

Submission
No 214

**INQUIRY INTO PLANNING SYSTEM AND THE IMPACTS
OF CLIMATE CHANGE ON THE ENVIRONMENT AND
COMMUNITIES**

Organisation: Kempsey Shire Residents Association Inc.

Date Received: 29 November 2023

Dear Ms Higginson,

Firstly, I apologise for this belated submission. I am writing as Secretary of the Kempsey Shire Residents Association Inc. on behalf of the membership and that of a network of affiliated community groups including Voices of South West Rocks and Crescent Head Residents & Ratepayers Association.

I am writing to you on a matter that you are already well aware of - Zombie DA's and inappropriate development in coastal villages along the NSW coast.

Background 1:

As you are aware, a substantial portion of land at along Phillip Drive, South West Rocks was recently clear felled for the Rise development. The destruction of the natural environment and ecosystems at that site is complete and irreparable - thanks to a 30 year old Zombie DA. Kempsey Shire Council did all it could to prevent this occurring and spent a significant amount of ratepayers money in an unsuccessful case in the Land & Environment Court.

Background 2:

Same site. Rise now has a DA currently before Kempsey Shire Council to construct an exclusive residential village including a number of 5 & 6 story apartment blocks. The current LEP does not have any height limits on this site and some other areas in the SWR precinct. Council worked with the community to develop a Structure Plan for the SWR precinct including setting height limits on lands not previously covered in the LEP. Council recently applied to the Minister for Planning to amend the KLEP to incorporate the desired limits.

The developer (Rise) is well aware of this Council initiative and is racing to push through his DA in advance to any change to the KLEP. The relevant DA is current on public exhibition with submission to close on 20/12/23. Council will do the assessment on this \$127M project and provide a report to the Northern Region Planning Panel for determination.

If this developer greed generated project goes ahead with multi story apartment blocks then this will spell the end to the character of South West Rocks - another Byron Bay/Gold Coast in the making.

We encourage you and your committee to:

- 1. Advocate for the return of appropriate planning powers to Councils responsible for NSW coastal villages.*
- 2. Advocate for a specific change to legislation to remove Zombie DA's from the planning arena to ensure all DA's have a life of 5 years maximum and that after that period they must be re assessed under prevailing, contemporary environmental criteria.*

Yours sincerely,

Dick Pearson

Secretary,

Kempsey Shire Residents Association Inc.