

**Submission  
No 129**

## **HISTORICAL DEVELOPMENT CONSENTS IN NSW**

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# Submission: Problems of Zombie Development Applications

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## Introduction

"Zombie development" is a term increasingly used by resident objectors and environmentalists to describe development projects that were approved many years ago but have not been substantially carried out or completed. These developments, particularly in the context of residential subdivisions on greenfield sites, raise significant concerns when they do not comply with current planning laws or have adverse social, environmental, or economic impacts that were not considered during the initial assessment. This submission explores the various problems associated with zombie development applications (DAs) and their implications for communities and the environment.

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## 1. Non-Compliance with Current Planning Laws

Zombie DAs often fail to meet contemporary planning laws and regulations. These outdated approvals were granted under standards that may no longer be applicable, creating a disconnect between current legal requirements and the planned developments.

### Implications:

- Legal challenges and disputes due to non-compliance with updated regulations.
  - Increased burden on local planning authorities to manage and enforce compliance.
  - Potential for halted or delayed projects due to legal and regulatory reviews.
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## 2. Environmental Impact

Environmental conditions and understanding of ecosystems can change significantly over time. Developments approved years ago might not account for current environmental concerns, such as increased biodiversity significance or heightened risk from natural disasters. According to the [Biodiversity Council](#), 59% of Australians are extremely or very concerned about how land clearing is affecting biodiversity values, and zombie DA's will impact even more. Furthermore, 73% support the strengthening of environmental laws to protect nature, and 69% would like to enforce better planning and design of development projects to reduce the use of environmental offsets.

Additionally, fragmentation and climate change, including the recent extreme climate events (Bushfires 2019-20 and floods 2022), have put even more pressure on the environment.

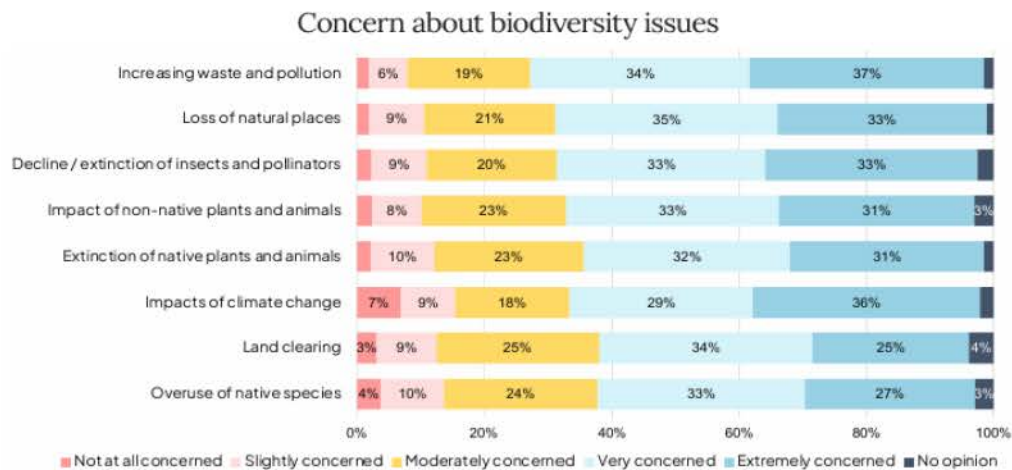


Fig 2. This graph shows how concerned participants were about a range of biodiversity issues. A majority of people were very concerned or extremely concerned (blue groups) about all issues presented.

### Implications:

- Destruction of habitats critical to threatened species, as at least 750 hectares of threatened species habitat are current at risk in NSW due to outdated approvals.
- Increased vulnerability to natural disasters, such as coastal erosion and sea level rise, making developments unsafe.
- Irreversible environmental damage that could have been avoided with modern environmental impact assessments.

## 3. Social and Economic Concerns

Zombie developments can have adverse social and economic impacts on local communities. These impacts might not have been foreseeable or considered during the initial approval process.

### Implications:

- Negative effects on community cohesion and local character due to developments that are out of step with current community values.
- Economic losses from investing in projects that do not align with present-day market conditions or community needs.
- Increased public opposition and protests, leading to social unrest and diminished trust in planning authorities.

## 4. Inadequate Assessment of Risks

When zombie DAs are resurrected, they are often evaluated against outdated standards rather than current environmental and disaster legislation. This outdated assessment fails to account for modern-day risks and scientific knowledge.

### Implications:



- Elevated risk of property damage and loss of life due to natural disasters like floods, fires, or sea level rise that were not adequately considered initially.
  - Insufficient infrastructure and emergency services to cope with new developments in areas now deemed high-risk.
  - Long-term financial and social costs associated with inadequate risk management and disaster response.
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## **5. Impact on Biodiversity and Cultural Heritage**

Zombie developments pose a significant threat to biodiversity and cultural heritage, particularly in areas that have become more environmentally sensitive or culturally significant over time.

### **Implications:**

- Loss of biodiversity and critical habitats, as developments proceed without up-to-date ecological surveys.
  - Damage to sites of cultural and historical importance that were not recognized during the original approval process.
  - Increased opposition from environmental and cultural heritage groups, leading to potential legal battles and project delays.
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## **Conclusion**

Zombie development applications present serious challenges and risks due to their non-compliance with current planning laws, adverse environmental impacts, and disregard for modern-day risks and community values. Addressing these issues requires a comprehensive review and updating of outdated approvals to align with current standards and regulations. This approach ensures that developments are safe, environmentally sustainable, and socially equitable, reflecting the evolved understanding and priorities of today's communities.

Australia is a global leader in wildlife extinctions<sup>i</sup>. Land clearing and habitat loss are the biggest drivers of animal extinction and in recent years, Australia's aggressive rate of land clearing has ranked among the developed world's fastest<sup>ii</sup>. Having those DA's approved not considering these recent events and the changes in future environmental trends such as coastal erosion, flood maps and bushfires is not only extremely dangerous, poor and greedy, but also irresponsible considering the wonderful available data we have today.

Thank you for your time  
Sincerely  
Claudia Caliri

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<sup>i</sup> <https://www.smh.com.au/politics/federal/why-is-australia-a-global-leader-in-wildlife-extinctions-20200717-p55cyd.html>

<sup>ii</sup> <https://theconversation.com/lets-get-this-straight-habitat-loss-is-the-number-one-threat-to-australias-species-85674>