

**Submission
No 154**

HISTORICAL DEVELOPMENT CONSENTS IN NSW

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Inquiry into Zombie DA's

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This submission relates to a development located at the northern side of Edendale street Woollamia and is based on my experience as a local resident. The original DA was approved in 1995/96 by the Shoalhaven City Council (SCC) and the action which triggered the DA was the erection of a fence. The original DA was to subdivide the block of land into three lots. The subject area for this DA comprised tall coastal forest characterised as Bangalay sand flat vegetation, a listed ecologically endangered community. I have lived at 33 Edendale Street since April 2000 and in May 2000, a section of forest about the size of a football field (100 metres by 50 metres or .5 of a hectare, was cleared of trees and wood chipped. Then a 1.8 metre depth excavation undertaken (The SCC deemed the excavation as a 'borrow pit'.) with the soil being transported approx. 1.0 kilometre to another lot within the same block. The soil was dumped and shaped into three mounds which were intended for use as house pads. This work was deemed necessary by SCC and /or the developer because the whole proposed subdivision is within a flood storage area adjacent to a tributary of Currambene Creek.

Following the burst of activity in 2000, nothing further happened until the blocks were sold in 2018/19. In September 2022 12 blocks 40 x 30 metres in area were cleared of vegetation along the northern side of Edendale street. This action resulted in the loss of almost two hectares of tall forest.¹

The clearing of numerous trees within a flood storage area increases the likelihood of flooding for the existing dwellings along Edendale street and Sunnyside Avenue, as the mitigating effect of trees is removed. (Trees absorb thousands of litres of water through their roots and transpire the water through their leaves, thereby removing water from the soil). Hard surfaces which building development will introduce such as driveways, rooves and kerbing and guttering will exacerbate the volume of runoff and therefore contribute to the flooding of existing properties. We observed in early May 2024 the cumulative effect of fourteen days rain whereby following a total of 350 mm of rainfall the water table rose to the surface and water could no longer drain into the soil. Luckily the rain ceased and flooding did not eventuate. However in 2022, (prior to the clearing), we experienced three floods – in March, April and July due to the extreme rainfall combined with a saturated water table incapable of absorption. This experience indicates we live in a time of weather extremes and the incidence of flooding is likely to increase in the future.

Another result of the clearing was the loss of a significant number of habitat trees. These were hollow bearing eucalypts of a number of species, mainly Blackbutt (*E.pilularis*) Bloodwood (*Corymbia gummifera*), and Bangalay (*E.botryoides*). These hollows were utilised by a number of animal species including Sugar Gliders and the threatened Yellow Bellied Glider. We also observed evidence of visitation by the

Powerful Owl. It is stated that eucalypt trees require 150 years of age to develop hollows and it was acknowledged by a local expert the large blackbutt tree that was felled opposite 35 Edendale street in 2022 was 400 - 450 years of age. These forest monarch trees are rare and extremely valuable for many reasons (refer article in reference link).

Effect on Flooding

The clearing of the forest and the potential development of buildings and hard surfaces including houses, apartments, garages and concrete driveways will increase the volume of runoff and contribute to a parlous situation for the residents at Edendale and Sunnyside streets in Woollamia. This is additional to the effect of climate change which increases the likelihood of climate extremes such as the rainfall experienced in 2022 (2.9 metres of rain measured in the rain gauge at Edendale street Woollamia).

If the development proceeds as the developer intends, the potential flooding effect on existing properties will be disastrous. This is clearly in contravention of Government policy.²

The subject area is also prone to bushfires and the evacuation route for residents is compromised by a narrow bridge in Edendale street which is unsuitable for a development which will increase the number of residents requiring evacuation. (Woollamia village residents were told to evacuate Christmas day 2000 due to an impending bushfire threat).

This development in Woollamia is an example of the problems caused by so-called 'zombie Das'. The location is unsuited to development due to :

- It being flood prone,
- Being a flood storage area,
- Being an ecologically endangered community (Bangalay sand flat),
- Being a bushfire prone location,
- Having a compromised evacuation route,
- Because it will increase the flood height and risk for existing residents,
- It being in contravention of government planning policy circular-ps-24-001-update-addressing-flood-risk-planning-decisions.

- The large number of trees and vegetation cleared already and the likelihood of further clearing should the development proceed and the loss of this vegetation in relation to flood mitigation of the flood storage area .

The site should be deemed unsuited for development and the cleared area rehabilitated.

Notes

1 <https://newbushtelegraph.org.au/the-passing-of-a-matriarch/>

Article referencing the forest clearing at Edendale street blocks

2 <https://www.planning.nsw.gov.au/sites/default/files/2024-03/planning-circular-ps-24-001-update-addressing-flood-risk-planning-decisions.pdf>