead to improve housing supply, housing diversity, and affordability.

A significant portion and focus of the interim report is dedicated to planning reform and approval processing. Council is of the view this is misdirected and lacking an evidence base which demonstrates the contrary is true. Ongoing research by the LGAQ, Queensland State Government reporting, and information prepared by local government within Local Government Infrastructure Plans (LGIPs), all demonstrate on an ongoing basis, there is sufficient zoned land available in local government planning schemes and significant levels of development ready approvals in the pipeline. Throughout South East Queensland, Priority Development Areas (PDAs) along with State Development Areas, State Facilitated Development Areas and similar all offer interventions to the normative planning systems to which the local government planning schemes apply, and despite having significant capacity we remain in a critical supply position.

It is clear that council zoning, planning and approval processes are not the significant barrier the report identifies to increasing housing supply.

The role of planning is important and continues to evolve, however, it has limited scope to impact the productivity of labour, the cost of labour, availability of labour, time in construction, supply of materials, their costs, and the complexity of licensing and competency standards. The planning framework also has limited influence on key national policy drivers, such as immigration, taxation and the investment model delivering most of the housing in Australia.

It is recognised and agreed there is a need to review building and planning legislation, particularly to improve harmonisation and clarification, and in some instances simplifying the process. This may result in improved processing efficiencies but is unlikely to improve construction productivity.



As such, a review of the building and planning legislation is generally supported, noting local government involvement will be critical but requires significant leadership from the State government to address the inefficiencies in the Queensland Development Code and associated legislation as well as improving the overall national position on building matters.

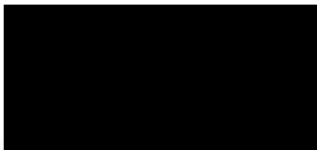
A review of the infrastructure charging framework is also supported to improve the funding and delivery of necessary infrastructure. Again, local government involvement will be critical.

It is recommended that the final report concentrate on construction and structural changes, including recommendations on national policy drivers. This includes reviewing the role and need for increased delivery of housing by the State and Commonwealth governments, including model or demonstration projects of density done well.

Further detailed feedback is provided in **Attachment 1** to this letter on relevant preliminary recommendations, reform directions, and requests for information.

Should you wish to discuss the above comments, please contact Mr Garath Wilson – City Planning Manager via email at [REDACTED]

Yours sincerely



Nathan Rule
Manager, City Design

Attachment 1 Detailed Comments

The interim report does not appear to spend sufficient time on direct construction matters, labour issues, and structural change, rather it appears to have a heavy focus on planning and other periphery matters. The role of planning is important, but it has limited scope in changing the productivity of labour, the cost of labour, availability of labour, time in construction, supply of materials, their costs, and the complexity of licensing and competency standards. It also has limited control or influence on key national policy drivers, such as immigration, taxation and the investment model that housing is currently delivered under.

It is recognised there is a need to review the building and planning legislation, particularly to improve harmonisation, and in some instances simplify the process. This may result in better processing efficiencies but is unlikely to improve construction productivity.

The final report should spend greater attention on construction structural change, including recommendations on national policy drivers.

Design of planning regulation theme

PRELIMINARY RECOMMENDATION 5 - DESIGN OF PLANNING REGULATION

To reduce uncertainty and unnecessary regulatory impost on building design, improve productivity and allow greater innovation, the Queensland Government should:

- commission an independent review to remove inconsistencies between the Planning Act and the Building Act (and associated regulations) to provide clarity regarding local government powers to regulate building matters and ensure that planning matters are implemented consistently with the Building Act

A review of the Building Act and Planning Act (including associated regulations and the Queensland Development Code) should be undertaken with a focus of harmonising the systems at a national, state and local level. It should focus initially on whether the existence of the QDC is necessary, whether the QDC creates a disconnect with the national standards of construction, and whether Queensland should simply adopt the National Construction Code (NCC) consistent with other States. This could involve the non-adoption of specific NCC requirements where there is identified uncertainty or when a determination is made that the standards have no net benefit (as per preliminary recommendation 11) or identify specific locational, or climate related issues that need a state and local based intervention such as for natural hazards, character and cultural heritage

With this established, it can underpin a secondary phase that is focused on harmonising the language, assessment process and relationship with the Planning Act. This needs to foundationally establish the Planning Act as the pre-eminent legislation and define the role of the building and plumbing legislation within it. It must challenge the presumption that building works can occur without assessment under a planning scheme allowing the planning scheme to determine whether a residential use of a building can or should lawfully exist on the premises and where it can be built, responding to site constraints, natural hazards and the like. It is the role of the building system to determine how this is built.

Options for determining this within the role of the planning scheme and local government prior to building certification should be explored, this is a model extensively used throughout major housing estates.

Local government collaboration in this review will be critical.

- ensure the requirements in local government planning schemes are consistent with the Queensland Development Code, including any variations due to climatic or other conditions

It is noted that there are already checks and balances that require local planning instruments to align with building matters (are not to conflict or duplicate) however it is recognised that application can vary.

This component of the recommendation requires further discussion and elaboration regarding what is intended.

Variations to requirements may be necessary to address identified regional or local variations in hazard, or to address State interests. An evaluation of the relevance of the QDC against the NCC is required and should identify the level of variation required due to climatic or other relevant matters, including determining what is and what is not a planning matter versus a building matter.

- require that any variations from the Queensland Development Code (the Code) in local and state government planning schemes have demonstrated net benefits to the community — consideration should be given to introducing a requirement for a formal regulatory assessment for any variations from the Code
- amend the Planning Act to standardise zoning types across all local plans

The Planning Regulation already requires the use of regulated zones and standard definitions. Planning Schemes are prepared to address State interests and involve significant public consultation and stakeholder engagement. There are already significant requirements to meet when preparing local planning instruments to achieve standardisation and meet State interests.

Although there is always room for improvement, significant work has already been spent on deregulation and planning reform. There is also an abundance of approvals and zoned land, more than sufficient to increase supply. Planning regulation is unable to compel the market to deliver approvals faster, rather current legislation provides tools that enable approvals to be extended and banked.

Demonstrated net benefits to the community may not be the relevant measure. This can raise the question of which community and when (now or future focused)? Rather, the State Planning Policies should be sufficiently robust that on balance the introduction of new building matters will collectively achieve the State interests.

- continue to progress standardised siting and design requirements for detached housing, secondary dwellings, and smaller townhouse and apartment buildings

The QDC already contains mandatory components, and the proposed Queensland Housing Code has been prepared to update the QDC and promote consistent design and siting standards for detached houses noting that detached housing represents approximately 70% of new residential construction.

Local variation to meet public expectations and address unique combinations of constraints and opportunities will continue to be necessary.

Difficulties arise where standardisation is premised around the existing right for residential use and the general exemption for building works to be assessed against the planning instrument. That is, when using standard zoning to exempt building works or using a compliance assessment regime.

Standardisation of zoning can often create an expectation regarding whether a house (or other product) should be there or not. Unfortunately, that is not always the case but is often the presumption of the building codes. This should be changed as it has created far too many inconsistencies and issues in application.

- ensure that state and local government overlays are consistently applied across planning schemes.

The State Planning Policy sets out the State interests and local governments are required to meet these interests, including undertaking local refinement. There will be necessary differences between and within local government areas to deal with changes in complexity, differences in land use patterns, differences in severity of constraints, and differences in policy to address community expectations. The application of local matters in a planning scheme will, by necessity require local assessment and variation.

Where local assessment of State matters is mapped in a local planning instrument or are included in response to a State interest, this should be completely standardised and not require an assessment by the local government.

There is merit in exploring changes to the Planning Act that more clearly confirm the role of the State and or local governments in confirming planning interests on land through an application and improving referral processes.

REQUEST FOR INFORMATION - DESIGN OF PLANNING REGULATION

The Commission would like to test its understanding of planning regulation, including:

- our understanding and framing of the issues with planning regulation, including the way it interacts with building regulation
- stakeholders' experience of complying with planning regulations, including how regulatory differences across Queensland impede construction productivity and innovation
- stakeholders' experience of interacting with regulators, i.e. how well regulators have performed and what factors contribute to better performance
- examples of where regulations have been applied flexibly to achieve better outcomes and conversely where an outcome was worse due to inflexibility.

The Commission is also seeking stakeholder views on the reform directions outlined above, including:

- if there are other reforms that would help to reduce regulatory complexity or inconsistency
- the extent to which developers and residents could be provided the flexibility to negotiate variations to existing regulation to reach mutual agreement on development in a neighbourhood, and what frameworks need to be established to make this work
- what other mechanisms could help to better align regulatory outcomes with community preferences
- any unintended consequences, implementation issues or other issues that should be considered.

The Commission should verify information provided with the State or relevant local government, particularly stakeholder experiences or industry body reports.

Perception and industry data is likely to be better informed by a response by government and an understanding of the full picture based on verified data.

The LGAQ research, State reporting, and the information prepared in local government LGIP's, all demonstrates that there are already high level of approvals and sufficient zoned land available.

PRELIMINARY RECOMMENDATION 6 - INFRASTRUCTURE CHARGING

The Queensland Government should commission an independent review of the infrastructure charging regime to ensure it provides:

- an efficient level of funding to support the necessary infrastructure to support development
- price signals that ensure that future development considers the efficient use and provision of infrastructure assets.

The review should consult widely, including with local governments and industry stakeholders.

A review of the infrastructure charging framework is supported.

It is recommended that the Commission note the research undertaken in 2024 by the LGAQ. Although the development industry is concerned with the current costs of charges, the current cap is significantly impacting on local government and the broader community based on the widening gap between infrastructure costs and the capped charges.

The current charging cap (under prescribed charges) has no nexus with the actual costs to deliver infrastructure, and ongoing pressure is being placed to reduce this burden on developers, despite the level of subsidy already provided by the cap.

Retaining the cap, or any further reductions to the cap, simply shifts this burden to local government and local communities. Ultimately, it will lead to local government being unable to deliver necessary infrastructure to support growth.

The recently adopted Ipswich Local Government Infrastructure Plan (1 July 2025) clearly demonstrates in the extrinsic material the significant impact of the current framework. The LGIP results in a Financial Sustainability Ratio of 0.57, indicating that only 57% of the modelled capital expenditure for trunk infrastructure is funded by infrastructure charges revenue. This gap is considerably greater in the period to 2031, and the calculations were based on 2020 costs, likely understating the gap. It is noted that this work was independently assessed against the State requirements using an expert from the State panel of providers.

The legislative framework requires a local government to identify necessary future works to support future demand, determine the costs for these networks, but limits what is then paid by the development that creates this demand.

Continual opening and expansion of greenfield areas means existing infrastructure is not used efficiently and this expansion comes at significant cost to build lead infrastructure.

Local government collaboration in this review will be critical.

Approval processes theme

PRELIMINARY RECOMMENDATION 7 - PLANNING AND DEVELOPMENT APPROVAL PROCESSES

To streamline high priority development assessments, the Queensland Government should provide a streamlined alternative development assessment pathway for significant developments, including for housing. This alternative development assessment pathway should:

- use independent planning professionals
- have objectives consistent with maximising the welfare of Queenslanders
- should have clear guidelines on the definition of a significant development but should not be subject to any other requirements.

Inclusion of an additional pathway is not required or necessary. The State already has multiple pathways to expedite State interests and to streamline development considered to be critical. This includes the Planning Regulation which makes various development exempt from planning applications (such as social housing), Ministerial Infrastructure Designations, State Facilitated Development, the Ministerial call-in process, and Priority Development Areas (PDA's).

Economic Development Queensland states a critical role of EDQ in PDA's is to unlock land and accelerate housing supply, which is backed by separate legislation, and is not regulated under the Planning Act.

Although operating under a different framework, one targeted at delivery, PDA's are similarly unable to meet the growth targets set. Actual growth is significantly lower than the projected growth included in the Ripley Valley PDA DCOP, which was developed to match developer intentions. These stated developer intentions are not being met, despite legislation focused on expediting delivery and subsidies being provided.

It is considered that the existing tools available are sufficient, and in fact may already be more than necessary.

The Commission is encouraged to review the decades of planning reform already undertaken, the quantum of zoned land available, and the level of approvals already available but not acted upon (refer to LGAQ research) and would be better placed focusing on construction matters and the need for structural changes.

REFORM DIRECTION 5 - PLANNING AND DEVELOPMENT APPROVAL PROCESSES

There is a strong case for amending the Planning Regulation to reduce procedural complexity and make the approval process more accountable.

Stakeholders have suggested that this could be achieved by enhancing the role of building certifiers (or other suitable third parties) to manage the approval process. This could include changing requirements so that only a single development application is required for assessable developments and a third party becoming the prescribed assessment manager, with local government's role changing to a referral agency.

The role of government as a regulator is both accepted and necessary. This role already involves significant and ongoing public consultation, stakeholder engagement, and is regulated by legislated processes. This process ensures that community expectations and necessary minimum standards are maintained.

The planning system is already 'performance based', providing for development flexibility and innovation, whilst maintaining minimum standards, including addressing community safety and amenity.

Although there may be some scope for expanding certification by third parties for dwelling approvals, this consideration would need to address the capacity and capability of certifiers to undertake this work, and consider the changes required under the current framework.

Adding third parties to this process, with referrals to government, may actually result in additional delays, reduced safeguards, and add further complexity. It is noted that certifiers already rely heavily on Councils to provide advice and commentary on whether proposals are consistent with requirements that they are already responsible for.

Deregulation has been ongoing in Queensland, and any real or perceived delays arising from the planning approval processes do not account for the longer construction timeframes being experienced or labour shortages.

As already noted, the Commission is encouraged to review the decades of planning reform already undertaken, the quantum of zoned land available, and the level of approvals already available but not acted upon (refer to LGAQ research) and would be better placed focusing on construction matters and the need for structural changes.

PRELIMINARY RECOMMENDATION 8 - PLANNING AND DEVELOPMENT APPROVAL PROCESSES

To improve approval processes, the Queensland Government should:

- review the Building Act and Planning Act to ensure statutory timeframes are adequate to allow for staged approval processes
- require local governments to publish their performance information, including approval outcomes, time taken to approve developments and outcomes from planning disputes taken to court

- require a suitable entity to consolidate and publish this local government performance information
- consider developing, in collaboration with local governments, a 'service guarantee' to ensure approval processes occur in an efficient and timely manner
- investigate digital planning and permitting technologies to improve the efficiency, accuracy and transparency of the approval process.

This matter is considered secondary to the key issues impacting construction productivity.

Council has no issue with improved reporting, noting the UDIA already undertakes this research. Due to different application management systems and approaches, there are questions about the consistency of the data. Reporting may have merit where the State invests in a state-wide online lodgement system.

Planning approvals are completed prior to the building stage. It is considered that the time taken to get planning approval is generally immaterial to the time taken to construct a home or other structures as development is not constrained to the point where it is waiting on new approvals, rather the evidence identifies there are many years of supply available.

The key focus should be on what structural changes can be made to increase construction productivity, reducing the time and cost of construction.

Statutory timeframes are regularly reviewed and updated, including through legislation updates, and changes to the DA rules. Council already reports on development assessment timeframes.

It is noted that many local governments continue to innovate, including through the adoption of electronic planning schemes, electronic lodgement, and through other policies, including offering fast track application options. Modern planning schemes also clearly identify minimum reporting requirements in codes and planning policies and make data on developments readily available.

Digital planning and innovation can result in significant benefits. From experience, the implementation of these technologies can be time-consuming, resource intensive, and costly. To maximise benefit, including for smaller and regional councils, this should not be the role of individual councils, rather the State should consider investing in tools for application statewide.

Ipswich City Council has a Customer Charter and is bound by legislation to deliver services professionally, equitably and timely.

Local government has many examples of poorly prepared applications, where consultants rely on local government to issue information requests. Local government does not pick and choose what applications are lodged nor control the quality of the lodgements.

Many lodgements for application are piecemeal, incomplete and require additional information. A review of application timeframes identified that more than 50% of application time is spent with the applicant either responding to information requests, making applications properly made, or dealing with referral agencies.

Council application timeframes once the application is properly made are limited to 35 business days with any extensions required by agreement with the applicant. There are existing consequences for not determining applications within the set timeframes, including deemed approval provisions.

The Commission may want to consider expanding the minimum lodgement requirements to improve the quality and completeness of applications, particularly those prepared by consultants. A well-made application charter may assist in reducing assessment timeframes, if signed up to by industry and communicated to clients early in the development planning and preparation phases.

Ipswich offers a free pre-lodgement service to assist in identifying relevant development matters to be addressed by applications. Despite this service, advice is often ignored and poorly prepared applications lodged.

As already noted, the Commission is encouraged to review the decades of planning reform already undertaken, the quantum of zoned land available, and the level of approvals already available but not acted upon (refer to LGAQ research). The Commission would be better placed focusing on construction matters and the need for structural changes.

REQUEST FOR INFORMATION - PLANNING AND DEVELOPMENT APPROVAL PROCESSES

To assist the Commission to better understand how planning and development approval processes can be improved, we are seeking further evidence on where development approvals work well and where they do not, as well as examples that have been used successfully in other jurisdictions.

The Commission is seeking evidence and views on:

- on what types of development and what criteria should be set for assessing whether a development is sufficiently significant to qualify for an alternative development assessment pathway, and which body should be responsible for coordinating and making assessments
- whether there are opportunities to engage third parties such as building certifiers to take more of a role in the planning and building approval process, including whether this would help to streamline approvals and whether it would introduce unintended consequences, and how these could be mitigated
- what performance information would be useful to collect and make public
- the merit of a 'service guarantee' and what form it might take
- possible housing designs or services where pre-approval could be given or the need for approval could be removed
- whether and how technology could be used to help improve approval processes.

Refer earlier comments.

It is recommended that the Commission verify the information provided to support the need for proposed changes.

Zoning regulations and land supply theme

PRELIMINARY RECOMMENDATION 9 - ZONING REGULATIONS AND LAND SUPPLY

To increase the supply of housing and improve housing construction productivity and affordability, the Queensland Government should introduce measures to ease zoning restrictions in well-located areas. To do this it should:

- identify well located areas near activity centres and surrounding transport hubs in South East Queensland and regional cities where housing densities could be increased
- institute a rigorous process that includes open consultation on how and where greater densities should be achieved to improve housing affordability and maximise net benefits to the broader community
- increase the allowable densities in appropriate areas by amending local planning schemes or setting rules for locations that local governments must implement in their planning schemes.

PRELIMINARY RECOMMENDATION 10 - ZONING REGULATIONS AND LAND SUPPLY

To ensure that local governments have sufficient incentives to deliver new housing supply in well-located areas, the Queensland Government should set annual targets for the supply of construction-ready land and for the construction of new housing for each local government area and hold local governments accountable for meeting these targets.

To enact this, the Queensland Government should:

- set targets that include desired outcomes for low, medium and high-density housing, and include short- and long-term targets to zoned supply, development rights, approvals and new land and dwelling supply
- require local governments to report against these targets in their annual reports, including whether targets have been met, and, where they have not been met, the reason
- require reporting on development and building approval outcomes, including acceptance/refusal, time taken to complete approvals and outcomes for cases brought to the planning court
- improve monitoring and reporting on the implementation and performance of housing supply targets across Queensland
- regularly consolidate local and state planning performance information and publish this in a public report
- consider applying financial incentives and/or penalties to local governments to incentivise them to meet any new land and housing targets.

This recommendation is incorrectly structured and misdirected.

Local government does not deliver housing, rather housing is delivered by the market, including by the State and non-for-profit providers.

Local government is the regulator and is responsible for planning and assessment.

This planning and regulator role is undertaken based on legislative requirements, including addressing State interests.

Ipswich has recently updated its planning scheme and LGIP on 1 July 2025, a process that took many years, most of which was waiting for State review and approval. This planning scheme is compliant with the current State legislation, which includes an approved LGIP. This LGIP identifies that Ipswich has sufficiently zoned land, suitable to accommodate significantly more housing than is required under ShapingSEQ to 2046. The LGIP was independently assessed as complying with State requirements.

This recommendation also assumes that the market is constrained by the planning system, with delivery waiting on approvals to proceed. This is inaccurate. As already stated, there is sufficient land supply across the region and there are existing approvals that can satisfy demand.

As already noted, the Commission is encouraged to review the decades of planning reform already undertaken, the quantum of zoned land available, and the level of approvals already available but not acted upon (refer to LGAQ research). The Commission would be better placed focusing on construction matters and the need for structural changes.

REQUEST FOR INFORMATION - ZONING REGULATIONS AND LAND SUPPLY

To assist in further developing recommendations in relation to zoning reform, the Commission is seeking stakeholder views on:

- the adequacy of current reporting on land supply
- where zoning reforms should be targeted, particularly those aimed at increasing density, and whether there should be exceptions or exemptions within regions targeted for zoning reform
- how consultation on zoning reforms should be conducted
- whether and how land and housing targets should be set for individual local governments
- whether there are likely to be significant costs with the public reporting of local government performance in achieving any targets
- whether monitoring and reporting of land supply targets should be undertaken by an independent body
- the efficacy of any financial incentives or penalties for improving performance, and how they could be applied
- other factors the Commission needs to consider.

The Commission is also interested in whether it is possible to enable more local control over land use, and what arrangements might align local and broader community interests.

The Commission would like to encourage stakeholders to provide quantitative evidence on the impacts, costs and benefits of planning reforms to further inform the Commission's analysis.

Refer earlier comments.

It is recommended that the Commission verify the information provided to support the need for proposed changes, particularly those providing further financial incentives to the market.

It is recommended that consideration be given to the effect on housing affordability (including rent) arising from the decline in direct government delivery of housing. It is noted that the share of housing provided by the government has significantly declined, to levels that are now inconsequential and unable to meet the need of those requiring social housing.

The review should consider the benefits of direct market intervention and consider the effects of redirecting funding away from market incentives (including subsidising rent etc) to fund the delivery of housing by government.

Increasing support for zoning reforms theme

REFORM DIRECTION 6 - COMMUNITY SUPPORT FOR HOUSING DEVELOPMENT AND REFORM

The Commission is considering how governments can better assess and build community support for housing development and reform. Options include:

- building the case for development and reform
- engaging earlier and better with the community on proposed developments
- enacting provisions to enable more local involvement in the way development occurs

- improving consultation approaches so community views are better understood and represented
- sharing the benefits of development with the community by enhancing local neighbourhoods and enacting reforms to allow greater negotiation between developers and residents on the conditions of development.

It is noted that public consultation and community participation is an important and significant requirement when preparing planning schemes.

Most deregulation and reforms are focused on reducing application timeframes, normally to remove the need for consultation, and to reduce the levels of planning assessment. Accepted Development Subject to Requirements (ADSR) has been used in many modern schemes to streamline approvals, based on earlier consultation with the community when preparing the planning scheme.

It is unclear how this reform aligns with the desire to reduce planning regulations.

Improving community acceptance of different forms of development (such as improving density in well located areas) will require the delivery of real choice through demonstration projects.

This may require direct market intervention by government to deliver demonstration and model projects noting the development industry is reluctant, or unable to undertake mid to high rise development. It also requires the improved delivery of public transport and other services to realise the benefits of densification in well located areas.

REQUEST FOR INFORMATION - COMMUNITY SUPPORT FOR HOUSING DEVELOPMENT AND REFORM

To assist in further developing the reform direction, the Commission is seeking further information and evidence on:

- community views and preferences on housing development and the need for reform and mechanisms that can be used to ensure consultation mechanisms are representative of broader community views
- how outcomes can be shaped so that communities are more accepting of change, including of higher densities
- whether there are practical measures that can be taken to allow more local involvement in shaping how development, including those aimed at increasing density, occurs in neighbourhoods
- whether there are options that would enable or facilitate more direct negotiations between developers and neighbours (for example trading off height restrictions for greenspace) without compromising development costs or timeframes
- how the benefits of development can be shared with the community.

As above.

Building regulations theme

PRELIMINARY RECOMMENDATION 11 – IMPACTS ARISING FROM NCC 2022

Unless it is demonstrated through consultation that energy efficiency and accessibility standards made as part of the NCC 2022 provide a net benefit to the Queensland community, the Queensland Government should amend the Queensland Development Code to opt-out of these provisions (that is, make them voluntary).

A review is generally supported. This will need to balance consideration of upfront costs with ongoing costs, including to future generations of not implementing improved standards.

PRELIMINARY RECOMMENDATION 12 – FUTURE REGULATORY CHANGES TO BUILDING CODES

The Queensland Government should:

- only adopt future NCC changes in Queensland codes where these have been through robust regulatory impact analysis to demonstrate they provide net benefits to the community
- only adopt other building code changes where these have been assessed as providing a net benefit under the Queensland Government Better Regulation Policy
- advocate for improved regulatory processes at the national level, including for NCC.

Refer previous comments.

REQUEST FOR INFORMATION – IMPACTS ARISING FROM NCC 2022

Changes to the NCC are agreed upon through a process involving public consultation, review by expert committees and assessment of costs and benefits. Only those changes that have a demonstrated net benefit to the community are supposed to be adopted. The Commission would like to understand if stakeholders agree that this is a reasonable process, and if not, what changes should be made.

Refer previous comments.

REFORM DIRECTION 7 – STOCK REVIEW OF BUILDING REGULATIONS AND STANDARDS

Given the accumulation of regulatory burden, there is likely to be value in undertaking a targeted, in-depth review of building regulations and standards, including how they are made, implemented and administered.

As noted under preliminary recommendation 5, should the QDC be retained, a complete review (focusing on harmonisation and simplification) is required. Many codes remain unchanged since 2007 and may require modernisation.

The review should also look to simplify the language, reduce administrative burdens, and streamline compliance requirements.

It is noted that certifiers are required to individually deem professionals licenced under QLD rules and regulation as a competent person (Building Regulations section 34) and are required to keep and maintain a register of these individuals as part of the QBCC requirements. This creates a significant administrative burden that is unnecessary.

REQUEST FOR INFORMATION – STOCK REVIEW OF BUILDING REGULATIONS AND STANDARDS

To finalise any recommendation for a review of the stock of building regulations and standards, including how they are administered, the Commission would like to understand if there are particular areas a review should focus on, and how the review should be conducted.

REFORM DIRECTION 8 – QBCC PERFORMANCE

The QBCC should consider and implement outstanding recommendations of the 2022 QBCC governance review that remain relevant. It should also consider measures to improve performance, including streamlining its licensing processes, improving its responsiveness to stakeholder and customer concerns, ensure it has sufficient presence in regional areas and continue to work to reduce compliance burdens on industry.

While it is beyond the scope of this inquiry to conduct an operational review of the QBCC, consideration should be given to whether the regulatory framework underpinning the QBCC provides the right incentives for ongoing improvements to regulatory performance.

The QBCC tends to refer customers to council to ask technical questions that relate to the implementation of building rules and regulations. This is the role of QBCC.

The QBCC should clearly define the scope of works that can be legally performed under each individual licence class.

REQUEST FOR INFORMATION – QBCC PERFORMANCE

The QBCC currently reports quarterly against a range of measures including processing times for renewals, licence applications and defects, movement to online forms and proportion of QBCC decisions set aside by the Queensland Civil and Administrative Tribunal. It also reports annually under the Queensland Government's Regulator Performance Framework.

The Commission would like to understand if the metrics the QBCC reports against appropriately measure its performance, and if not, what other metrics would help to make performance outcomes more transparent.

Are there other options for incentivising improved performance that the Commission should consider?

REQUEST FOR INFORMATION – THRESHOLD FOR INSURABLE WORKS

The Commission is seeking further information on the threshold for insurable works under the Queensland Home Warranty Scheme, including:

- the potential benefits and risks of increasing the threshold (including the impact on insurance claims and dispute resolution provisions)
- whether the threshold should be indexed annually and, if so, the appropriate methodology for indexing.

Increasing the amount for insurable works is generally not supported. It is noted that issues already arise with works undertaken below the \$3,300 unlicensed works threshold. This can include works involving the waterproofing of wet areas, that when not competently completed can have significant implications, including impacting on structural integrity through ingress of water.

QBCC licensing of owner builders requires both an improved oversight and clarity regarding works required to be carried out by tradespeople with appropriate licencing but also a more risk tolerant framework that permits low risk works, through complying works codes and processes for home owners.