

**Submission
No 193**

HISTORICAL DEVELOPMENT CONSENTS IN NSW

Name: Mrs Susan Romane

Date Received: 3 June 2024

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Dear Committee,

I am concerned about inappropriate development on the far South Coast of NSW, specifically the ability for developers to develop land where the original consent was granted more than 5 years ago, where you would expect the DA to have lapsed. This type of development is generally being referred to as a Zombie DA.

A current Zombie DA of concern is Stage 13 of the Mirador residential development between Merimbula and Tura Beach on the NSW far south coast. Consent was originally granted in 1989, but this land has remained untouched by development.

The forest is approximately 10 hectares in size, of high biodiversity value with many hollow-bearing trees. It provides critical habitat for wildlife and the only safe corridor in the vicinity for ground-dwelling fauna to move between coastal waters and habitat and the Bournda National Park and Bega Aboriginal Land Council land.

It is home to threatened species including the Yellow-bellied Glider, Long-nosed Potoroo, Glossy Black-Cockatoos, Gang-Gang Cockatoos and the endemic Merimbula Star Hair, found only in small pockets in Tura Beach and a species at risk of Severe and Irreversible Impact. It is a recorded annual migratory foraging habitat for the Swift Parrot.

It also supports Eastern Grey Kangaroos, Wombats, Echidnas, Lace Monitors, Microbats and Bandicoots.

While there is a need for more affordable housing, this development and many like it up and down the NSW coast will not address this.

With the growing impacts of climate change, bushfire and development on species decline the NSW government must:

- Order a moratorium for all residential DAs over 5 years old where substantial development is yet to commence until they can be reassessed under current legislative instruments. This includes developments that are identified as staged, where the specific stage has been previously approved part of the overarching development application, where development has not yet commenced.
- Protect this land (Stage 13, Mirador) immediately to preserve the habitat (including critical hollow-bearing trees) and endangered and threatened species from destruction.

- Review and re-assess this consent and all development approvals older than what are covered by current environmental and planning Legislative Instruments including the Biodiversity Conservation Act 2016.
- Establishment of a NSW government fund for compensation for owners of Zombie DA sites that don't comply with current planning and environmental legislation to be used for purchase of the land by the NSW government for their biodiversity to be retained in perpetuity, or support a land swap arrangement for NSW Crown Land identified as appropriate for use and of equal monetary value.
- Assist local councils to work with private industry to procure "greenfield" development sites specifically for the purpose of building affordable housing for their communities.

Yours sincerely,

Susan Romane

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