

Postcard from the Edge

Natalie Rayment

Director of Wolter Consulting Group and Co-Founder of YIMBY Qld

1. THE STATE OF CHANGE

Have you ever stood on the edge of a cliff or the balcony of a high rise building? Do you feel exhilarated by the landscape that is unfolding before you, or mindful that taking another step forward could make you fall? As a town planner in Queensland, I feel like I am standing at the edge of a cliff, my adrenalin pumping as fast as the pace of global change. Our planning and environment landscape is rapidly changing and I could not be more excited to watch this landscape unfold.

This paper explores the changing planning and environment landscape in Queensland from the context of development outcomes and community sentiment, putting forward the proposition – “*change the conversation and you change the outcomes*”. The impact that legal and political frameworks have on our cities are discussed, specifically whether they attract or stifle good development outcomes. This paper investigates how the conversation regarding planning and development can be improved by exploring industry culture and language.

Planning Reforms

The introduction of Queensland’s new planning framework is fast approaching, set to commence on 3 July, with the new Act and a myriad of subordinate legislation, state planning instruments, rules and guidelines. The draft new Regional Plan for South East Queensland is approaching finalisation. Local planning schemes will need to play catch up with the changing legal and policy setting. This is an important change to our planning and environment landscape but by no means the most significant. There are broader changes occurring, directly influencing our cities and regions.

The Great Urban Shift

Often referred to as the century of the city, we know the world’s urban population has overtaken that of rural dwellers and in the next 20 years the urban population is expected to doubleⁱ. We are living in the most highly urbanised era Australians have ever experienced.

The new draft South East Queensland Regional Plan recognises this urban shift, anticipating growth of around 2 million people in SEQ in the next 25 yearsⁱⁱ. Our cities are growing and most of that growth is no longer welcome at the edges but focused right in our backyards, as infill development within our existing urban areas. This is the decade of densification of Australian cities. This is changing our urban landscape.

Activated Communities

Our communities are taking notice of this change in urban growth patterns, to the extent that many community groups are actively rallying against urban density. Community groups are increasingly well resourced and professional in approach. West End’s new Councillor is reportedly teaching his community how to protest! Is this the new landscape?

Negativity around Development and Developers

The media overwhelmingly sympathises with the NIMBYs, the not in my back yard naysayers. Katrina Raynor, PhD Candidate in Urban Studies, QUT and Tony Matthews, Lecturer in Urban & Environmental Planning, Griffith University, published research on this phenomenon. They concluded that Queensland newspapers create a sense of danger around the topic of density and urban infill development in Brisbane. Referencing warfare and natural disasters, Raynor and Matthews state that media perpetuates *“mostly negative imagery, referencing war, death and disease. Increased urban density becomes associated with towering buildings, faceless residents and unhealthy places”, “floods of development”* and a *“city under siege”, “choking the city”* or *“ripping the heart out of its suburbs”*.ⁱⁱⁱ

In contrast, and perhaps unsurprisingly, Raynor and Matthews found that local politicians opposed to consolidation are characterised as *“saviours of the people. These white knights stand strong, benignly offering their constituents protection from the destruction of over-development.”*

It seems that the developer remains the villain in the story of the growth of our cities and all too often the planner and other development industry professionals are considered shills for developers. This is the way our industry is portrayed in mainstream media.

Disruption

At the same time as we are experiencing what seems to be increasing levels of protest against development (or change), we are also witnessing unprecedented and rapid global changes to the way we live and interact. From disruptive enterprises and technologies, to the many innovative and sustainable development projects launching us onto the world stage, our lifestyle is perpetually evolving. We are rapidly embracing technological change on so many fronts. Can our planning systems keep up? For instance, when does an Airbnb booking become a development offence? How adaptive are our parking codes to the changing nature of mobility?

Competing on the World Stage

International *‘starchitects’* have their sights on Queensland, collaborating with local architects to propose striking design outcomes, best practice sustainability, innovation and delivery of world class public spaces. All attributes of good development outcomes that make for better living.

Prominent examples include the WOHHA and Architectus designed 443 Queen Street Brisbane and Zaha Hadid Architects designed proposal - Grace on Coronation on the former ABC site at Toowong. Both projects have been designed by world renowned, award winning architects, one holding the Pritzker price for Architecture; each displaying innovation in design and proposing significant new public spaces on the Brisbane River, yet each have been very controversial projects dividing community opinion.

This raises the question: why is it that some of our best examples of creative, innovative, world class development are commonly the most controversial, while the *“tick and flick”* code compliant developments can create bland monotony while staying well below the media radar? This is changing our city landscape.

Growing Public Concern over Housing Affordability

Home ownership is fast becoming out of reach for many Australians. According to Matusik Property Insights^{iv} the affordability gap (the difference between the average house price and what the average person can borrow) has increased to nearly \$100,000 in Queensland and is even worse in Sydney and Melbourne.

Prime Minister Malcolm Turnbull has established a new Housing Implementation Taskforce looking into innovative financing models to improve the supply of affordable housing. While housing affordability is influenced by multiple levers, including taxation and finance models, our planning systems directly influence land supply, housing choice and the cost of delivery of new housing, therefore playing a critical role in this national and international debate. Planning and development, under the banner of housing affordability, have become “*backyard BBQ*” discussions.

2. NIMBY AT WHAT COST?

The influential global liveable cities ranking of Monocle Magazine celebrates cities that avoid nanny laws^{iv}. The cities with over the top laws are perceived as stifling innovation and creativity, adding unnecessary cost and time to development approval processes.

While the new Planning Act has thinned down physically, our development parameters appear to be mounting, at least in our State’s capital. For example, there are now over 100 pages of applicable local planning codes under Brisbane City Plan 2014^v to be addressed in every development application for a typical multiple dwelling development in Brisbane, regardless of its size or location. This excludes the State Development Assessment Provisions and single State Planning Policy. Increasing regulation comes at a cost to development and therefore a cost on housing. One researcher in the US has recently estimated this cost to be worth \$1 trillion per year in the US alone, as a result of planning over-regulation^{vi}.

3. ENTER THE YIMBYS

YIMBY (Yes in My Back Yard) is a growing global movement in response to the escalating cost of housing and development in major cities around the world. It is unashamedly a counter to the negative NIMBY stereotypes so common place in our cities and regions. Despite the demand for housing, the additional jobs created, the inviting lifestyle precincts created and the associated community benefits we have come to not only enjoy but expect from development, NIMBYism manages to maintain its position as the driving force in the community conversation about development.

Last year I attended the world’s first YIMBY conference in Boulder, Colorado. It was fascinating to hear first-hand how people have embraced the YIMBY movement. It has become a voice for young people asking “*What is my future in this City?*”. In doing so, YIMBY has gained world-wide attention and activated a new generation of pro-housing campaigners; spreading across North America and Europe. The message has resonance in Australia too, so much so that I have co-founded YIMBY Qld to spearhead the YIMBY movement nationally. YIMBY Qld’s primary purpose is to balance the community conversation about development and housing.

4. GLOBAL YIMBY INITIATIVES

Better Boulder

The YIMBY conference was hosted by Better Boulder^{vii}, a YIMBY group established to fight a proposed ballot measure in Colorado, USA, that would divide Boulder (with a population of around 110,000 people) into 66 separate neighbourhoods. Each neighbourhood would have the right to decide development applications, requiring a majority vote for any project to proceed; in essence a measure to block development and growth in Boulder.

Boulder has become unaffordable for key workers, most of whom commute daily from nearby towns and cities to work in Boulder. Better Boulder brought together a diverse group of YIMBY activists, not only from the development and business community but also social housing, environmental groups, the transport sector and community members. Together these groups fought under the banner 'Don't Divide Boulder', advocating for growth and development in their city.

As the only international delegates to attend the conference it was fascinating to listen to local politicians, advisors, community activists, transport groups, social housing providers, the development and business community, journalists, students and environmental warriors alike. We heard first-hand the impacts of NIMBYism in American's car dominated, urban sprawl cities and how ordinary Americans have embraced the YIMBY movement. Together, the group found common ground in the YIMBY message.

San Francisco Bay Area Renters Federation

Keynote Speaker Sonja Trauss from Bay Area Renters Federation in San Francisco (SFBARF), a grassroots community activist, spoke of her never ending fight for development to occur in her ever-unaffordable community. Sonja is all about making life easier for developers by rolling back land use rules and regulations in a City facing an unprecedented housing affordability crisis as a result of the technology boom. She protests against the protesters who fight to stop new development.

When reporting about Sonja's work, the New York Times said "*the anger she has tapped into is real, reflecting a generational break that pits cranky homeowners and the political establishment against a cast of newcomers who are demanding the region make room for them too*".^{viii}

Seattle For Everyone

Seattle is a city where the influx of new residents outpaces the number of new housing by almost four to one. Every day from 2010 to 2015 Seattle grew by 40 people, 35 jobs and 12 new housing units^{ix}.

In a twist to the usual inner city development story, the local community stood up and fought for more housing and less development regulation in their back yards. As a result, they effected changes to housing and planning regulations to make it easier to build in their city, a clear victory for YIMBY.

It's hard to imagine anyone could protest given the unprecedented housing crisis, but never underestimate the NIMBYs. One of the local anti-development activists in Seattle labels development a cancer. Seattle resident and keynote speaker at YIMBY 2016 Sara Maxana put it to them, "*Does that mean my children are the cancer? Because they are the real face of growth in any city*". She says that for too long, the narrative has been to stop development, to make it more difficult to increase density. But in Sara's story, the developer can be the hero, and the NIMBYs take on the role of the villain.

Sara tells the human story of growth. It is the new technology workers who have found a job in her city. It is the young couple who want to live close to facilities, lifestyle precincts and good schools. It's her own family. Before her divorce, they were one household, now two, and by 2026 will be four, when her two children are ready to start their own households. Sara would love for her children to be able to afford to live in the city they grow up in. They are the face of growth in her city.

Sara lives in a good neighbourhood and her children have access to a good school. She says "*if I let my privilege, purchase good opportunities for my children, and then try to stop new housing in my area, then I'm the villain in this story*". It is a powerful message.

The Seattle Mayor Ed Murray was on side, saying "*We are facing our worst housing affordability crisis in decades. My vision is a city where people who work in Seattle can afford to live here*"^x. In response, the Mayor gathered a stakeholder group of community leaders to help develop a bold agenda for increasing the affordability and availability of housing in the city.

This movement culminated in a published report with 65 recommendations, titled "*HALA – Seattle Housing Affordability and Liveability Agenda*"^x. Recommendations varied widely, and included increased land zoned for multi-family housing, more variety in housing types in single family areas, parking reforms, tax exemptions and approval process improvements. Ultimately it had a simple message – "*abundant housing for everyone*", with the aim of creating 50,000 new units, 20,000 of which would be affordable.

Obama's YIMBY Toolkit^{xi}

You know your movement is gaining traction when a US President gets behind it. Former President Obama was in favour of freeing up planning laws to encourage good development, culminating in the White House releasing a Housing Development Toolkit in September 2016.

The Toolkit states: "*In more and more regions across the country, local and neighborhood leaders have said **yes, in our backyard**, we need to break down the rules that stand in the way of building new housing – because ... we want our children to be able to afford their first home, we want hardworking families to be able to take the next job on their ladder of opportunity, and we want our community to be part of the solution*"^{xi}.

The Toolkit highlights actions that states and local jurisdictions in the USA have taken to modernise their housing strategies and promote healthy, responsive, affordable, high-opportunity housing markets, including:

- Establishing more by-right development
- Streamlining or shortening permitting processes

- Eliminating off-street parking requirements
- Allowing accessory dwelling units
- Establishing density bonuses
- Enacting high-density and multifamily zoning
- Employing inclusionary zoning and
- Establishing value capture incentives.

5. YIMBY QLD INITIATIVES

YIMBY Qld is our local initiative to discuss, recognise and promote good development that makes for better living. Established in 2016, its aim is to bring back some balance to the urban policy debate in Queensland. Our mission is to dispel urban myths about planning and development, to advocate for planning policy that facilitates and encourages good development and to celebrate and showcase the many benefits that innovative, sustainable and well-planned developments bring to our cities.

Dispelling the Myths

Our take home message from the YIMBY 2016 conference was that we too need to change the narrative about development and urban policy in Queensland. As Sara reminded us, it is time we talk more about the characters in the story of growth, than the change in character. And *“when does the car parking spot in front of my house become more important than the opportunity to make a new friend?”*

Our question should be - *“is it time we start talking about the number of stories in a new building, the stories of the newcomers, and not only the number of storeys?”* This goes to the heart of one of our greatest concerns with how we, as an industry, communicate about development proposals with the wider community. The impact assessment process can predispose development decisions to become centres of controversy; adding significant contingency and real cost to the project budget due to the potential for long delays, uncertainty and the costs of a submitter appeal. Therefore, when planning schemes pin-point non-compliance with an acceptable outcome as the trigger from code to impact assessment, for example building height, it naturally marks out as culpable the performance outcome being proposed, at least in the minds of some of the community. Using this as a trigger for impact assessment, launching an otherwise code assessable proposal into the public spotlight, must influence this sentiment.

Often this is mistakenly referred to by planners, politicians and the community alike as a limit, such as a height 'limit'. As a result, it is often perceived that a building over the acceptable outcome for height is contrary to the Council's planning intent, with the community asking how is this possible?

We need to be more precise with our language for a start, and have a community conversation about the virtues of performance based planning.

The great irony is that the often mediocre “tick and flick” outcomes are relatively quickly achieved and generally travel below the media radar; yet the result is not necessarily welcomed or embraced by the local community. Is it time we re-frame the way we look at this issue? Would it not be refreshing to see the level of assessment trigger or codes used to incentivise and therefore potentially promote discussion around density done well, rather than demonise one extra storey, turning the conversation around?

We strongly support that the new Planning Act^{xii} protects and continues performance based planning in Queensland, despite competing views on its merits. Perhaps a ‘no

limits' campaign would grab public attention, aimed at demonstrating in simple language the benefits of performance based planning as a tool to encourage innovation and provide an alternative pathway to simply reproducing mediocre outcomes that strict code compliance can readily produce. Showcasing world class projects in Brisbane that have been created through performance based planning is a mission of YIMBY Qld and we hope the industry gets behind this message.

Advocating against Barriers to Good Development

In line with world leading urban policy trends, YIMBY Qld is reviewing planning regulations across Queensland to identify opportunities to better facilitate good development outcomes and remove barriers to entry for innovative outcomes.

Some of the accumulated barriers to housing development in Queensland that restrict supply and increase costs, discussed further below, include:

- Zoning and other land use restrictions that have created the missing middle
- Escalating code provisions that increase the cost of development
- Codes that are overly focused on avoiding poor development outcomes than incentivising good outcomes
- Levels of assessment triggers that mark out as culpable certain performance outcomes, for example non-compliance with height acceptable outcomes, as described above, and
- Unnecessarily slow approval processes.

Increasing "As of Right" Development Opportunities to unlock the Missing Middle

The new Planning Bill delivers new decision rules that will increase certainty for code assessable development and maintains deemed approval provisions to streamline approval processes. While it sets up the framework, it goes no further to specifically reduce levels of assessment, leaving this a matter for each local government.

Over the last 5 years, we have witnessed a general lowering of the levels of assessment for many consistent development types. For example, Brisbane City Council has lowered the level of assessment from impact to code assessment for many multiple dwelling and mixed use projects in centres, medium and high density areas in most new Neighbourhood Plans and under City Plan 2014. However, duplexes and townhouses are all but prohibited on standard lots in our low density suburbs in Brisbane. They remain impact assessable and inconsistent unless on sites of at least 3000m² in area. The lack of housing diversity in our low density residential areas is one form of the missing middle.

YIMBY Qld would support, for example, a State-wide reduction in the level of assessment that would facilitate a second dwelling on a lot in low density areas to be rented independently for a separate household. Even in the depiction of 1950's suburbia in the Happy Days TV show, local residents may have raised an eyebrow to Fonzie's lifestyle but never his housing arrangements, renting out the space above the Cunningham's garage. So, why in 2017 is a second dwelling for a separate household on a standard low density housing lot so unsavoury in the low density suburbs of our State's capital?

This is one example of the missing middle which perpetuates while the loudest voices of community sentiment remain steadfast that low density neighbourhoods are off limits. This is despite pilot programs demonstrating that this model can deliver two or even three dwelling units within the building envelope of a typical single family house.

This model would not only deliver on housing supply and housing choice but potentially allow the new home owner to reduce or remove their mortgage repayments if they are prepared, initially, to live in the smaller dwelling unit while renting out the others. This is both a land supply and financial model, excluded as an option in Brisbane's low density neighbourhoods.

Streamlining and Shortening Approval Processes

The new Development Assessment (DA) Rules are focused on achieving “*an efficient land use planning and development assessment system that is not overly prescriptive and provides for a more responsive development assessment process*”^{xiii}. They reduce the statutory timeframes for development assessment by approximately 18 to 22%^{xiii}.

While this is a step in the right direction, much of the real time involved in the development assessment process is influenced by the level of assessment of the development, the length and breadth of applicable planning scheme code provisions and resource levels of the assessing authority. YIMBY Qld believe that the process is also influenced by an emerging culture of defensiveness on the part of the applicant and assessing authority alike.

The culture of defensiveness is of significant interest to me. It can exist at many levels. At planning scheme preparation, with the length of codes in Brisbane City Plan 2014 a case in point. Are new code provisions being increasingly written to protect against risk, without an evaluation of the cost / risk balance? Writing in the minutiae, protecting against every new community complaint, comes at a cost.

At development assessment level, we have seen an escalating conservatism on the part of some assessing authorities, more recently broadening out from impact assessable applications to permissible change requests. In response, applications tend to be written in defence mode, defending non-compliance with acceptable outcomes from the outset, diluting the message about the benefits of the proposal being put forward. Commonly, the key issues listed in the Assessment Report are focused around areas of non-compliance and not the benefits of the proposal.

Development Costs

Code assessment, and more so self-assessment, increases certainty and decreases time and cost of the approval process. The new Planning Act furthers this level of certainty with a presumption in favour of approval. Such a change is welcome, however, the devil is in the details of every code.

The expression ‘*you can't see the forest for the trees*’ springs to mind when describing the approach to the sheer size of development codes in Brisbane City Plan 2014. Applying, addressing and assessing over 100 pages of local development codes for a typical apartment building is not only mind numbing but counter-intuitive for the overall goal; getting all parties in the development assessment process bogged down in the miniature rather than considering whether the proposal is a good outcome. This arduous procedure once again comes at a cost. A cost on the design, additional time and delay in the assessment, and a general diluting of the key criteria.

Showcasing the Benefits of Good Development

Both state and local government will now have to publish the reasons why development applications have been approved or refused, reportedly to restore the

community's voice and lift the veil of secrecy over development decisions^{xiv}. It indicates an awareness or perception of some level of community mistrust surrounding the development assessment process in Queensland and a preparedness on the part of the Queensland Government to build in a heightened level of transparency into the new system.

While potentially resource intensive, which will need to be properly managed and resourced to avoid delays, YIMBY Qld supports this initiative. Currently reasons are only required for refusal, which creates a written public dialogue around the negative aspects of certain development proposals and silence around all the positive outcomes that are approved daily. This initiative should help to balance the conversation and help the community to better understand the often complex nature of and reasoning behind development decisions.

Having the assessing authority talking about the positives of development outcomes is an important step forward in sharing the stories of good development outcomes with the community.

In addition to talking about the benefits of good development, YIMBY Qld is committed to showcasing real examples, to demonstrate to the community some of the positive outcomes of recent development projects across the region, projects that display exemplar design, innovation, sustainability or community dividend.

In keeping with this initiative, YIMBY Qld supports the Deputy Premier's Award for Urban Design Initiative, which is about recognising "*contemporary Queensland urban design projects of the highest quality*" and "*encouraging cities, towns and communities across Queensland to strive for best practice in all projects*"^{xv}. Logan City Council's Beenleigh Town Square Project was named the winner of the Deputy Premier's Award for Urban Design 2017. The webpage showcases this project together with commendations and all of the other entrants to ensure that the stories about meritorious development projects are shared with the wider community.

6. JOIN THE CONVERSATION

YIMBY Qld encourages the industry to change the narrative around planning, development and growth, by:

- Greater mindfulness with our language, particularly around performance based planning
- Promoting the benefits of performance based planning by showcasing good development outcomes that wouldn't have otherwise been possible with strict compliance with acceptable outcomes
- Turning around the culture of defensiveness that can arise in development assessment
- Putting planning schemes on a code 'diet' to reduce over-regulation or nannyng laws
- Increasing incentives for good development outcomes, for example lobbying for level of assessment reductions to encourage missing middle housing forms in low density neighbourhoods and
- Celebrating the positive outcomes of development with the wider community.

The #YIMBYQld campaign has been created to help us engage industry professionals, city leaders and the wider community in this discussion, to change the urban narrative. We invite you to join the conversation.

YIMBY Qld aligns with QELA’s “*capture the moment*” theme with our recent inclusion in the PANDORA archive^{xvi}. PANDORA is Australia’s web archive, an initiative of the National Library of Australia and Partners to “*document the cultural, social, political life and activities of the Australian community and intellectual and expressive activities of Australians*”. The current legislative, social and political landscape in Queensland currently feels like the moment just before Pandora opened her box.

ⁱ UN Habitat, (2016). The City We Need: Towards a New Paradigm. Retrieved from: <http://www.worldurbancampaign.org/city-we-need>

ⁱⁱ Queensland Government (2017). Draft South East Queensland Regional Plan

ⁱⁱⁱ Raynor K and Matthews T (30 May 2016). Media picture of urban consolidation focuses more on a good scare story than the facts, published in the Urban Developer and previously in The Conversation.

^{iv} Monocle Magazine (June 2016)

^v Brisbane City Council (2014). Brisbane City Plan 2014, Zone Codes, Neighbourhood Plan Codes, Use Codes, Other Development Codes and Overlay Codes

^{vi} Florida R (18 April 2017). Meet the ‘New Urban Luddites’, published in The Atlantic CityLab.

^{vii} Better Boulder (2016). Webpage. Retrieved from <http://betterboulder.com/about-us/>

^{viii} Dougherty C (4 July 2016). How Anti-Growth Sentiment, Reflected in Zoning Laws, Thwarts Equality, published in the New York Times

^{ix} Sara Maxana (2016). YIMBY 2016 Keynote

^x HALA Housing Affordability and Liveability Agenda (2016) sourced from www.seattle.gov/hala

^{xi} The White House, Washington, USA (September 2016). Housing Development Toolkit

^{xii} Queensland Government, DILGP (May 2016). Planning Act 2016

^{xiii} Queensland Government, DILGP (March 2017). Guidance: Development Assessment Rules

^{xiv} Queensland Government Media Statement of Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment, The Honourable Jackie Trad (12 May 2016). Palaszczuk Government delivers better planning system for Queensland. Retrieved from: <http://statements.qld.gov.au/Statement/2016/5/12/palaszczuk-government-delivers-better-planning-system-for-queensland>

^{xv} Queensland Government (2017). Deputy Premier’s Award for Urban Design 2017: Celebrating Excellence in Queensland Urban Design. Retrieved from <http://dilgp.qld.gov.au/planning/architectural-and-urban-design-advice/deputy-premiers-award-urban-design.html>

^{xvi} National Library of Australia and Partners (2017). Pandora: Australia’s web archive. Retrieved from <http://pandora.nla.gov.au/>