

Productivity Commission Inquiry Submission

This inquiry into reforms to increase housing supply, with a specific focus on regulation factors that affect the timeliness of development approvals.

It asks particularly for data, case studies and evidence on “which rules cause the biggest problems and costs, and examples of where reform has improved outcomes”, “to recommend reforms to build homes more quickly” & “faster and simpler approvals and make more land available to build more homes.”

While I support the need to improve housing supply and efficiency in planning systems, as a Wollongong resident directly affected by recent CBD developments, I am concerned that the inquiry may misidentify the causes of delay and recommend removal of critical planning controls that ensure good long-term outcomes.

This submission will be presented in 2 parts:

1. Not planning control delays, but rather failures in oversight and construction quality result in **long-term housing supply delays** with the substantial economic cost of defective development, including remediation, financing delays, and lost housing.
2. The haste for speed of approvals and housing supply, has the consequence of **incremental site-by-site approval of high-density development, not co-ordinated precinct planning**. There is no overarching plan for this very high-density growth, nor any plan for community liveability in 5-10 years.

First: In Wollongong, the issue is not an excess of planning controls causing delays, but rather **inconsistent application, frequent override of local controls, and reduced community confidence in decision-making processes**.

Case studies and a discussion of State Sanctioned pathways bypassing local controls will demonstrate that Wollongong’s experience shows the weakening/removing of planning controls for hasty approvals will not accelerate housing delivery — it risks making delays and failures worse — increasing costs and lowering housing supply.

Defective and delayed developments create projects that cannot deliver returns, reducing effective housing supply, increasing remediation and delaying costs, with a loss of public confidence in the planning system.

This is a productivity & planning problem, not just an approval issue.

Case Study 1

“Crownview” 373 Crown Street and Parkinson Street Wollongong (DA-2006/1698 and subsequent approvals). Demonstrates this loss of productivity due to systemic failure. A large mixed-use residential project experienced significant defects and **costly regulatory intervention that continues**. Some listed here:

- A **Stop Work Order** was issued by the NSW Building Commissioner
- Serious structural defects were identified in critical elements, including the basement and load-bearing systems
- A **Building Work Rectification Order** required extensive remediation
- Tens of millions of dollars have reportedly been required to address defects it has been written \$37 million.
- The building has remained unoccupied for an extended period
- Owners off the plan had their lives significantly altered through the resulting financial burden seeking returns of deposits.

Case Study 2

“Wonder Apartments” Young Street, Wollongong Mixed- use (DA-2016/1061), approved by the **Southern Regional Planning Panel**. Removed from local decision making. The 17 Storey residential and hotel experienced major issues during construction. Some listed here:

- A Stop Work Order was issued due to structural concerns
- Defects were identified in load-bearing elements
- Construction was halted for an extended period
- The project became subject to financial and delivery complications
- Again, owners off the plan had their lives significantly altered through the resulting financial burden due to uncertain delay in timeframes and safety of the build.

Both case studies show us:

- Failures in oversight and construction quality can result in **long-term supply delays**
- That approvals fast or slow do not guarantee delivery of usable housing
- The economic cost of defective development is substantial, including remediation, financing delays, and lost housing

Case Study 3

1 Smith St DA-2009/1008

Development that incurred extensive delays due to significant rock excavation known to the area, but approvals given. Consequences listed here:

- Significant hard rock excavation
- Increased time to completion, costs and complexity.
- High levels of distressing excessive noise over many months to the community
- Revealed gaps in reporting of construction issues
- Revealed gaps in private certifier powers.
- Delayed housing supply
- This case replicated throughout Wollongong CBD

These cases need to be understood in the context of broader planning trends occurring in Wollongong that includes the increased use of **regional planning panels and State Significant Development (SSD) pathways**. Pathways justified to accelerate development as a solution to housing needs. This then:

- Centralises decision-making away from local councils
- Greater flexibility to override local controls such as DCPs
- Reduced weight given to height limits, FSR, green spaces, medical and school centres.
- Reduced weight given to local knowledge and community input e.g. flooding & sewerage capacity, public transport, traffic congestion, heritage and cultural impacts.
- Reduced weight given to local knowledge and community input e.g. pedestrian and night safety, shadowing.
- Leaves a community disempowered and fearful of what will be built where we are to live for the next 5 -10 years.

The Wollongong examples demonstrate that when flexibility in approvals is not matched by strong oversight and quality assurance, the risk of:

- **Defective construction** - requiring the appointment of a dedicated Wollongong Building Commissioner
- **Project delays or stoppages**
- **Loss of housing supply is significantly increased.**

Taken together, these Wollongong examples reveal a consistent pattern:

- Large-scale developments are being approved with increasing flexibility
- At the same time, multiple projects have experienced **serious defects, regulatory intervention, and delayed completion**

This results in approved housing that is either, not delivered on time, or not usable without extensive remediation.

This represents a **failure of effective productivity problem**, not simply a delay in approvals.

Second: Is the fragmented approach to building approvals, a broader structural issue in planning. The city is being formed through a series of individually assessed developments rather than a co-ordinated infrastructure strategy. Where it seems, the developers may build but have no responsibility for the future liveability of the area. No thought for community liveability in the next 5-10 years.

While this reform of approvals inquiry intends to improve speed of approvals and housing supply, this incremental site by site approval of high-density development is not co-ordinated precinct planning. There is no over-arching plan for this very high-density growth, nor any plan for the community.

Case Study 4 Flinders St

Across the long street of Flinders – considered the gateway to Wollongong. There are multiple separate developments with approvals from differing DA processes. A mix of:

- Wollongong City Council
- Regional planning panels
- Land and Environment Court
- State Significant Development
- Seeking additional heights for Social and affordable housing 30%.

DA-2026/277 (46 Flinders St) seeking approval from 9 storey approval to 12 storeys.

DA-2016/591 (73-75 Flinders Street) Planning Panel Pathway

DA-2022-/169 (32-40 Flinders Street) Regional Planning Panel

DA-2011/1000 (35-43 Flinders Street) WCC denied, L&E Court approval

SSD 85464245 (Flinders Street) 38 Storeys State Sanctioned

Although WCC delivered their **Flinders Street Precinct Plan** in October 2025 it appears that there will now be no cohesive effort to provide the infrastructure before many of these buildings are approved and commenced. No future planning.

Piecemeal.

With heights in excess of the LEP and WCC Urban Design Framework.

Flinders St is being shaped by approval-to-approval, not planned precinct-by-precinct.

Wollongong is being reassembled without an infrastructure strategy.

Removing controls to streamline more approvals does not assist in building a liveable city for the future.

Case Study 5 Smith St

SSD67895459 “Keira Place” 120 Smith St

Phase 1 is 10 storeys

Phase 2 to be over 3 towers with 30 storeys, 25 storeys, & 12 storeys high within blocks of each other.

Summary

The experience in Wollongong demonstrates that planning delays are not primarily caused by excessive regulation, but by **inconsistency, weak enforcement, and failures in delivering compliant development outcomes.**

This indicates that the key constraint is not the existence of planning controls, but the **integrity and effectiveness of the system in applying and enforcing them.**

Multiple large-scale developments approved **through facilitated pathways will fail to deliver usable housing with supportive infrastructure.** It will slow delivery of effective housing supply, increase remediation and delay costs, with a loss of public confidence in the planning system.

The haste for speed of approvals and housing supply, has the consequence of **incremental site-by-site approval of high-density development, not co-ordinated precinct planning**. With no over-arching plan for this very high-density growth, nor any plan for community liveability in 5-10 years.

This results in an inferior housing supply with the many problems this can create – think back to the haste in the 1960s with the Waterloo Towers and lessons that should be learnt around infrastructure needs. Or the Green Bans that protected much green space and the character of the Rocks housing that is now a productive boom for tourism.

Please hasten slowly to solve the housing supply issue – it was in the making for decades – not so easily solved by just more approvals.

Particularly when dramatically changing the character of the CBD of Wollongong.

Recommendations

Rather than removing planning controls, to increase housing supply, the Commission could consider:

- Strengthening adherence to existing planning frameworks
- Improving transparency in decision-making
- Publish detailed reasoning for departures from local controls
- Maintain meaningful community participation
- Maintain meaningful local government participation
- Strengthening construction oversight and enforcement
- Require better geotechnical and construction delay risk disclosures
- Ensure approved developments are delivered as safe and compliant buildings
- Ensure developments from part of a cohesive framework for the future of the city.
- Inquire into excessive vacancy rates in completed buildings.

Thankyou

Jane Robertson

Executive Member Neighbourhood Forum 5

15 June 2026

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Jane Robertson NF5 Executive Member

What rules apply based on the location and characteristics of my dwelling?					
Can I build a dwelling on this land?	Land available for residential		Overlays / Controls		
	<ul style="list-style-type: none"> residential zone greenfield site brownfield development site temporary planning instruments allow residential 		<ul style="list-style-type: none"> heritage and culture → archeology/excavation sensitivity, neighbourhood character environmental protection → significant landscape, biodiversity protections infrastructure requirements → future transport corridor, road closure overlay risk management → flood/climate/bushfire risk, land management purpose related overlays → activity center overlay, airport overlay, social housing 		
Can I build a functional dwelling?	Basic infrastructure requirements	Additional infrastructure requirements	Access requirements	Developer contribution agreed	Other requirements
	<ul style="list-style-type: none"> gas, water, stormwater, sewerage, electricity telecommunications, streetlighting, footpaths, roads 	<ul style="list-style-type: none"> health services, schools, sporting facilities, community buildings public green space, public transport, parking, public toilets signage for urban parks and open spaces, pedestrian safety 	<ul style="list-style-type: none"> infrastructure protection buffers waste collection and emergency vehicle access bin storage 	<ul style="list-style-type: none"> works in kind open space contribution special infrastructure contribution utility connection charge 	<ul style="list-style-type: none"> infrastructure designation noise/vibration control local infrastructure design standards
What type of dwelling can I build?	Dwelling type permitted	Built form requirements	Street / neighbourhood requirements	Site requirements	Building design requirements
	<ul style="list-style-type: none"> zoning density → apartment, single detached dwelling, subdivision rules etc. additional or reduced rules due to dwelling type single dwelling covenant 	<ul style="list-style-type: none"> minimum lot size, floor space ratio, wind impact controls, ceiling height restrictions parking requirements, setbacks, lot frontage and depth, energy efficiency 	<ul style="list-style-type: none"> garage width, street surveillance, pedestrian access neighbourhood character, street wall and retained wall controls, storey limit, front fencing and street interface 	<ul style="list-style-type: none"> site coverage, vehicle access, landscaping requirements, outdoor living, water conservation 	<ul style="list-style-type: none"> visual and acoustic privacy, sunlight, ventilation, size and layout, overshadowing limits outbuildings, external fixtures, solar access
Can I get the approvals required?	Development approval		Building approval		Construction approval
	<ul style="list-style-type: none"> determine approval requirements prepare documents and reports lodge application and pay application fee assessment steps post-approval steps subdivision approval, if required receive approval 		<ul style="list-style-type: none"> determine approval requirements pre-application steps prepare documents and reports lodge application and pay application fee appoint certifier submit documentation to certifier receive approval 		<ul style="list-style-type: none"> lodge pre-construction notice start build mandatory mid-construction inspections prepare occupancy certificate documents apply for occupancy certificate receive approval