



Brisbane City Plan 2014 Major Amendment Package ‘More Homes, Sooner’

**HIA Submission to
Brisbane City Council**





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About the Housing Industry Association

The Housing Industry Association (HIA) is Australia's only national industry association representing the interests of the residential building industry.

As the voice of the residential building industry, HIA represents a membership of 60,000 across Australia. Our members are involved in delivering more than 170,000 new homes each year through the construction of new housing estates, detached homes, low & medium-density housing developments, apartment buildings and completing renovations on Australia's 10 million existing homes.

HIA members comprise a diverse mix of companies, including volume builders delivering thousands of new homes a year through to small and medium home builders delivering one or more custom built homes a year. From sole traders to multi-nationals, HIA members construct over 85 per cent of the nation's new building stock.

The residential building industry is one of Australia's most dynamic, innovative and efficient service industries and is a key driver of the Australian economy. The residential building industry has a wide reach into the manufacturing, supply and retail sectors.

Contributing over \$100 billion per annum and accounting for 5.8 per cent of Gross Domestic Product, the residential building industry employs over one million people, representing tens of thousands of small businesses and over 200,000 sub-contractors reliant on the industry for their livelihood.

HIA exists to service the businesses it represents, lobby for the best possible business environment for the building industry and to encourage a responsible and quality driven, affordable residential building development industry.

HIA develops and advocates policy on behalf of members to further advance new home building and renovating, enabling members to provide affordable and appropriate housing to the growing Australian population. New policy is generated through a grassroots process that starts with local and regional committees before progressing to the National Policy Congress by which time it has passed through almost 1,000 sets of hands.

Policy development is supported by an ongoing process of collecting and analysing data, forecasting, and providing industry data and insights for members, the general public and on a contract basis.



Overview

HIA welcomes the opportunity to provide feedback on the 'More Homes, Sooner' Amendment Package. HIA continues to support amendments to the Brisbane City Plan 2014 which will improve the commercial viability of small-infill housing projects in Brisbane.

Since 2016, Brisbane has seen a significant decline in 'missing middle' or gentle density housing. These housing typologies can serve as a vital entry-level option for first homebuyers and a practical choice for many downsizers, whilst also increasing supply in infill locations, without significantly impacting streetscapes. Overall, it is extremely encouraging to see Brisbane City Council make changes to facilitate additional townhouses and terrace homes for these reasons and we hope other Queensland councils will make similar amendments.

Previous analysis completed by HIA confirms that under the current version of the *Brisbane City Plan 2014*, a typically sized allotment (600m² to 800m²) in the Low-Medium Density Residential (LMR) Zone has suffered an estimated 30% reduction in permitted developable floor area compared to the superseded *Brisbane City Plan 2000*. The proposed amendment package is a commendable step towards reversing this trend. Specifically, HIA supports the proposed changes to:

- Increase building height and reduce car parking in select locations which will directly support the commercial viability of some projects by increasing permitted floor area; and
- Reduce the minimum allotment size as a proven mechanism to lower the overall cost of housing while also supporting greater housing diversity and supply.

While HIA is broadly supportive of the amendment package, we note that several components of the revised Dwelling House (Small Lot) Code which specifies new requirements for lots under 180m² of site area requires further consideration.

Several proposed requirements for lots under 180m², such as the 55% maximum site cover and rear boundary setbacks of 4–6 metres are inconsistent with the requirements facilitating the delivery of terrace homes currently being built across Queensland. When *Acceptable Outcomes* do not align with market-proven designs, they trigger prolonged assessment negotiations, create delivery challenges, and ultimately deter investment, as developers rely on these benchmarks to manage risk. Similar issues have been identified with the proposed Dual Occupancy Code and the approach to subdivision.

In addition to concerns with the design provisions, the LMR zone accounts for only 14% of Brisbane's residential land, significantly limiting opportunities for infill development. This zoning constraint is exacerbated by a prevalence of pre-war homes within the Traditional Building Character Overlay, which restricts redevelopment across many LMR zoned properties. As highlighted by the Queensland Productivity Commission (QPC), 69% of well-located land near public transport in Brisbane is zoned low density or subject to character protection. Without a broader review of these restrictions, HIA remains concerned that the housing industry will not be empowered to greatly increase housing supply as required.



Requirements for Dual Occupancies

Minimum Site Requirements and Level of Assessment in Key Locations

HIA supports the proposed changes to the Dual Occupancy Code, particularly the reduction of the minimum site area to 400m² in selected LMR precincts. These reforms are essential to unlocking additional housing opportunities, especially as dual occupancies are often the only viable development opportunity when subdivision is not supported due to concerns with achieving a lawful point of discharge for stormwater.

The proposed amendments include greater limitations on dual occupancies when in a 'Key Location'. While HIA assumes the intent of these greater restrictions on dual occupancies in Key Locations is to encourage higher-density outcomes such as Multiple Dwellings, it is important to recognise that there are legitimate reasons why developers may pursue lower-intensity forms of development. For example, challenging topography may necessitate substantial retaining, limiting achievable floor area. Similarly, biodiversity corridors or other environmental constraints can restrict development yields, making a lower-density proposal the only commercially feasible option.

Recommendation 1: Simplifying Level of Assessment and Site Requirements

In light of the above, HIA recommends simplifying both the level of assessment (Table 5.5.2) for the LMR Zone and the minimum site requirements of the Dual Occupancy Code (Table 9.3.14.3.B) as follows:

- **Table 5.5.2:** Dual Occupancy should be Accepted Development subject to requirements across the entire LMR Zone.
- **Table 9.3.14.3.B:** Dual Occupancy should be supported on sites with a minimum area of 400m² and 12 metres of frontage or 10 metres of frontage when involving a shared driveway.

HIA maintains that the current decline in dwelling density within the LMR Zone is a consequence of excessive restrictions. Further prescribing development outcomes is unlikely to reverse this trend; instead, greater flexibility is required to enable feasible and diverse housing delivery.

Design requirement for Dual Occupancies

The revised Dual Occupancy Code introduced a variety of new boundary setbacks for lots less than 600m², these requirements vary based on lot depth and the proposed building height. HIA notes that in some circumstances excessive rear boundary setbacks of seven metres (7m) to ten metres (10m) are specified as well as significant side boundary setbacks of four metres (4m).

Other prescriptive design provisions such as mid-building breaks for walls exceeding 15m (AO20.2) are specified that dictates the location of private open space.

Recommendation 2: Provide Example Plans for Industry Guidance / Feedback

Given the culmination of restrictive design provisions being apply, HIA is of the view that Brisbane City Council needs to provide industry with example floor plans on common sized properties in the LMR Zone to demonstrate what outcome is being supported.

This would enable the housing industry to provide valuable feedback on whether the proposed design provisions result in a housing product that is viewed as desirable to the market and commercially viable for industry to construct.

HIA has supported the use of pattern books in other jurisdictions for this very reason, as they offer much-needed clarity around permissible outcomes and help ensure that planning expectations align with feasible built form solutions.

Subdivision in the Low Density Residential Zone

Reduced Minimum Lot Size near Centre Zones

HIA supports amendments to permit smaller allotment sizes of 300m² in the Low Density Residential Zone. However, the proposed approach to the permissibility of smaller allotments is overly conservative which is slightly increasing the required walking distance to a Centre Zone from two-hundred metres (200m) to three-hundred metres (300m).

The Queensland Productivity Commission's analysis of zoning in Brisbane confirmed that a significant portion of the most well-located land in the entire state (with regards to proximity to major employment, public transport, infrastructure and community services) is restricted by Low Density Residential Zoning or similar.

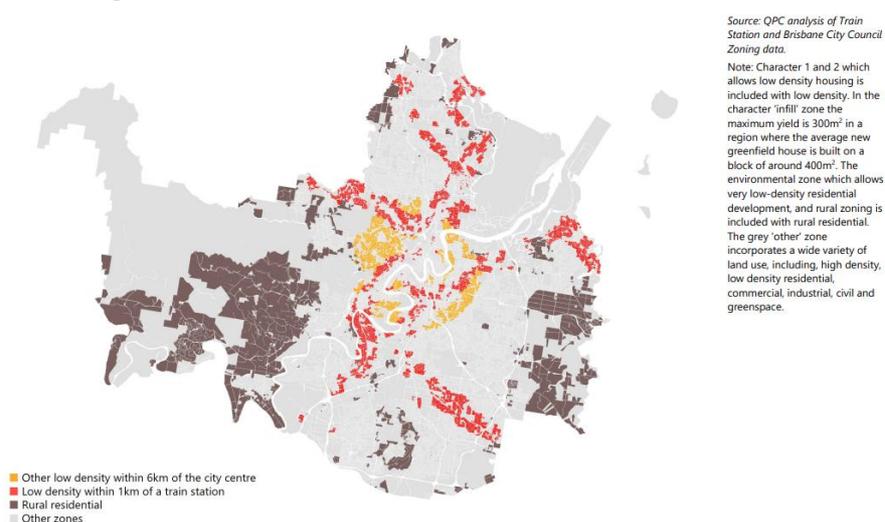


Figure 1: Analysis of Zoning in Brisbane

HIA remains concerned that Council's overall planning response to the housing crisis is insufficient. The social consequences of the rapid decline in housing affordability and availability are



increasingly visible in our communities. Across Brisbane, there are a growing number of people experiencing homelessness with individuals sleeping in cars and public parks.

Despite clear indicators of a severe housing crisis, acknowledged as a 'supply' issue by both Federal and State Governments, HIA is concerned that the planning requirements in Brisbane fail to empower the industry to substantially increase housing options.

Recommendation 3: Reduced Lot Size in Low Density Residential Zone and Upzoning

HIA recommends adopting a 300m² lot size across the entirety of the Low Density Residential Zone.

In addition to the above, well-located properties currently in the Low Density Residential Zone (those within 400m to 600m walking distance of Centre Zones or Major Public Transport Infrastructure) should be upzoned to the Low-Medium Density Residential Zone. This should also involve a review of the extent of the Traditional Building Character Overlay and options for removal in streets with minimal traditional building character.

Note: Should the above not be supported, the walking distance requirement for a 300m² allotment in the Low Density Residential Zone should be greatly expanded from 300m to 600m.

Subdivision in the Low-Medium Density Residential Zone

Triggers for Impact Assessment

HIA strongly supports the reduced minimum lot size of 120m² for new allotments not associated with a Material Change of Use (MCU). However, the introduction of a trigger for Impact Assessment when within 400m of a Key Location and involving subdivision for a lot under 600m² is a regressive decision.

While HIA assumes that this decision is aimed at alleviating concerns of perceived land fragmentation, the priority of this reform should be encouraging all forms of housing and making faster decisions.

The key reason for the current housing shortage in this zone is over-regulation of the industry. Introducing a trigger for Impact Assessment which enables third party appeals and increased assessment timeframes is counterproductive. This decision fails to acknowledge:

- There are many valid reasons for pursuing less intensive forms of infill development such as site constraints including significant slope or other environmental overlays requiring buffers; and
- Impact Assessment in this scenario is discouraging a preferred development model of 'subdividing and selling'. For finance and feasibility reasons, there is often a preference to



create freehold titles first, allowing individual landowners to sign separate contracts for home construction.

- These projects are most likely to be undertaken by Mum and Dad developers and/or small builders who will be scared off by the prospect of having to run the impact assessment gauntlet.

Further to the above HIA would also question the rationale for introducing an Impact Assessment trigger for new lots with no associated MCU that are less than 181m² and have frontage less than 6m. Many terrace home designs are available from builders which involve a frontage of less than 6m and can be appropriately constructed on lots less than 181m².

Recommendation 4: Reducing Triggers for Impact Assessment

HIA recommends the following changes to Table 5.6.1 to encourage housing supply and streamline assessments for Reconfiguration of a Lot not associated with a Material Change of Use (MCU):

- Remove the trigger for Impact Assessment when involving a reconfigured lot less than 600m² and within 400m of a Key Location; and
- Remove the trigger for Impact Assessment for allotments with a frontage of less than 6m.

This would assist Council in facilitating the faster assessment timeframes sought under the More Homes, Sooner – Amendment Package.

Dwelling House (Small Lot) Code

Design Requirements

The proposed amendments to the Dwelling House (Small Lot) Code introduce restrictive design requirements for lots under 180m² in site area. HIA's analysis of constructed terrace homes across Queensland confirms that several of the proposed design requirements are inconsistent with the product currently being delivered including:

- A maximum site cover of 55% (AO19):
 - This reflects a maximum of 99m² on a 180m² allotment.
 - Quite Illogically, a slightly larger allotment lot of 181sqm is permitted 80% site cover which is 144.8m² of built form.
- A maximum impervious area of 70% (AO20).

- A rear boundary setback of 4m to 6m depending on lot depth (AO24):
 - It should be emphasised that similar rear boundary setback provisions exist under the Multiple Dwelling Code which has contributed to the demise of this product.
- Mandatory requirements for mid-building breaks (AO21.2).

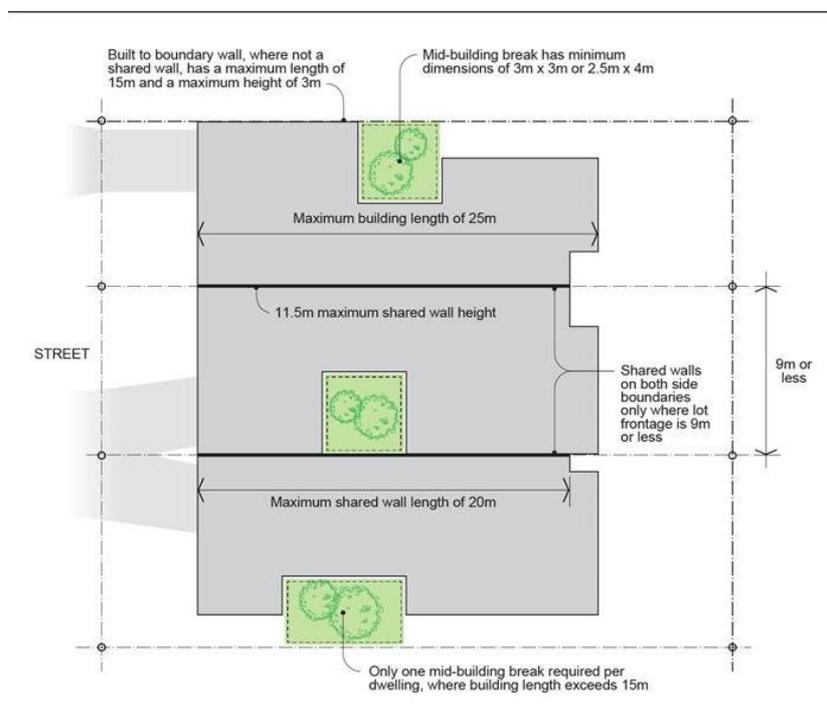


Figure 2: Mid-building breaks – particularly restrictive on mid-block dwellings

When "Acceptable Outcomes" fail to align with market-proven designs, it forces lengthy negotiations and creates significant delivery challenges. Developers frequently benchmark new projects against these outcomes to mitigate planning risk; if the code is unworkable, it effectively deters investment in new housing projects.

Recommendation 5: Provide Example Plans for Industry Guidance / Feedback

Given a culmination of restrictive design provisions apply, HIA is of the view that the Council needs to provide industry with example floor plans on common sized properties in the LMR Zone to demonstrate what outcome is being supported.

This would enable the housing industry to provide valuable feedback on whether the proposed design provisions result in a housing product that is viewed as desirable to the market and commercially viable for industry to construct.

HIA has supported the use of pattern books in other jurisdictions for this very reason, as they offer much-needed clarity around permissible outcomes and help ensure that planning expectations align with what can be feasibly constructed.



Note: Should example floor plans note be provided to industry for guidance, Council should make the following amendments:

- Increase site cover to at least 80%;
- Remove any impervious area restrictions as site cover controls this outcome; and
- Specify rear boundary setbacks of 1.5m for lower levels and 2m for upper levels.

This would align with the design outcomes of constructed terrace homes in Queensland.

Development Footprint Plans

While the proposed code has been structured to permit a Development Footprint Plan (often referred to a Plan of Development / POD) where non-compliant with acceptable outcomes, this frequently causes complexities in the certification process.

Commonly this issue arises when a Development Footprint Plan varies an aspect of the *Brisbane City Plan 2014* but because the planning scheme does not alter the Queensland Development Code (QDC) – MP1.1 in it's entirety, circumstances arise when a Concurrence Agency Referral Response is required from Brisbane City Council at building approval stage, creating a non sensical additional hurdle.

Recommendation 6: Provide Example Plans for Industry Guidance / Feedback

To avoid procedural issues and streamline the planning/building legislation interplay, HIA suggests that Council issue an early referral response under Section 57 of the *Planning Act 2016* confirming no further Concurrence Agency Response is required for any approved project with a Development Footprint Plan.

An editor's note in the Dwelling House (Small Lot) Code to this effect would be beneficial for industry to ensure the Development Assessment Team grant this early referral response.



Design Requirements for Multiple Dwellings

Application of Multiple Dwelling Code - Lawful Point of Discharge

Based on the structure of the proposed amendments, HIA assumes the Council intent is to encourage terrace home product by applying the new Dwelling House (Small Lot) Code, specifically the requirements for lots with a site area less than 180m² during the assessment of new applications.

It should be emphasised that under the current requirements of the *Brisbane City Plan 2014*, Council does not support subdivision for detached dwelling houses without a lawful point of discharge for stormwater. A common solution supported by Council is to propose a form of development that involves a body corporate so that a pumped stormwater solution can be utilised.

Based on the above, Council needs to provide confirmation that solutions exist for sites that fall away from the street when assessed under the new Dwelling House (Small Lot) Code and associated terrace home provisions.

It is noted that the amendment package does not involve any setback changes to the current Multiple Dwelling Code. Currently, the Multiple Dwelling Code is not conducive to a terrace home product and has dismally failed to support the delivery of this type of housing across the LMR Zone in Brisbane.

Recommendation 8: Confirmation on applicable design requirements for sites requiring a pumped stormwater solution

HIA requires confirmation on what design requirements will apply to sites requiring a pumped stormwater solution, noting that the current Multiple Dwelling Code is not conducive to a desired terrace home product.

Failing to resolve this issue could mean that a significant portion of properties in the LMR Zone are unviable for terrace home development as they cannot achieve a lawful point of discharge for stormwater.

Minimum Car Parking Rate

HIA supports the proposed reduction to the car parking rate for Multiple Dwellings. However, it is noted that the revised car parking rate for those sites within proximity of Key Locations remains higher than the original version of *Brisbane City Plan 2014* which applied when within 400m of a major public transport interchange.

Similarly, the proposed rate for Multiple Dwellings in all other cases, is still significantly higher than the original rates permitted under the original version of the *Brisbane City Plan 2014* and the *Brisbane City Plan 2000*. It is noted that many low-medium density policies in other states are moving towards no minimum car parking rates when near major public transport to support the delivery of low-cost housing.



Conclusions

HIA welcomes the opportunity to comment on the 'More Homes, Sooner' Amendment Package and strongly supports efforts to enhance the commercial viability of small-infill housing across Brisbane. Facilitating the delivery terraces and other missing-middle housing typologies is essential to providing housing choice and thereby improving affordability, supporting first homebuyers and providing suitable options for downsizers.

The proposed changes, particularly those enabling greater building height, reduced parking requirements and smaller minimum allotment sizes represent meaningful steps toward reversing the decline in gentle-density housing seen since 2016.

While the amendment package is an encouraging move, several of the specific design requirements need further refinement to ensure they reflect market-tested designs and do not inadvertently create new development barriers.

Broader structural constraints, including the limited extent of the LMR zone and the impact of traditional building character overlays, also continue to restrict Brisbane's overall capacity for infill housing delivery.

HIA looks forward to continued engagement with Council to refine the amendment package and ensure it fully supports the efficient delivery of diverse and entry level or downsizer suitable housing.