

From: [Redacted]
To: [Housing Supply](#)
Subject: submission to the Productivity Commission inquiry on housing supply regulation
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To whom it may concern,

I am grateful to have the opportunity to to make a submission to the Productivity Commission's housing supply inquiry. I note that submissions were open for only 14 days, a period inadequate for most members of the public to become aware of the inquiry and make an informed submission. I personally only became aware of the inquiry's call for submissions four days before the submission deadline.

I am making a submission as a member of the public who is greatly concerned about housing affordability, particularly for the very poorest members of Australian society, including many Aboriginal Australians. I see no effort in the inquiry's terms of reference to ensuring that secure and affordable housing is available for the poorest members of Australian society. I see attention only to increasing the total numbers of houses/residences, without regard to whether these are affordable or not to the poorest Australians. Matters such as public investment in public housing (which has decreased from 6% to 3% of all housing in the last two decades) are out of scope.

As matters of *housing affordability* and *protecting biodiversity* (my personal priorities) are outside the scope of the inquiry, which relates only to the regulatory burden on *housing supply*, I have done my best to provide information that may address all of these priorities.

I would like to take up one of the focus questions in the discussion paper, regarding the regulatory burden of housing approvals. The question is as follows (p.5): "Which specific zoning and land-use controls most limit the supply of new housing? What are the benefits to consider of specific land-use controls? How does this vary across particular Australian jurisdictions or areas?"

I would like to make strong representation regarding the benefits of retaining LGA-specific land-use controls, that address the environmental and social specificities of the LGAs/areas in which they have been developed to apply. These controls often speak to the specific environmental, cultural and fire/flood risk management aspects of particular areas, knowledge of which has been developed over many generations, drawing on local experience including First Nations experience.

As development approval processes are taken away from local government and given more generalised/abstract approval conditions at state level, the local conditions and experience embodied in LGA-level approval processes that serve to balance local interests can be overlooked.

To give an example, I refer the Commissioners to [Chapter E23 of the Wollongong City Council Development Control Plan \(DCP\)](#), which covers riparian land management within the Wollongong LGA. This chapter of the Wollongong DCP sets much wider riparian corridors than the [NSW statewide regulations](#), and is therefore in conflict with them. The width of the WCC riparian corridors is entirely justified by the unique local context (post- the devastating 1998 floods, which prompted a royal commission). However, because (a) the WCC riparian corridor widths limit available development footprint compared with the statewide riparian corridor widths and (b) the WCC riparian corridor widths are policy (in the DCP) rather than in

the statutory Local Environment Plan, there is uncertainty in the development pathway about whether or not construction within a WCC-specified riparian corridor will or will not be approved.

This uncertainty means that developers sometimes feel justified in trying to apply the narrower statewide riparian corridors in development applications (DAs) in Wollongong. Sometimes such DAs get approved (6 Dawson St Fairy Meadow for example, via appeal to the Land and Environment Court (LEC)), and sometimes they don't (eg 42 Bassett St Fairy Meadow, again via appeal to the LEC, after a DA process that lasted six years).

I believe this is a case where tighter and clearer local regulation would improve both the efficiency of the planning approval pathway, by removing uncertainty in favour of a more restrictive pathway, and also the environmental and social benefits resulting from the planning approval process. Giving statutory force to Wollongong City Council's wide riparian zones, as part of the LEP, would give certainty to developers and greatly speed up approvals, by removing the temptation to put in DAs that are not consistent with the WCC riparian corridor provisions, while at the same time ensuring houses are not built in the path of dangerous flash floods.

I request that my personal details are not shared as part of my submission.

Yours truly,
[Redacted]
[Redacted]

Sent with [Redacted] secure email.