

HISTORICAL DEVELOPMENT CONSENTS IN NSW

Organisation: Wollondilly Shire Council

Date Received: 8 May 2024

Clayton Barr
Committee Chair
Legislative Assembly Committee on Environment and Planning
Parliament of New South Wales
[Via submissions portal](#)

8 May 2024

Dear Mr Barr

SUBMISSION - INQUIRY INTO HISTORICAL DEVELOPMENT CONSENTS IN NSW

Council welcomes the inquiry into historical development consents in NSW.

Council considered the following Mayoral Minute on 26 April 2023:

We have recently seen first-hand in the Shire the impact of historic 'zombie' development approvals being acted upon many years after their initial approval.

All development applications are considered and assessed against the relevant planning and environmental legislation in force at the time of their lodgement and determination. Often, something as minor as a site survey or peg in ground renders these development consents valid.

In the case of historic 'zombie development approvals, these often do not comply with contemporary planning and environmental legislation in place that would prevent their current consideration or approval.

When these dormant development applications are enacted upon and site works commence, it causes great concern and angst amongst the community, particularly as the development occurring on the ground does not meet current safeguards in place to protect the natural and built environment from inappropriate development.

To address this significant concern, I seek the support of Council to write to our new State Government calling for a review of relevant legislation to prevent the ability of historic development approvals to bypass current day planning and environmental legislation.

Council subsequently resolved:

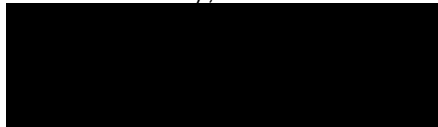
That Council:

- 1. Note to the significant impact of historic 'zombie' development approvals on the local community.*

2. *Write to the Premier of NSW the Hon. Chris Minns MP, Minister for Planning and Public Spaces, the Hon Paul Scully MP and Member for Wollondilly Judith Hannan MP, raising concern of the impact of historic 'zombie' development approvals being acted upon many years after their initial approval and requesting that a review of relevant legislation be undertaken to prevent this occurring.*

I trust this clarifies Council's position, should you require any additional information to assist you in the inquiry, please do not hesitate to contact us.

Yours sincerely,



Martin Cooper
Director Shire Futures