

**Submission  
No 157**

## **HISTORICAL DEVELOPMENT CONSENTS IN NSW**

**Name:** Ms Veronica Kroon

**Date Received:** 2 June 2024

1st June 2024 Submission to Enquiry on Historical Development Consents, NSW

I am very concerned about developments that have been given development consent a long time ago. They are creating numerous problems for us in the community as they are exempt from current laws. Laws that exist to protect the environment and community can be ignored.

In the Shoalhaven we do not know how many of these "dormant" development consents exist. I am aware of one dormant development in Huskisson, NSW that we have been addressing for years. It is one of the many dormant applications that has not been assessed in accordance with, or subject to conditions or other requirements, under current planning and environmental controls.

There are many issues that have arisen for our community as a result of this large complex of 32 units situated within the riparian zone of Moona Moon Creek.

This development would not be allowed under current laws. The development is:  
in a flood zone and there is a threat of sea level rise.

will impact on the ecologically fragile and sensitive riparian zone

very close to the creek and is adjacent to the section of the creek that is a fish sanctuary. The construction of the building itself will create a major disturbance in the immediate vicinity of the creek and the road that will be built to service the apartments is less than 40 metres from the high tide mark.

on land that had many hollow bearing trees and gang gang cockatoos have been nesting there.

Community concerns

not appropriate for the Huskisson area or this location. The building does not aesthetically fit in its surrounds

indigenous people here have a long relationship with Moona Moon Creek

built for tourism when there is enough tourist accommodation already.

not providing insufficient parking spaces so cars will park near creek banks

Our laws need to change so that development applications stipulate that developments:

- \*need to be completed within a reasonable timeframe.

- \*should be reassessed where situations have changed significantly eg major fire/flood events and be subject to laws made in response to those events

- \*should not be allowed to be sold on. This would ensure assessments were done within current laws

\*should provide opportunities for communities to see plans, argue for the community interests/concerns without it costing too much. Currently councils cannot afford the many cases it may want to take to the Land and Environment Court. Developers have deeper pockets and can allocate monies to be devoted to paying fines and court costs.

\*need to have certifiers that are employed by council. Private certifiers may have conflicting interests ie. may want to keep employers on side or maintain a reputation of getting developments approved.

\*need ecologists that are employed by an independent body. There are instances where environmental impact surveys have not been done at night in areas where greater gliders have been known to live with the resulting conclusion that greater gliders were not in the vicinity.

Thank you for allowing me this opportunity to tell you about my experience and concerns resulting from historical "dormant" development consents.

Veronica Kroon

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