



The Haberfield Association Inc

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27 September 2026

Housing Supply Regulation Inquiry
Productivity Commission
GPO Box 1428
Canberra City ACT 2601

By email: housing.supply@pc.gov.au
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cc:

The Hon A. Albanese MP, Federal Member for Grayndler, R6/14 Rich Street, Marrickville NSW 2204
Ms Jo Haylen MP, Member for Summer Hill, 299 to 301 Marrickville Road, Marrickville NSW 2204
Cr Darcy Byrne, Mayor, Inner West Council, PO Box 14, Petersham NSW 2049

Dear Commissioners,

Re: Interim report, Housing supply regulation (July 2026)

The Haberfield Association Inc. (the Association) is a not for profit community organisation. It has supported the conservation of Haberfield since the 1970s. Haberfield is Australia's first garden suburb and one of the first in the world. The Haberfield Conservation Area (HCA) is of State significance and is cited in international literature.

The Association objects to the Interim Report's reform direction to replace broad heritage protections, including heritage conservation areas, with targeted listings. Its concerns fall under three headings: the evidence base, the record on heritage and housing supply, and the risk to national heritage practice.

1. The heritage findings rest on a narrow evidence base

The heritage findings in Box 2.2 draw on submissions from industry bodies including Master Builders Australia and Urban Taskforce Australia, and on studies of Melbourne. The Interim Report does not cite Australia ICOMOS (International Council on Monuments and Sites), the National Trust, the Australian Heritage Council or a State heritage agency on how heritage assessment and management work. It's only reference to a heritage council, Heritage Council Victoria information pack, supports a general statement on the purpose of heritage protection. Local governments with long experience managing heritage places, including places that anchor tourism, local and youth employment and small town services, are also absent.

Anthony Whealy KC, Chair of the Centre for Public Integrity, wrote in the [Sydney Morning Herald](#) on 28 August 2026 *"The challenge arises when – as is the case federally – there is an absence of transparency and accountability, and the capacity to be heard either is, or appears to be, profoundly unequal. This creates the risk of lobbying driving the exercise of public power away from the public interest, and can undermine public trust."*

That principle applies here. When one side of a question is heard at length and the other is not, public confidence in the process falls, whatever the intent. The Interim Report says the Commission will consider heritage controls further in its final report, due in March 2027. The Association asks the Commission to consult heritage bodies directly before then.

2. The reform direction does not reflect how heritage controls operate

The Interim Report recommends replacing broad heritage protections, including heritage conservation areas, with targeted listings for specific buildings or small areas. It describes existing listing processes as inconsistent. It refers to overlays protecting low value sites such as

car parks. It describes broad overlays as allowing heritage value to be “an excuse to prevent development”. The Association asks the Commission to test these statements against the way assessment works.

Heritage assessment rests on criteria set by State Heritage Councils and on peer reviewed method. The ICOMOS Burra Charter is recognised worldwide and is built into legislation and local government plans across Australia. The Interim Report does not examine the State criteria or the directions they give to local governments. A conservation area protects the relationship between buildings, streets, gardens and trees. Individual listings cannot protect that relationship.

Haberfield shows how a conservation area is made. The HCA was the first defined in NSW, following the findings of the 1980 Commission of Inquiry. The NSW Heritage Council held seminars and workshops on Haberfield’s multi layered values in 1981. Postgraduate theses, numerous studies and a house by house survey have followed. A detailed management document, built on that evidence, guides where and how change may occur. The HCA is not a blanket applied without assessment.

3. Heritage does not prevent housing

The Interim Report states that broad heritage controls prevent development. Its estimate of a 17 per cent increase in significant infill applies to Melbourne within 10 kilometres of the CBD. The Commission describes the estimate as indicative and notes that it may overstate the effect. It does not test conservation areas such as Haberfield.

Haberfield’s record differs from the Interim Report’s premise. The HCA controls have guided the adaptive reuse of a power substation, multi lot infill on the former Defence Lands, and housing on lots created from land once part of the local State primary school. The Defence Lands site is flood prone with limited evacuation routes, and the school is now over capacity. Housing decisions carry planning consequences beyond heritage. The HCA also contains three social housing groups. Some are adaptive reuse of historic buildings and others are sensitively designed infill. A passerby would not identify them as social housing.

4. Supply has causes the Interim Report does not examine

The Interim Report treats social housing separately from affordable housing, which it defines as below market rental housing for eligible low and moderate income households. It places social housing reform outside its scope. It does not say whether either form is retained in perpetuity, or how rents set as a percentage of area rent relate to the incomes of essential workers such as fire fighters, nurses and teachers. In the inner core of a city those rents are often beyond an essential worker’s income. State governments have also exited social housing provision since about 2000 and sold stock, which pushed households on government benefits into the general rental market. That history shapes demand, and the Interim Report does not examine it.

Supply is also shaped by the shortage of skilled trades, the price of materials, actual materials (e.g. concrete grade sand) and bank lending practices. Buyer confidence matters. The NSW Government reinstated a Building Commissioner because of unsafe construction and phoenix corporate structures, and many buyers now hesitate to purchase off the plan. The Interim Report notes the risk of land banking and describes the empirical evidence in urban areas as weak. The Association asks the Commission to examine developer land and apartment holding in its final report.

5. Climate, trees and the measure of value

The Interim Report gives little attention to the climate impacts of the built environment and does not mention embodied energy. Demolition and rebuild cycles discard the energy held in existing buildings. The Interim Report asks whether tree canopy requirements affect commercially feasible

capacity. A street tree needs deep soil to reach height, canopy and a full root ball before it cools roads and concrete. Dense development that leaves no deep soil zones cannot provide it. The c1901 Haberfield subdivision provided for deep allotments and street trees from the start, and they are integral to the significance of the HCA today.

A dollar value is not a measure of best use of land. Kate Clark, formerly of English Heritage and a former director of the NSW Historical Houses Trust, sets out the wider environmental and social benefits that historic buildings, contexts and settings provide. The Interim Report's cost benefit approach does not account for them.

6. Why planning controls exist

State and Commonwealth governments legislated for heritage conservation in the 1970s because of the wholesale demolition of historic buildings and their urban settings. The practices of the 1960s and 1970s remain within living memory. A single approach cannot serve every place, because built form varies with geomorphology, topography, history and community. Any proposal to remove environmental, building, accessibility or tree canopy standards from the planning process would reopen the risks those standards were written to address.

7. Risk to national heritage practice

The reform directions, if adopted, would affect every State and Territory. They would change how heritage practice operates and how heritage units are staffed and funded, and they put at risk heritage protocols and the role of the Burra Charter. The Association asks the Commission to:

- consult Australia ICOMOS, the National Trust, the Australian Heritage Council, State heritage agencies and local government planners before the final report
- reconsider the direction to replace heritage conservation areas with targeted listings, and test it against documented cases such as the Haberfield HCA
- adopt a multi criteria valuation model that accounts for embodied energy, environmental resilience, social housing integration and community wellbeing
- define "affordable" and "social" housing as used in planning, and address permanence
- direct reform toward developer land banking transparency, construction quality standards, infrastructure sequencing and direct public investment in social and affordable housing

The Association would welcome a meeting with the Commission to present the Haberfield evidence.

Yours sincerely,

Brett Burton

President

The Haberfield Association Inc.

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