

**Submission  
No 91**

## **HISTORICAL DEVELOPMENT CONSENTS IN NSW**

**Name:** Mr Jorj Lowrey

**Date Received:** 25 May 2024

I welcome this inquiry into Zombie DA's and wanted to provide a personal perspective as just one individual who has been greatly impacted by them.

I chose to live in Manyana on the South Coast of NSW BECAUSE it is a tiny, remote community plonked in the middle of nature. It is surrounded by sea and forest.

When I arrived, the locals were aware of multiple Zombie DA's which could double the size of Manyana, but they told me there was nothing to worry about because if they hadn't progressed after all these years (the oldest is 39 years!), they were sure they never would.

Then all of a sudden, two Zombie DA's were sold to new owners who progressed them and a third went full steam ahead. There is also a zombie commercial precinct.

Zombie DA's are cruel because

- the people who already live here could have the very thing that makes their home special destroyed by Zombie DA's
- new home owners and residents to the area are usually completely oblivious to the threat - locals never really know where they stand as there is no use by date to a Zombie DA
- the developers come in, destroy habitat, visual amenity and/or community character, take their money and leave the aftermath and impacts without a second thought for the people who live here - these developments are often poorly designed and would never be approved in today's terms
- they are often poorly situated considering threat of bushfire and flood, particularly in light of climate change
- the estates are usually aimed at high end buyers who are looking for a second, holiday home and make the housing crisis worse rather than help alleviate it.
- the developer financial contributions agreed upon originally are locked in and are woefully out of date which makes them a poor taste joke in today's terms. (Take for instance the few thousands dollars one Zombie DA owner would have to make towards local roads when in reality, the damage just their own trucks would do to the one road in and out of our villages would cost the council a fortune to repair!)

Of course, the Red Head Villages which include the hamlet of Manyana is just one affected area. Zombie DA's are rife all up and down the NSW coast. Although it's easy to dismiss one development as not making a significant impact (even though it most certainly does to the local community and invariably wildlife and environment), the cumulative effect must be seriously considered.

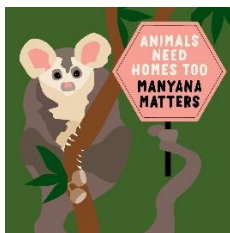
I think the thing that really shocked me was that on top of the loopholes and unfair advantages that Zombie DA's hold for developers, there is no legal mechanism by which to pull them up in extenuating circumstances. Vis-a-vis, after the Black Summer bushfires, when the surrounding 11,000Ha Conjola National Park and all the wildlife it contained was severely impacted and one Zombie DA owner here wanted to go ahead and destroy some of the last remaining, precious unburnt forest. This resulted in myself and many other community members dedicating hundreds upon hundreds of hours of our own time to protect it. A battle we are still fighting 4 years on. It's just not right!

Here are my recommendations to fix this problem:

1. Impose an immediate moratorium on Zombie DA's so there can't be any panic damage.
2. Make all owners of Zombie DA's declare them so we have a database and know the scale of the problem otherwise they be made invalid.
3. Unless they have already made a genuine significant commencement (by a date that gives them no time to make that significant commencement), make all owners of Zombie DA's update them to current day standards in regards planning and environmental impact. This would include their prescribed financial contributions.
4. Update the definition of significant commencement so that it is genuine.
5. Change the terms so that the project has to be commenced within 2 years and completed within 5.
6. Insert a clause so that developments can be pulled up in an emergency.

I think my opening comments as a representative of Manyana Matters at the recent "Inquiry into the planning system and the impacts of climate change on the environment and communities" is relevant and supports my submission here so have attached it too.

I thank you for your time.



**Inquiry into the planning system  
and the impacts of  
climate change on the  
environment and communities.**

I don't think there is a better example of a community that has been impacted by climate change and the effects of poor planning than Manyana.

At the time of the Black Summer bushfires, although our fires fought valiantly, the RFS aerial support team left due to thick smoke just as our back fences were ablaze. Locals used buckets and hoses, but the available pressure was merely a trickle. Luckily for us (but unfortunately unlucky for others), a Southerly change kicked in, just in time.

Like other areas, the Currowan megablaze left our remote villages completely cut off. In the midst of the devastation, we found ourselves with no mobile phone reception, no electricity and a road that was impassable for many days.

We had to look after each other, plus some 3000 extra people who were trapped with us, and who we later helped evacuate.

The Black Summer proved that the Red Head Villages are already beyond the threshold of housing capacity, yet Zombie DA's in our village could double its size.

It would be completely irresponsible to increase the population of our remote hamlets.

Who will take responsibility when flood and bushfires come again? Who will fight? Who will save the people and care for the injured wildlife? Who will foot the bill?

The devastation to the natural environment and the loss of billions of animals during the fires affected us deeply. Being surrounded by forest, the ocean and the creatures these habitats contain is the very reason many of us chose to live where we do; amongst nature.

Zombie DA's mean communities like ours always have a noose hanging over our heads. We never know when the axe will fall and we lose the very thing we love about our town. We're in a constant state of fear and fight.

Manyana Matters committee and members continue to work tirelessly to preserve the exceptional environmental values of our area. It's often a full-time job - on top of a full time job! Our work, health, relationships and family suffer.

It should not be up to communities to defend that which is the remit of government to protect. If government cannot, due to legal loopholes, then the laws must change to close them.

Jorj Lowrey, Founder, Manyana Matters