

**Submission
No 96**

HISTORICAL DEVELOPMENT CONSENTS IN NSW

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I live on the NSW South Coast. Many areas here suffered severely due to the devastating 2019-20 bushfires. Lives were lost and vast areas of bushland and their wildlife, habitats, and ecosystems were destroyed.

Since that event, many property developers have seen an opportunity to rekindle developments on land that had (previously) been uncleared and often in areas with DAs approved many years ago. These so-called 'zombie' DAs, when originally approved, did not undergo the level of environmental assessments which are now required. Furthermore, due to severity of the bushfires, the bushland and wildlife have not yet recovered to the extent required in order to preserve some ecosystems and species; this (perhaps conveniently) facilitating development approval processes. Some of these areas up for development (due to their proximity to towns), were protected during the fires, and remained unburnt and were the last remaining areas for wildlife to rebuild stressed populations. They remain important conduits for recovering bushland and forests.

Some of these 'zombie' developments are located in riparian zones, low-lying marshlands, wetlands and mangrove systems. These systems are the filters for our rivers and estuaries and are often important habitats of wading, shore and migratory birds, as well as nurseries for numerous crustacean and fish species. These are being built-up, drained and destroyed as we speak. These areas should never be developed. Climate change WILL impact such developments - increased tidal heights combined with rain super cells is already leading to flooding in these and other areas. Similarly, building on floodplains is destined to fail. Little planning thought is given to underlying hydrology in these areas and whole of catchment impacts. Removing trees and other vegetation and replacement with concrete, roadways, and inadequate and poorly designed drainage systems is impacting entire communities and natural ecosystems.

Allowing developments in these areas is irresponsible. The Local and State government planning system is ultimately responsible for approving infrastructure development in these areas. Liability for damage to the environment, property and communities (people, business etc...) therefore lies with them.

All in all, the pockets of developments on the NSW South Coast is resulting in fragmented areas of biodiversity, and the potential for extinction of a number of iconic species. Development assessments are failing to look at climate change impacts on people and wildlife ecosystems. Catchments impacts are not being addressed. Appropriate infrastructure does not exist to service these developments. It is outdated or non-existent. Developers ultimately walk away from their responsibilities; therefore, the penultimate responsibility lies with those who design the planning process and who approve these inappropriate developments.

My request is that these issues are considered and the following be implemented as potential solutions:

I. A moratorium is imposed immediately on all 'zombie' developments in NSW. This includes no clearing or forming of land in question. This should remain in place until the review and implementation of any policy changes to the NSW Government review of the planning process have been finalised.

II. The impacts of Climate Change be modelled into planning approvals. This should be done on a whole of catchment basis. With particular emphasis on the potential impacts on fragmentation of wildlife and ecosystems, as well as hydrogeology of the landscape.

III. All developments adjoining, riparian zones, swamplands, wetlands, streams, rivers and undeveloped sensitive ocean foreshores be disallowed.

IV. For those areas already owned and without substantive infrastructure, but deemed to have unacceptable or unproven, positive environmental and social outcomes, the NSW Government considers entering into a purchase agreement with the owner. For example, these could take the form of philanthropic partnerships, climate change offsets, Local and Federal government partnerships.

Thank you for considering my submission.