

5 February 2024

Mr Nick Hauser
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Dear Nick

SUBMISSION | SUBORDINATE LOCAL LAW No 1.15

The Toowoomba Chamber of Commerce is the independent voice of the business community in our region and strongly advocates for policies that support investment, job creation, and economic growth.

While we acknowledge the need for appropriate regulation, the proposed Subordinate Local Law No. 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2024, in our view, does not achieve a fair balance between regulation and economic enablement. Instead, it introduces unnecessary red tape, increases administrative burdens, and creates further obstacles for business growth in Toowoomba.

This law, in its current form, will add costs, create delays, and discourage investment in the region, which is at odds with the Council's stated objectives to promote economic development and be a small business friendly Council.

The Toowoomba Chamber has received direct feedback from a range of business owners, many of whom wish to remain anonymous due to concerns over backlash from Council. These businesses, which are critical to Toowoomba's future growth, have outlined serious concerns with the complexity, inefficiency, and duplication embedded in this proposed law.

1. Added Red Tape and Duplication with Existing Regulations

One of the most pressing concerns is the duplication of requirements that are already covered under State and Federal legislation, including:

- Queensland Guide to Temporary Traffic Management (QGTTM);
- Manual of Uniform Traffic Control Devices (MUTCD);
- Work Health and Safety Act 2011 (WHS Act); and
- Queensland Building and Construction Commission (QBCC) Regulations.

The new law unnecessarily mandates the submission of documents already required under these existing frameworks. For example:

- Traffic Management Plans (TMPs) and Traffic Guidance Schemes (TGS) are already legally required under QGTMM and MUTCD, yet, the proposed law forces businesses to resubmit these same documents, duplicating effort and increasing administrative burden;
- scaffolding and demolition methodologies are already regulated under QBCC and WHS laws, yet this law attempts to impose additional local compliance layers, which could conflict with existing legal obligations; and
- engineering reports for open trenching (Schedule 1, Section 3(10)) add further red tape despite engineers already certifying these works as part of their Operational Works approvals.

This level of unnecessary administration burden serves no practical purpose and only adds complexity, costs, and processing time for businesses increases the cost of doing business in the city, which is ultimately passed onto ratepayers.

2. Increased Administrative Burden – More Documents, More Costs, More Delays

Rather than simplifying the road and footpath closure permit process, the proposed law makes it more difficult and costly. The number of mandatory documents required has increased from 9 to 11, despite industry-wide feedback that the current system is already overly complex.

This goes against the motion raised in the September 17, 2024, Council meeting, which emphasised that the new law should be designed to reduce regulatory burden and align with practices of other local governments. Instead, the draft legislation introduces more onerous requirements than those in place in comparable councils, making Toowoomba an outlier in terms of inefficiency. In particular, the:

- previously proposed draft under the Council motion suggested reducing required documents to 7, yet this version has increased the requirement to 11, which we consider to be a step backward;
- conditions applied to approvals have increased from 3 to 5, with two of these conditions already covered under QGTMM, making them redundant; and
- number of conditions imposed on applications has risen from 9 to 10, with the additional condition already covered in QGTMM, demonstrating a failure to streamline the process.

These changes add unnecessary costs to businesses, impacting project feasibility and reducing the likelihood of investment in new developments, infrastructure, reinvestment and renewal in premises, and local employment opportunities.

3. Delays in Permit Approvals – A Barrier to Development

Businesses have repeatedly raised concerns about unjustified delays in permit approvals, which the proposed law does not resolve. In fact, by adding further complexity, it is likely to exacerbate these delays. In particular:

- there are no statutory timeframes for permit approvals, allowing applications to be delayed indefinitely with little accountability;
- multiple Requests for Information (RFIs) are issued at different stages, rather than being consolidated upfront, which results in applicants being caught in a cycle of repeated revisions, adding weeks or months to approval timelines; and
- businesses struggle to meet with Council decision-makers, further prolonging the process and leaving applications stalled without resolution.

This inefficiency affects businesses needing timely road or footpath closures for construction, maintenance, infrastructure upgrades, or premises refurbishment and renewal. A slow and unpredictable permit process adds financial risks and discourages investment in the region, which is ultimately a cost that is directly funded by Toowoomba ratepayers.

4. Economic Consequences – Jobs and Growth at Risk

Toowoomba needs a regulatory framework that supports business, not one that hinders it. The current draft of Subordinate Local Law No. 1.15 will actively deter investment and job creation by making development approvals slower, more costly, and more uncertain. Specifically:

- construction projects, both residential and commercial, will face longer delays, increasing costs and impacting project viability;
- businesses may choose to invest in other local government areas with more efficient and business-friendly approval processes, leading to lost economic opportunities for Toowoomba; and
- small businesses that rely on timely road closure permits for expansion, maintenance, or infrastructure and urban renewal projects will face higher costs and delays, reducing their ability to grow and create jobs.

This is in direct conflict with Council's Corporate Plan 2024-2029, which aims to:

- Foster local businesses and generate jobs (Section 3.2);
- Promote Toowoomba as a business-friendly region (Section 2.7); and
- Deliver community and customer-focused services (Section 4.3).

The Toowoomba Chamber urges Council to reconsider this approach and align the law with its broader economic and business development goals.

Our Recommendations

To ensure that Toowoomba remains a competitive and attractive place for business and development, the Toowoomba Chamber strongly recommends the following changes:

1. Remove duplication with QGTTM, MUTCD, WHS Act, and QBCC regulations to eliminate unnecessary red tape.
2. Reduce the number of required documents back to the 7 originally proposed to make the process more efficient.
3. Introduce statutory timeframes for permit approvals to provide businesses with certainty and accountability.
4. Ensure Council does not impose conditions that contradict existing Operational Works and Private Certifier approvals to prevent unnecessary delays and costs.
5. Allow for structured pre-lodgement and post-lodgement meetings so that applicants can clarify requirements and avoid drawn-out RFIs.

We urge Council to prioritise efficiency, certainty, and economic growth in its regulatory framework. The current draft of Subordinate Local Law No. 1.15 does not meet these objectives and must be significantly revised.

We welcome the opportunity to work with Council to develop a framework that protects public safety while supporting business, investment, and job creation in Toowoomba.

We look forward to hearing from you on and are willing to work with you to address these matters for the betterment of the region.

Yours faithfully



Todd Rohl
Chief Executive Officer



About our Chamber

The Toowoomba Chamber of Commerce is an independent organisation that advocates on behalf of local businesses at a local, state, and federal level to ensure the business community has a voice. Celebrating our 125th Year, we offer a full program of member networking events that provide members with a platform to strengthen their existing networks, develop new contracts and connect with business leaders to maximise growth opportunities for your business.