

17 September 2026

The Australian Government Productivity Commission

Dear Sir / Madam

Re: Housing Supply Registration

I am the sole director of a small architectural practice which has operated in New South Wales for some 30 years primarily in the east and northern suburbs.

How to improve housing supply through regulation:

1. Reduce the amount of regulation and policy controls in particular limit Council's assessment controls to only "principle controls".
  - FSR density control
  - Height control.
  - Setback control
  - Deep soil landscape control.
- I believe the Floor Space Ratio density control should remain as to rely only on height and setback would encourage over excavation.
2. A blanket increase of the density control statewide by 0.15 to 0.2 e.g. where currently FSR is 0.5 increase to 0.65 to 0.7. A bonus FSR of about .5 for dual occupancies, multi generational homes or studio additions in the same zones.
3. Allow dual occupancies and multi dwelling developments in all residential zones including R1 excluding conservation zones with bonus FSR as listed above.
4. Introduce another housing typology for multi-generational homes permitting multiple kitchens and living areas in single class-1 residential with bonus FSR.
5. Remove subjective controls from the Council planning assessment process for developments which comply with the principle controls e.g. 'design excellence', 'articulation', 'view impact', shadow impact should not form part of the majority of Council development assessments

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6. Reduce the development application submission requirements e.g.

- |                                    |   |                                                                                      |
|------------------------------------|---|--------------------------------------------------------------------------------------|
| Waste management plan              | - | This is matter of regulating and educating demolishers                               |
| Construction management plan       | - | This is a matter of regulating and educating demolishers                             |
| Shadow diagrams                    | - | Should not be required for developments that area compliant with principle controls. |
| Statement of environmental effects | - | Should not be required for developments compliant with principle controls.           |

7. Encourage proven architects, builders, developers to do their work by expanding the iCIRT ratings to all industry professionals based on proven performance and experience for all types of housing delivery .
8. Stop failed construction companies/directors from rebirthing as new entities in the same industry.
9. Pause the issue of any updated Australian Standard or building code of Australia.
10. Co-ordinate between Australian Standards and other regulatory documents, e.g. the waterproofing regulation conflicts with access standard.
11. Government needs to build social housing directly not for profit directly by improving on international and local social housing systems e.g. (like the old NSW Housing Trust)
12. On large government development sites investigate the potential for mass pre-fabricated dwelling supply systems for speed and efficiency.

Current government policy has encouraged my practise and many of my clients to:

- No longer work on Class-2 apartment developments
- Not proceed with small scale developments that require Council development approval.
- Abandon small scale dual occupancy or affordable housing (apartment) developments due to inability to obtain approvals.
- Hold on development sites rather than attempt the expensive, lengthy and unpredictable Council approval process.

All levels of government need to come to a concerted approach to encourage housing productivity, for example:

We now have a ridiculous system where under State government TODD legislation permits 6 to 8 storey apartment developments in TODD areas but in the same area modest infill developments will not be approved by Council.

In my opinion the TODD legislation is fundamentally flawed with unacceptably high impact and will encourage poor quality developments with significant traffic, privacy, shadowing and amenity impacts. The Todd legislation should be amended to only apply to sites of minimum size 1000 sqm and only roads of minimum width 30 metres.

The Class 2 Design and Building Practitioner Act legislation is unnecessarily onerous and has substantially increased compliance and apartment procurement cost and time.

There was no need for an additional layer of regulation in the industry. To improve apartment construction quality Government only needed to encourage proven building industry professionals to do their work (eg. apply iCIRT ratings). Industry professional should have minimum experience and qualifications before practising. Failed construction companies / directors should be precluded from rebirthing as new entities in the same industry.

Yours faithfully

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