

25 February 2026

Ms Janine Lonergan
Executive Director
Housing Taskforce
Level 11, 6 Parramatta Square
12 Darcy Street
Parramatta NSW 2150

Submitted online

Dear Ms Lonergan

Establishing the Development Coordination Authority

Thank you for the opportunity to comment on proposed actions by the NSW Government to create the Development Coordination Authority (DCA). Please also extend my thanks to both Clay Preshaw and Andre Szczepanski for their presentation to 100 of our members and their staff.

Urban Taskforce Australia welcomes the creation of the DCA.

We see it as a game-changer that could ensure the timely review of, assessment of, and concurrence with applications in which Government agencies might have an interest.

However, the lack of involvement by Treasury in supporting the DCA could prove to be its Achilles heel, as approvals may end up getting delayed or stopped due to infrastructure challenges or staffing shortfalls.

Urban Taskforce suggests that the NSW Government should be looking beyond DAs to the delivery of construction certificates, so that it can be confident that there is a higher chance that approved work actually makes it to commencement.

The authority of the DCA

Urban Taskforce is concerned to ensure that the DCA is both seen to be, and in fact is, the predominant authority when it comes to planning concurrence and advice and be the ultimate determining authority.

It will be important for those involved in-house at the DCA that they are supported in their decisions by the agency they represent.

It is critical that our political leaders, along with agency heads, support the DCA to perform its function in support of housing supply, improved timeframes for decisions and reduce the burden of conditions of consent where possible.

Centralised decision-making and advice

The proposal to centralise decision-making within the DCA and to rationalise the vast array of triggers is strongly supported, as it will reduce duplication and ensure more consistency.

By slashing and consolidating the myriad statutory documents and clauses that currently affect approvals; minimising the need for consultation by the Planning

Secretary; and limiting the number of applications requiring assessment, the time, cost, and administrative burden required to obtain an approval will be significantly reduced.

This will help to reduce the overall cost of development and will unblock the congested housing supply pipeline.

The clarification of the DCA's role as being both a single responder for agency concurrences, and as a source of technical advice for councils and proponents, will eliminate the need for an applicant to reconcile conflicting advice and ensure that there is consistent messaging coming out of DPHI.

Guidance – through clearer requirements within the *SEPP (Planning Systems) 2021* and the proposed *State Referral Provisions* – will create a more reliable framework for decision-making and help to make approval and concurrence more transparent for stakeholders.

To this end, the DCA should create a set of criteria against which to measure its performance and report regularly.

Recommendation 1: That the DCA consult with industry to develop performance metrics for its role providing statutory inputs, advice, and concurrences.

Recommendation 2: That, commencing 1 July, 2026, the DCA publish its performance results on the DPHI website.

Front door services

The creation of a single “front door” for councils, applicants, and other users of the planning system is a welcome solution to removing areas of uncertainty and reducing the number of unnecessary referrals.

This advice should not be kept behind closed doors, however, but should be shared in a de-identified format with the broader industry, so that the system can continuously improve.

This should include recommendations to practitioners and councils on how to reduce development delays post-consent.

Recommendation 3: That the DCA publish de-identified outcomes from the “front door” service to clarify questions about the planning system and to create a resource for councils and proponents seeking the Authority’s advice.

Checking applications

Urban Taskforce supports up-front checks of applications by the DCA before formal referral is required.

However, if an applicant is required to determine whether a DA needs to be referred for statutory input, the requirements must be made explicit. There is no room for error.

Further, we note that it is intended that councils have the final say on what is referred, informed by the advice of DCA.

This leaves a lot to chance, as a conservative or anti-development council may choose to refer everything, regardless of need, as a way of slowing projects down.

If DCA advises that no referral is necessary, Urban Taskforce is concerned that some councils simply ignore that advice.

If it becomes the case that some Councils are ignoring DCA advice on these matters, further thought will need to be given to amendments to the Act to strengthen the primacy of the DCA for the purpose of determining which agencies are relevant for referrals and to give concurrence.

Recommendation 4: That the DCA provide clear guidance to proponents and councils on what projects are likely to require concurrence and what projects will require no referral.

Establish a funding pool to deal with blockages

Often referrals of development applications are held up due to some minor requirements for infrastructure amendments/augmentation/adjustments that cannot be resolved quickly.

There should be a mechanism to involve NSW Treasury in the DCA process as having them be aware of the consequences of not funding these works is critical to improving housing supply in Greater Sydney and beyond.

A modest pool of funding could be allocated both to the DCA itself, or to the constituent agency partners, to resolve these blockages.

Waiting for such a minor work to be included in the UDP infrastructure opportunities list, then negotiating a VPA or WIK agreement, could become a critical bottleneck in the journey of converting housing approvals into completed dwellings.

Recommendation 5: That Treasury be a participant in the DCA and provide additional funding, where necessary, to facilitate development approvals.

Conditions of consent

Getting a development approval is complicated and difficult. But navigating the vast array of conditions of consent applied to applications is often an even greater challenge.

These conditions can be obscure, arcane, even unworkable, and are often applied with flippant disregard for their impact on timely delivery or project feasibility.

Ultimately, they can stop an application from progressing from DA to construction certificate (CC) stage by throwing up barriers, meaning that a project may never be built.

While Urban Taskforce recognises that the DCA will not have the final say on all conditions of consent expected by agencies and councils, we urge all involved with the DCA to bring all agency partners on the journey towards maximising the delivery of housing.

Developers do not actively look for reasons not to build, and holding onto unproductive land escalates their costs.

Conditions that put a hold on development need to be reconsidered and reduced wherever possible, so that industry can get on with the job of building the homes that NSW needs.

Recommendation 6: That the DCA use its working knowledge of consent conditions to review and reduce the number of conditions placed on developments, so that more approvals can be converted into completed dwellings.

Backing decisions

DCA should be authorised to defend its decision-making in court in support of a developer claim against unreasonable refusals by a council. Having Council represent the DCA in a court scenario would not be workable.

Recommendation 7: That the DCA be funded and staffed to enable them to appear in the L&E Court to explain and support its decisions.

Timeframes

Urban Taskforce welcomes the proposed limitation for referrals to 28 calendar days.

However, the ability to stop the clock raises ongoing concerns about the volume of information currently required for applications and how long the process can be paused.

Standardised rules for stopping the clock are supported, but the reasons to stop the clock should be limited.

Excessive requirements for information should be avoided, limiting any requests only to issues of direct relevance to the project being assessed. Information obtained through these reports might be collected in other ways, without unnecessarily delaying applications.

With that said, while DCA has indicated that it intends to provide a single response for concurrence and advice, the development industry would prefer that any holdup beyond the 28-day timeframe apply only to the issue requiring further information. Any item already decided should be communicated, so that applicants and councils can progress the approval process while awaiting any outstanding decisions.

Recommendation 8: That the DCA provide clear criteria for which stop the clock processes can be used during an assessment.

Recommendation 9: That the DCA conduct a review into information requirements for development assessment to reduce the high volume of reporting sought for residential development projects.

Recommendation 10: That any requests for information only be allowed to delay a concurrence beyond 28 days for the issue for which the RFI is sought. The results of other referrals not affected by the RFI should be communicated back to the council and applicant before or at 28 days.

Faster turnarounds may be needed

When the parties to a section 34 conciliation conference have agreed on an amended development scheme to resolve the issues between the parties, there may be elements that require additional review and concurrence.

These conferences have limited timeframes for resolution and cannot wait for a 28-day turnaround from the DCA.

If an issue is referred to the DCA for concurrence and advice coming out of a s.34 conciliation, it must be reviewed and responded to quickly, so as to enable the parties to resolve the proceedings by agreement through the s34 process and avoid the s34 process being terminated by the Court.

Recommendation 11: That concurrence or advice requests arising from amendments to applications agreed during s.34 conciliation conferences be expedited to ensure a quick resolution of the proceedings.

Fees

Urban Taskforce recognises the need to increase fees to cover the costs of delivering the referral service by the DCA.

However, this should not be treated as a revenue raising exercise but must be justified through clear improvements in referral and concurrence processes.

Fees appear to be doubling, and the DCA should clarify why this might be necessary. This increase in fees should be undertaken on a staged basis, with the increase introduced over a 2-year period so the efficacy of the DCA can be seen and be clear before its full cost is applied to fees.

Further, if the DCA does not manage to deliver on its metrics, there should be a freeze in any proposed fees until performance improves. The DCA should ensure that any fees charged are proportionate to the work involved and are linked to performance.

Fees should also be waived where there is no significant cost of service and there should be no fee for pre-lodgement advice, so that there is not the prospect of overcharging applicants.

Recommendation 12: That the DCA ensure that any fees charged are proportionate to the work involved and are linked to performance. Fee freezes and waivers should be used if the DCA is not meeting performance metrics or there is no significant cost of service.

Dealing with conflict

There will likely be friction between State and local government and industry as the DCA processes take effect.

There will also be complications that arise, particularly if there is any compounding effect coming from multi-interface sites.

DCA should be prepared to mediate between parties, where necessary, to ensure that roles and responsibilities are clear and that disputes can be resolved quickly.

Recommendation 13: That the DCA establish a mediation process to resolve disputes arising between councils and applicants.

Non-NSW Government agencies

Decisions may be hampered by concurrence requirements of Federal agencies and some national companies.

These can contribute to sizeable bottlenecks, sitting, as they do, outside the State planning processes.

While we appreciate that Federal Government agencies are outside the scope of its formal remit, the DCA should have MOUs in place with identified external parties (including Federal Government Agencies or Authorities) to ensure that any potential bottlenecks can be resolved early on, and development projects consequently are not unnecessarily delayed.

Recommendation 14: That the DCA establish MOUs with relevant Federal, state, and industry parties that sit outside of the NSW planning laws, so that their concerns can be addressed without delaying the approvals process.

Conclusion

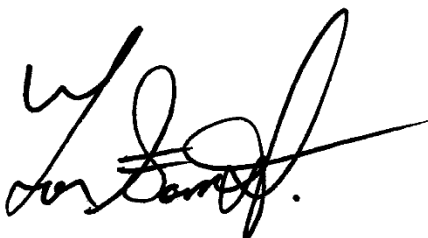
Urban Taskforce Australia strongly supports the DCA and welcomes the current consultation on proposed pathways forward.

We believe that this Authority should lead the Government in transparency and accountability, ensuring that all decisions are clear, timely, and justifiable.

We look forward to progress over the next few months in establishing the DCA and would welcome the opportunity to engage further with DPHI on the details and processes required to make the Authority a success.

Should you wish to discuss any aspect of this submission further, please contact our Policy, Planning and Research Analyst, Paul Waterhouse, on 0411-875-366 or via email at paul@urbantaskforce.com.au.

Yours sincerely



Tom Forrest
Chief Executive Officer