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To whom it may concern

## **FORMAL SUBMISSION TO BRISBANE CITY COUNCIL**

### **Review of the Low–Medium Density Residential (LMR) Zone**

#### **EXECUTIVE SUMMARY**

The Strata Community Association (Queensland) (SCAQ) welcomes the opportunity to contribute to Brisbane City Council's review of the Low–Medium Density Residential (LMR) zone, following Lord Mayor Adrian Schrinner's announcement of this critical reform. As the peak industry body representing Queensland's strata sector, SCAQ manages hundreds of thousands of homes across Brisbane and brings unique operational insights to this planning reform process.

SCAQ strongly supports the Lord Mayor's commitment to "delivering more homes sooner and where they're needed most" and agrees with his assessment that the current zone is underperforming, with only 445 new dwellings delivered in 2023 across 14% of Brisbane's residential area.

**Key Position:** SCAQ supports the review's intent to deliver more homes in well-located areas while maintaining Brisbane's liveability. However, we emphasise that successful densification requires addressing practical operational challenges, build quality standards, and community acceptance factors that directly impact strata communities. While the development sector gives birth to a building, it is the strata sector that must raise the child for decades to come.

#### **Primary Recommendations:**

- Implement context-specific car parking requirements that balance transport objectives with operational realities
- Strengthen residential classification controls to prevent wholesale conversion to commercial accommodation
- Embed enhanced build quality standards and consumer protections in planning approvals
- Partner with SCAQ in joint advocacy to the Queensland Government for stronger defect remedies and flood resilience standards
- Support diverse housing typologies across all price points, including "missing middle" housing options
- Align housing delivery with infrastructure investment and streamline approval processes
- Consider height and density increases in well-located areas near high-frequency public transport

## 1. ORGANISATION BACKGROUND

### 1.1 About SCAQ

The Strata Community Association (Queensland) is the peak industry body for Queensland's strata and community title sector, representing:

- Professional strata managers
- Body corporate committees and owners
- Service providers across the strata ecosystem

Our membership collectively governs and manages hundreds of thousands of residential properties throughout Brisbane, providing SCAQ with comprehensive insights into the operational realities of medium and high-density living.

### 1.2 Relevance to LMR Review

SCAQ's members are the frontline operators of Brisbane's existing density. We witness daily the successes and challenges of strata living, making us uniquely positioned to advise on planning reforms that will shape Brisbane's residential future.

As we often observe: while the development and property sector gives birth to a building, it is the strata sector that must raise the child. This long-term responsibility means our members inherit and manage the consequences of planning decisions, design choices, and construction quality for decades after developers have moved on to their next project. Our insights are therefore informed by practical experience managing diverse housing typologies, from townhouse complexes to high-rise towers, throughout their entire lifecycle.

## 2. POLICY POSITION

### 2.1 Support for Reform Principles

SCAQ endorses the Lord Mayor's vision for the LMR review and supports the broader industry consensus, as expressed by the Property Council, that urgent action is needed to address Brisbane's housing supply crisis. The delivery of only 445 new dwellings in 2023 across 14% of Brisbane's residential area demonstrates the current zone's failure to contribute meaningfully to housing supply.

SCAQ aligns with the reform principles articulated by the Lord Mayor:

**Efficient Infrastructure Utilisation:** Supporting increased density in areas with existing infrastructure maximises public investment and reduces urban sprawl.

**Strategic Housing Location:** Concentrating housing in areas with existing infrastructure—close to public transport, shops, schools, and jobs—improves residents' quality of life and reduces transport dependence while maximizing public investment efficiency.

**Housing Diversity:** Providing varied housing options supports Brisbane's demographic transition toward smaller households and diverse lifestyle preferences, delivering the "affordable, sustainable, and well-integrated" solutions the Lord Mayor has committed to achieving.

## 2.2 Complementary Industry Perspective

While supporting increased density in principle alongside the Property Council and development sector, SCAQ brings a unique long-term operational perspective to the reform discussion. As the Lord Mayor noted, this process will "listen to residents, planners, and builders"—SCAQ represents the critical fourth voice: the ongoing operators of Brisbane's existing and future density.

Our experience demonstrates that successful implementation requires addressing the operational, governance, and community acceptance challenges that arise after construction completion. Poorly managed densification can undermine both housing outcomes and community confidence in medium-density living, ultimately frustrating the supply objectives that all stakeholders share.

## 3. KEY POLICY RECOMMENDATIONS

### 3.1 Car Parking Requirements

#### Issue Context:

Car parking represents the most significant operational challenge in existing strata communities and the primary source of community resistance to new density proposals.

#### Current Impacts:

- **Strata Operations:** Inadequate parking allocations generate ongoing disputes, unauthorised usage of visitor spaces, and congestion in common areas
- **Neighbourhood Effects:** Parking overflow creates street congestion, frustrating existing residents and fuelling development opposition
- **Cultural Barriers:** Without adequate transport alternatives, premature parking reductions undermine community confidence in density

**Policy Recommendation:** Implement a graduated, context-specific parking framework that:

- Assesses local public transport accessibility and walkability
- Considers existing neighbourhood parking capacity
- Incorporates car-share and alternative mobility provisions
- Includes monitoring mechanisms to adjust requirements based on actual usage patterns
- Prevents strata communities from bearing the operational burden of inadequate parking provision

### 3.2 Residential Character Protection and Short-Term Letting

#### Issue Context:

Planning reforms must ensure developments approved as residential maintain their residential character and residential function.

**Specific Concerns:** The conversion of entire residential buildings to commercial short-term accommodation undermines:

- Long-term housing supply objectives
- Residential amenity and community stability
- Appropriate use of residential zoning

### Case Study Reference:

The Spice Apartments precedent (2023) demonstrates the significant operational impacts when residential buildings become de facto hotels, including parking congestion, noise issues, increased wear on common property, and substantial governance burdens.

### Policy Recommendations:

1. **Strengthen Planning Controls:** Implement specific provisions preventing wholesale conversion of residential developments to commercial accommodation use
2. **Preserve Body Corporate Autonomy:** Maintain the right of individual strata schemes to determine short-term letting appropriateness through by-laws
3. **Monitoring and Compliance:** Establish mechanisms to monitor residential use compliance and address unauthorised commercial operations

## 3.3 Build Quality Standards and Consumer Protection

### Issue Context:

Poor construction quality creates long-term financial and operational burdens for strata communities, undermining confidence in medium-density living. While the development and property sector gives birth to a building, it is the strata sector that must raise the child—inheriting and managing the consequences of construction defects and design flaws long after developers have moved on.

### Evidence Base:

The comprehensive Australian study "An Examination of Building Defects in Residential Multi-owned Properties" (Johnstone & Reid, 2021) found:

- 85% of buildings had at least one defect
- Average of 14 defects per building
- Over 3,000 individual defects across 212 buildings
- Six separate construction systems affected per building on average

### Consumer Protection Gap:

Current protection frameworks provide strata purchasers—often investing their entire net worth—with less recourse than consumers buying basic household goods. This protection gap:

- Creates devastating financial impacts for owners
- Generates lengthy litigation processes
- Leaves owners without remedy when builders enter liquidation
- Erodes public confidence in apartment living

### Climate Risk and Insurance Burden:

Strata communities are increasingly facing unsustainable insurance cost pressures due to climate-related risks, particularly flooding. These costs are amplified by zoning decisions that:

- Permit development in flood-prone areas without adequate mitigation
- Fail to consider long-term climate projections in planning assessments

- Transfer climate risk to strata owners through insurance premiums that can increase by hundreds of percent annually
- Create affordability crises where insurance becomes unattainable, threatening housing security

Unlike individual homeowners who can make individual risk assessments, strata owners are collectively bound by location decisions made during the planning approval process. When these decisions inadequately consider flood risk and climate resilience, entire communities face financial stress that can render properties uninsurable and unsellable.

#### Policy Recommendations:

1. **Enhanced Planning Standards:** Embed stronger build quality and design requirements in LMR development approvals
2. **Climate Resilience Integration:** Ensure LMR zoning decisions incorporate comprehensive flood risk assessments and climate projections to prevent future insurance affordability crises
3. **Joint State Government Advocacy:** Partner with SCAQ to advocate to the Queensland Government for expanded consumer protections for buildings over three storeys, including:
  - Statutory warranties extending beyond current timeframes
  - Mandatory defect insurance schemes
  - Independent inspection regimes during construction
  - Enhanced flood mitigation standards and building codes
4. **Accountability Mechanisms:** Ensure appropriate remedies exist when construction defects occur
5. **Insurance Impact Assessment:** Require consideration of long-term insurance implications in planning decisions, recognizing that strata communities bear these ongoing costs

#### Council's Strategic Interest:

Brisbane City Council has a direct interest in successful State Government reforms on building defects and flood resilience. Without adequate consumer protections and climate-resilient construction standards, the housing supply objectives of the LMR review may be undermined by community resistance to apartment living and insurance affordability crises that render developments unviable. Council's advocacy support would strengthen the case for State-level reforms that protect the local planning outcomes Council is working to achieve.

### 3.4 Housing Diversity and Affordability

#### Issue Context:

Brisbane's housing market requires choice across all price points to serve diverse household needs and economic circumstances. The current LMR zone performance—delivering only 445 homes in 2023 across 14% of Brisbane's residential land—indicates significant barriers to developing the "missing middle" housing types that are most accessible to moderate-income households.

#### Missing Middle Housing Crisis:

The decline in diverse, affordable housing typologies particularly affects:

- First-home buyers seeking alternatives to detached housing
- Downsizing households looking for low-maintenance options
- Moderate-income renters who need quality, well-located housing
- Essential workers who require housing near employment centres

### Strata Sector Contribution:

SCAQ members manage diverse housing typologies that demonstrate successful "missing middle" outcomes, including townhouse complexes, villa units, and low-rise apartment buildings. These developments often provide more affordable entry points to homeownership while maintaining community amenity and manageable body corporate structures.

### Policy Recommendations:

1. **Support Planning Reforms:** Endorse reduced minimum lot sizes and increased building heights near high-frequency public transport, provided adequate infrastructure planning accompanies density increases
2. **Incentivise Diverse Typologies:** Support fee reductions and streamlined approvals for "missing middle" housing developments that provide genuine housing choice
3. **Affordable Housing Integration:** Support mechanisms that enable affordable housing components in LMR developments, while ensuring strata management structures can accommodate mixed-tenure arrangements
4. **Design Standards:** Ensure planning reforms include design standards that support successful long-term community outcomes in higher-density developments

## 3.6 Approval Processes and Development Incentives

### Issue Context:

Complex approval processes and multiple assessment levels create barriers to delivering the housing supply Brisbane needs. SCAQ recognises that streamlined processes can support housing delivery while maintaining appropriate quality and community standards.

### Strata Management Considerations:

Simplified approval processes should consider the long-term management implications of developments, ensuring that:

- Strata schemes have workable governance structures from commencement
- Building designs support efficient maintenance and management
- Community facilities and amenities are appropriately sized and planned for ongoing sustainability

### Policy Recommendations:

1. **Streamlined Approvals:** Support code-assessable pathways for appropriate "missing middle" developments, particularly those meeting design standards and located near public transport
2. **Fee Structure Reform:** Endorse reduced infrastructure charges and application fees for developments that deliver genuine housing diversity and affordability
3. **Design Standardisation:** Support standardised building designs for common typologies that meet planning codes and enable fast-track approval, provided these include appropriate strata management considerations
4. **Mixed-Tenure Support:** Facilitate approval processes for developments incorporating affordable housing components.

### 3.7 Zone Expansion and Height Increases

#### Issue Context:

Strategic expansion of the LMR zone and appropriate height increases in well-located areas could significantly increase housing supply while supporting existing infrastructure investment.

#### Strata Sector Experience:

SCAQ members successfully manage diverse building heights and densities, demonstrating that well-designed and well-managed developments can deliver positive community outcomes at various scales.

#### Policy Recommendations:

1. **Strategic Rezoning:** Support identification of appropriate areas near high-frequency public transport and major centres for LMR zoning or upzoning to Medium-Density Residential
2. **Transit-Oriented Development:** Endorse building height increases (4-5 storeys) within walking distance of high-frequency public transport, provided adequate parking and infrastructure planning accompanies these changes
3. **Gentle Density Expansion:** Consider opportunities for modest density increases in Low-Density Residential zones where appropriate infrastructure and community services exist

### 3.8 Infrastructure Alignment

#### Issue Context:

Community acceptance of density depends significantly on corresponding investment in supporting infrastructure and services.

#### Acceptance Factors:

Where density increases without proportionate infrastructure investment, communities experience:

- Reduced service levels per capita
- Increased congestion and amenity pressure
- Strengthened resistance to future density proposals

#### Policy Recommendation:

Establish clear linkages between LMR zoning changes and infrastructure delivery commitments, including:

- Public transport capacity and frequency
- Open space and recreational facilities
- Community services and amenities
- Utilities and digital infrastructure

This alignment will support community confidence while ensuring density delivers genuine liveability improvements.

## 4. IMPLEMENTATION CONSIDERATIONS

### 4.1 Transition Management

Any LMR zone changes should incorporate appropriate transition periods allowing:

- Existing communities to adapt to new development patterns
- Infrastructure providers to scale services accordingly
- Market participants to adjust business models and expectations

### 4.2 Monitoring and Review

Implement regular review mechanisms to assess:

- Actual housing delivery outcomes against projections
- Community acceptance and satisfaction measures
- Infrastructure adequacy relative to population growth
- Build quality and defect trends in new developments

### 4.3 Stakeholder Engagement

Maintain ongoing engagement with strata communities, recognising their role as housing delivery partners and their insights into operational challenges and solutions.

## 5. CONCLUSION

SCAQ strongly supports Brisbane City Council's commitment to addressing housing supply challenges through LMR zone reform. The YIMBY principles underlying this review align with our members' experience that well-designed, well-located density can deliver excellent housing outcomes.

However, our operational experience demonstrates that successful densification requires careful attention to practical implementation details. The recommendations outlined in this submission address the key factors that determine whether density delivers positive outcomes for residents and communities.

### Success Metrics:

Effective LMR reform will deliver:

- Increased housing supply without compromising build quality
- Community acceptance and confidence in medium-density living
- Sustainable operational models for strata communities
- Housing choice across all market segments
- Aligned infrastructure and service delivery

SCAQ commits to working collaboratively with Brisbane City Council throughout the implementation process, leveraging our members' operational expertise to support successful outcomes. We particularly welcome the opportunity to partner with Council in joint advocacy to the Queensland Government on critical issues including building defect remedies, consumer protections, and flood resilience standards that directly impact the success of local planning objectives.

We appreciate the opportunity to contribute to this important policy development and welcome further engagement on these issues.

Warm regards



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