

1 September 2019

Department of State Development, Manufacturing, Infrastructure & Planning
1 William Street
BRISBANE QLD 4000

Via email: planningpolicy@dsmip.qld.gov.au

Dear Sir / Madam,

**RE: FEEDBACK ON PROPOSED MANDATORY PROVISIONS
MODEL CODE FOR NEIGHBOURHOOD DESIGN**

INTRODUCTION

YIMBY Qld congratulate the Queensland Government for taking the initiative to prepare and undertake stakeholder consultation about the Model Code for Neighbourhood Design, specifically the proposed mandatory components of the Code, under the Creating Healthy and Active Communities initiative.

We raise concerns, however, with some specific requirements and the way in which they could be interpreted and applied if not reviewed and clarified. We caution the broader implications for housing affordability in Queensland. And we believe there are missed opportunities to implement other initiatives that could have a more significant impact on improving community health and wellbeing.

YIMBY QLD

As you would be aware, YIMBY Qld, or Yes In My Backyard Queensland, is a not-for-profit organisation tasked with encouraging and celebrating good development outcomes that enhance everyday life. We believe good development outcomes feature at least one of these four YIMBY Qld qualities being: Design Excellence, Sustainability, Innovation and Community Dividend.

GENERAL FEEDBACK

Acknowledge and Celebrate Good Examples

YIMBY Qld support the objective of making Queensland neighbourhoods more walkable, connected, active and healthy. Importantly, we believe this is a shared objective held by many across the industry and related professions. Communication with the wider community about this initiative should recognise and acknowledge this, otherwise statements such as *“Many Queenslanders are living in established communities with few footpaths, unconnected street layouts and few street trees to provide shade and shelter”* is unhelpful and misleading in isolation of this context. We encourage the Queensland Government to ensure community engagement around this and other related planning matters acknowledges leading practice and good outcomes across Queensland. We also encourage the Queensland Government to communicate and celebrate the many outstanding examples within established Queensland communities which showcase these guiding principles.

Scope and Application of the Mandatory Components of the Code

The proposed mandatory provisions, perhaps with exception of Provision 3, relate to broad-scale residential subdivision proposals involving construction of new roads and parks. However, most Planning Schemes have a single Reconfiguring a Lot Code which applies to a range of subdivision proposals, including residential and non-residential, small scale (eg. 1 into 2 lot subdivisions, RiskSmart scale projects of up to 10 lots and other infill projects with no new road or other public infrastructure) and broad scale, as well as infill and greenfield locations. Any requirement to mandate these provisions should clearly identify the nature of subdivision proposals they are applicable to, to avoid the inefficiencies, time and cost implications of over-regulation.

It is also unclear how these mandatory provisions are intended to be applied i.e. as performance outcomes and / or acceptable outcomes. This should be clarified and discussed further with key stakeholders, as it will have a significant impact on how the provisions are interpreted and applied.

Housing Choice, Diversity and Affordability

At the core of our YIMBY values is ensuring planning policy allows and encourages good development outcomes that are affordable and sustainable for current and future generations. Importantly, we believe more should be done to improve housing choice, diversity and affordability, so that our cities and regions can be a places for everyone.

The proposed mandatory provisions are all matters which will increase development regulation and costs, which while well intentioned, are not being offset by mandatory provisions to reduce existing over-regulation or unlock more flexible, innovative solutions that could make a positive impact on housing choice, diversity and affordability.

In our opinion there are other ways, and perhaps more effective ways, to encourage walkable and active communities that are not explored under this initiative, including mandating the flexibility within local planning schemes to create a more compact urban form, reducing minimum lot sizes and increasing opportunities for housing choice and diversity, particularly in areas primarily occupied by only single family dwellings.

According to John Daley, CEO Grattan Institute, housing is becoming out of reach for the young and poor in Australia and so the important lesson for Queensland right now is that boosting housing in our middle suburbs is the single most important and effective government policy option we have.

Planning policy measures being adopted by progressive global cities already experiencing significant affordability issues are doing this. For example, the 2040 Minneapolis Plan will make the city the first in the US to up-zone all of its single family residential neighbourhoods to allow up to three dwellings per lot. That is missing middle housing, creating naturally affordable low to medium scale neighbourhoods. Oregon has a plan to eradicate single family zoning in cities with 10,000 people or more. Similar efforts are occurring in Seattle, and have already been put in place in the majority of Vancouver's residential neighbourhoods. Other cities are looking to eliminate off-street parking requirements as they work to reclaim the enormous amount of space taken up by parked cars, and the heavy costs it adds to housing. San Francisco will soon be the largest city in the US to remove parking requirements altogether, citing both climate response reasons and to reduce housing costs.

YIMBY Qld believes State initiatives that unlock opportunities for smaller lot sizes and missing middle housing and reduce minimum car parking requirements are critical policy issues that should not be overlooked as part of this initiative to create healthy and active communities.

Prioritisation of walking, cycling and access to public transport

YIMBY Qld questions the focus on removing cul-de-sacs, which appears to be a policy more focused on cars and other vehicular transport, rather than pedestrian and cyclist movement, given cul-de-sacs can (and would be required to) still provide pedestrian and cyclist connectivity as per proposed mandatory provision 2. Cul-de-sac living can be very socially inclusive and assist in community building, provided pedestrian and cyclist movement is available despite the road not connecting.

SPECIFIC FEEDBACK ON THE MODEL CODE PROVISIONS

The following comments are made in response to the specific mandatory provisions of the Code.

Provision 1 – Street network based on a grid-like structure

Flexibility needs to be built into this provision to ensure the urban design can be responsive to the urban context, typography and site constraints.

Provision 2 – Limit cul-de-sacs

The requirement to ensure new cul-de-sacs are connected with pedestrian and cyclist paths is supported. However, the specific requirement that “*no more than 20 per cent of new allotments are to be accessed off cul-de-sacs*” needs to be further considered and clarified. This proposed mandatory provision is ambiguous and could result in varying interpretations and implementation (i.e. 20% of what – the existing neighbourhood, street, site?). This provision also needs to be reframed and carefully considered in relation to whether it only applies to a development of a certain size. Also, flexibility needs to be built into this provision where applying to existing cul-de-sacs i.e. there should be no requirement to provide a pedestrian /cyclist connection through the head of a cul-de-sac where the cul-de-sac already exists, even if re-subdividing a lot within the existing cul-de-sac, if there is no public land to connect to.

Provision 3 – Footpaths on both sides of most streets

We see 1.5 m footpaths provided on one side of every street occurring on a standard basis in new development projects.

Careful consideration should be given to the cost implication of requiring both sides of the street to be provided with footpaths.

Many existing cul-de-sacs, for example, have no footpaths yet are very walkable, even with cricket played on the road, given the local / no-through road environment. Lanes are another example where this would be an onerous and costly provision.

Provision 4 – Blocks longer than 130m to have mid-block pedestrian links

Each design and development needs to consider its particular urban context, topography, constraints and land uses. Alternative ways to achieve connectivity and pedestrian permeability should be included for flexibility.

Retrofitting this requirement to established neighbourhoods, through infill subdivision, would add a significant cost burden on development.

We assume this is not intended to apply to industrial subdivisions, for example, and this would need to be made clear in any code.

The cost-benefit needs to be fully considered, in relation to housing affordability.

Provision 5 – Parks and open spaces within comfortable walking distance of every dwelling

The term ‘comfortable’ walking distance should be clarified, otherwise it will be interpreted and implemented inconsistently. Comfortable walking distance could be 800m to 1km. It should not apply to ‘all dwellings’, as there will always be situations where this is not achievable.

We assume the reference to ‘comfortable’ walking distance is to 400m, given the proposal to provide local recreation parks a maximum of 400m from the residents they serve. This will be immensely difficult to achieve in many Queensland communities, not least because of Council maintenance budgets. 800m to 1km would be a better reference but would still require flexibility depending on the local urban context.

Retrofitting this requirement to established neighbourhoods, through infill subdivision, will be a challenge and needs to be considered in the context of the particular LGIP.

CONCLUSION

In summary, while we strongly support the principles of active, healthy, walkable and connected neighbourhoods, we believe planning regulation including mandatory code provisions across the State must also protect and unlock opportunities to increase housing choice, at a range of price brackets to meet community needs.

We would be happy to meet with you to discuss these matters further.

Yours sincerely,



Natalie Rayment
Co-founder and CEO
YIMBY Qld

Cc

The Honourable Cameron Dick
Minister for State Development, Manufacturing, Infrastructure and Planning

Via email: statedevelopment@ministerial.qld.gov.au