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Portfolio Committee no. 7 – Planning and Environment
NSW Parliament House
Macquarie Street
Sydney NSW 2000

Submitted via email

Voices of South West Rocks Community Inc

Contact Person: [REDACTED]

Email: voicesofswr@gmail.com
[REDACTED]

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

A submission from Voices of South West Rocks Community Inc.

South West Rocks is a small coastal community on the Mid North Coast of NSW, already experiencing the impacts of climate change. The community is increasingly concerned about the future impacts of sea level rise, increased severity and frequency of extreme weather events and the survival of local flora and fauna. Unsustainable development across our town has highlighted some of the limitations of our current planning system in NSW. Planning Policy urgently needs to be reviewed and restructured to address outdated development consents and address the twin environmental and climate crises we face.

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1. Introduction

Thank you for the opportunity to provide comments and recommendations to the Portfolio Committee No.7 - Planning and Environment inquiry.

The Voices of South West Rocks Community (VOSWRC Inc) represents more than 2000 community members who advocate for conservation of South West Rock's biodiversity, culture, heritage, infrastructure and sustainability. We are multi-generational and cover a diverse demographic from South West Rocks. Our purpose is to protect and maintain a healthy environment, where coastal forests, waterways, wildlife and cultural landscapes thrive.

VOSWRC recognises that regional areas must plan for future population growth, but that development should be planned sustainably to avoid unacceptable impacts to the community, the environment, the economy, and the cultural landscape.

South West Rocks is experiencing a surge in development for housing subdivisions, despite being constrained by the coastline, flooding, bushfire risk, wetlands and threatened species. Overdevelopment and the increasing population is adding pressure on amenities, health services, sewage treatment, traffic congestion and community wellbeing.

New housing developments from decades old 'Zombie' Development Applications have destroyed areas of high biodiversity value. Hectares of healthy coastal forest have been bulldozed, leaving no wildlife corridors and further fragmenting refuges for wildlife. The current NSW Planning system works in favour of developers and not nature. Our local government has been powerless to stop Zombie DAs and in one instance were taken to the Land and Environment Court adding a huge financial burden to our Council. Community consultation has been minimal, with local concerns and expertise ignored.

Most of the land clearing is based on eroded environmental protection measures and loopholes in the planning system, allowing Zombie DAs to commence despite being totally out of step with the community and the latest science.

Since 2016 land clearing has tripled in NSW and the iconic koala has been listed as 'endangered'¹. Australia has the fastest rate of extinction in the world² due to a disregard for the environment coupled with weak environmental laws, including the biodiversity offsets credits that does not provide a net benefit for the environment or the community³.

South West Rocks has a population of less than 6,000 people. There are 13 new development sites and 9 under construction or approved. Six of the DAs under construction were first submitted between 1993 - 2017. This date range preceded the amendments to the Environmental Planning and Assessment Regulation 2000 in May 2020 that provided clarification on what constitutes physical commencement.

We urge this Committee to adopt planning reform that prevents further biodiversity loss, protects our environment and protects the community from development in high-risk areas that are vulnerable to climate impacts.

RECOMMENDATIONS

1. Elevate the knowledge of First Nations Australians and seek their input and knowledge of Country within the Environmental Planning and Assessment Act
2. Implement genuine consultation on Country with Indigenous groups on developments, particularly in strategic planning stages, and incorporate cultural knowledge and heritage into all planning decisions
3. Update the NSW Biodiversity Offsetting Scheme to ensure it is the absolute last resort after avoidance and mitigation. Any offsetting must comply with best practice standards. Biodiversity Stewardship sites must be protected in perpetuity and written into all LGA plans
4. Strengthen the planning legislation to protect hollow-bearing habitat trees and koala food trees from all future developments
5. Review the current process that allows development to bypass local government planning approvals. Give Councils additional financial or legislative protection to allow

¹ NSW State of Environment report, 2021 (accessed online:

https://www.soe.epa.nsw.gov.au/sites/default/files/2022-02/21p3448-nsw-state-of-the-environment-2021_0.pdf)

² Ongoing unravelling of a continental fauna: Decline and extinction of Australian mammals since European settlement, [John C. Z. Woinarski](#), [Andrew A. Burbidge](#), and [Peter L. Harrison](#) (accessed online:

<https://www.pnas.org/doi/10.1073/pnas.1417301112#:~:text=The%20highly%20distinctive%20and%20mostly,became%20extinct%20since%20European%20settlement.>)

³ 'Just a disgrace': experts condemn NSW use of public land to offset huge housing expansion, (accessed online:

https://www.theguardian.com/australia-news/2023/feb/23/just-a-disgrace-experts-condemn-nsw-use-of-public-land-to-offset-huge-housing-expansion?CMP=share_btn_fb&fbclid=IwAR3YFrYLLCIWfBzLm4clpjDeLziEzUraQw2NjChBF693fsTXtHZnmMvKEEw)

them to challenge inappropriate developments, including zombie DAs, to reduce financial loss such as legal fees

6. Growth must be planned within certain constraints, i.e. ecological limits and biodiversity conservation, town infrastructure limits, maintaining town character and cultural heritage
7. Land carrying capacity and community resilience must be a key consideration in the planning approvals process. This is particularly important for coastal villages with one road in and out, limited infrastructure and limited resources that will be continually stretched as climate change brings an increase in the frequency and intensity of catastrophic weather events
8. Strengthen planning legislation to address the changing climate with a long term view that incorporates predictive flood mapping, coastal erosion and sea level rise well into the future. If a parcel of land is at risk of sea level rise inundation in the next 100 years, we should not be building there
9. We recommend that the planning system incorporates climate resilience measures, ensuring that critical infrastructure is designed to withstand extreme weather events and that emergency response plans are in place
10. Ensure the planning system prioritises conservation of existing habitat with a whole of area approach to prevent fragmentation and preserve connective corridors.
11. In areas where there are known koalas, koala mapping should be undertaken with forecasting to support population growth. This mapping must be addressed in any development applications, with all impacts on koala populations, and other threatened species, avoided
12. Execute stringent environmental impact assessments in the planning process, with a focus on preserving and enhancing biodiversity. Green spaces, wildlife corridors, and sustainable development practices should be integral parts of the planning framework
13. The NSW Planning system must rule out development in areas of high biodiversity value, especially with Endangered Ecological Communities and cultural sites.
14. All wetlands are protected, not only with buffers but by factoring in the ongoing stresses and pressures that adjacent developments are likely to have on wetlands. Coastal wetland protection must be written into planning laws
15. Development Applications older than 5 years to be reviewed and assessed with up-to-date biodiversity data, climate modelling and ecosystem impacts considered. Inappropriate approvals must redesign or swap land
16. Hand more power back to local councils for Zombie DA considerations
17. Property developers and real estate agents are banned from sitting on councils
18. Developments are banned in areas that are vulnerable to floods, bushfires and sea level rise
19. LGA masterplans that assess the cumulative impact of development on threatened species habitat are required

Understanding the place - environment

Environmental conditions

Key observations

- Extensive coastline, bushland and waterways are a defining characteristic of the area
- The coastline and associated activities are a key attractor of South West Rocks
- Topography is diverse and incorporates several high points, which both allows views and vistas
- Natural impacts of flooding and bushfire appear more frequent, and South West Rocks is subjected to both.
- Pressure on biodiversity values as a result of land clearing for residential development and rural activities

Initial conclusions

Natural topography defines the character and many positive aspects of South West Rocks but also limits the availability of suitable land for future low density development.

Legend

Study Area	
Open Space: National Parks and Bushland	
Waterways	
Wetlands and riparian zones	
Flood Level (Lower Macleay Flood Study)	
High Environmental Value	

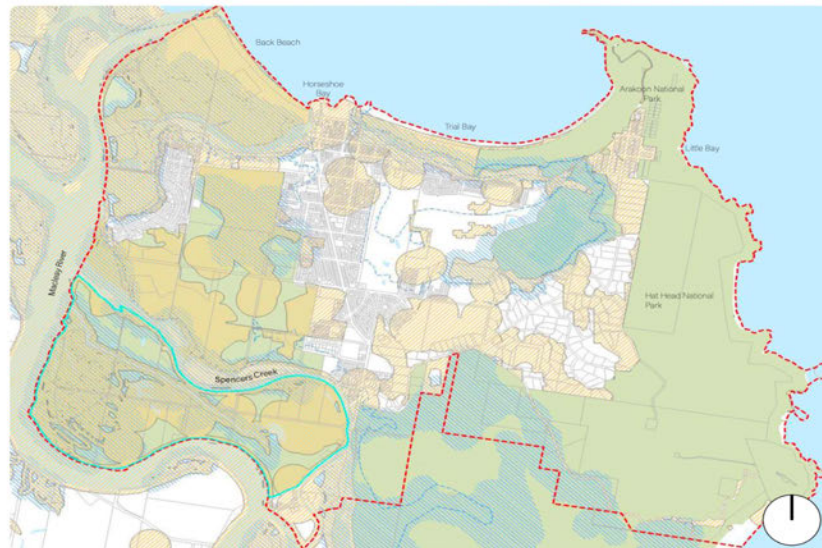


Figure 26: Existing Conditions - Environmental

SOUTH WEST ROCKS - STRUCTURE PLAN 18

2. Designing With Country

We acknowledge the importance of Wuumung (South West Rocks) to the Traditional Custodians, the Dunghutti people.

VoSWRC fully supports the Dunghutti community's aspirations to manage and care for Country. All strategies and projects that emerge from any planning must adopt genuine and meaningful engagement with Traditional Custodians to ensure that their specialised local knowledge, stories and experiences inform planning solutions.

The overdevelopment in South West Rocks is not culturally respectful and has lacked genuine engagement with Traditional Custodians. In some instances the local Dunghutti community were not given prior notice of clearing and sites of cultural significance were irreversibly destroyed.

Early input into planning solutions will lead to better outcomes for communities that are at the forefront of climate fuelled extreme weather events and lead to better planning decisions.

Recommendation:

1. Elevate the knowledge of First Nations Australians and seek their input and knowledge of Country within the Environmental Planning and Assessment Act.

2. Implement genuine consultation on Country with Indigenous groups on developments, particularly in strategic planning stages, and incorporate cultural knowledge and heritage into all planning decisions.

3. Summary of Developments

There is a significant portion of South West Rocks currently under development, or expected to be developed in the future.

Urban settlement

Key Observations

- The town settlement has incrementally expanded over time to accommodate a growing population
- The most recent development has been mostly in the form of lower density subdivisions, and some smaller scale apartment developments
- The density and character of different aged areas of settlement are highly varied.

Initial conclusions

Any future proposed development should consider locations within the existing settlement boundary with good connections to complimentary uses.

Areas of (new) development should maintain 'green corridors' and 'green buffers' to preserve the scenic qualities, environment and habitat value of vegetation and waterways.



Figure 27: Existing Settlement Boundary, including existing development and currently undeveloped land.

19 KEMPSEY SHIRE COUNCIL

Source: Kempsey Shire Council's South West Rocks Structure Plan

Rise Development

The Rise Project's development is located on Phillip Drive. It was purchased several years ago with a 1993 development approval for 180 villas. Kempsey Shire Council argued that development consent had lapsed as substantial works had not commenced. This development went to the LEC and on appeal in March 2023 the developer was awarded consent and the site was cleared under the 1993 DA consent.

[The appeal was won on the grounds that soil testing by a third party many years ago](#) (to test for impacts from the nearby decommissioned oil terminals) constituted commencement of 'substantial works'.



Photograph: Lindsay Moller/The Guardian

This site is home to six listed threatened species and runs adjacent to saltwater creek, an important waterway that runs from saltwater lagoon through to the ocean (when open). There have been several koala sightings in close proximity to the Rise development site, including Brighton Park, Horseshoe Bay, German Bridge, Gregory St and around the South West Rocks Primary school. The rise site is an important wildlife corridor. Rise stated they will plant more koala food trees, resulting in a net gain but koalas will not be able to use those trees for 20-30 years by which point the NSW government anticipates they will likely be extinct in NSW.

We are also concerned about the impacts of sea level rise, flooding and acid sulphate soils on the site. Predictive mapping of the area in 2100 shows that it is at significant risk of inundation from sea level rise and flooding. The community will eventually bear the costs of this development, long after the developers have made their profits and moved on.

This 1993 DA has since been superseded by a new DA for stage 1, approved in August 2023. This new DA is compliant with the most current planning legislation, however the land was recently clear-felled under a 1993 DA.

The second stage of this development is currently being assessed. If the stage 2 development goes ahead it will fundamentally alter the character of our small coastal village. The developer seeks to build 5 x six-storey buildings and 4x 5-storey buildings in a town where almost all areas are zoned with an 8.5m height limit. If passed, these buildings will loom far over the coastal heath beach foreshore that currently has no building higher than two storeys anywhere nearby.

This development caused [community backlash](#).

Settlers Ridge

Settlers Ridge is a 154 lot sub-development that was approved in 2013. This development was approved by the NSW Department of Planning. Construction commenced in 2013/1014 with the development of roughly 12 lots to ensure development consent didn't lapse. No further work was undertaken until April 2023, when all native vegetation was clear-felled, including hollow-bearing habitat trees.



Evidence of lorikeets nesting inside the tree hollows during clearing was obtained (pictured left).

Coastal forests make a significant contribution to mitigating the major cause of climate change, carbon dioxide, in that they act as a carbon sink, absorbing it from the atmosphere. Mature forests also play an important role in mitigating some of the effects of Climate Change such as creating humidity and help generate rainfall, absorb rain, filter the water and release it into streams, reducing topsoil run-off and erosion. Importantly for our health, trees can reduce the temperature by up to 10 degrees, critical during increasingly intense and prolonged heat waves, the biggest killer of recent times.

Large hollow-bearing habitat tree with nesting lorikeets, which was felled for Settlers Ridge Development, South West Rocks



Settlers Ridge aerial view during clearing, South West Rocks

This developer has a Biodiversity Stewardship agreement with Kempsey Shire Council, behind the site. However, there is no guarantee that it will be maintained for biodiversity into the future or protected in perpetuity. Biodiversity offset funds are a flawed process as you cannot replace biodiversity loss through monetary exchange.

The NSW Planning Department identified the development site at Keith Andrews Av as having high biodiversity values and being "sensitive to impacts from development and clearing." Yet the biodiversity of this site was destroyed.



Keith Andrews Avenue, South West Rocks

Recommendation:

3. Update the NSW Biodiversity Offsetting Scheme to ensure it is the absolute last resort after avoidance and mitigation. Any offsetting must comply with best practice standards. Biodiversity Stewardship sites must be protected in perpetuity and written into all LGA plans
4. Strengthen the planning legislation to protect hollow-bearing habitat trees and koala food trees from all future developments

Seabreeze Estate

Seabreeze Estate is a 221 lot sub-development adjacent to saltwater lagoon, a nationally important wetland. These are sensitive wetlands abutting this development site and despite the 40 metre vegetated buffer, the disturbance to acid sulphate soils will have a devastating impact on those wetlands, and the flow on impact could be catastrophic for the lagoon and the bay. This development was challenged and lost in Land and Environment court in 2019.



Seabreeze Estate, Saltwater Lagoon South West Rocks

The following developments are also under construction currently:

Lomandra Shores - 61 lots on Phillip Dr, under construction and approved in 2020. Approved by Kempsey Shire Council.

Seascape Grove - 180 lots, original subdivision and construction commenced in 2007. Further stages under construction currently. Approved by the NSW Department of Planning

The Links - Over 55s lifestyle village of 199 lots, approved by the NSW Department of Planning in 2017.

Steve Eagleton Drive - 27 lots, approved in 2019 by Kempsey Shire Council.

Fairways/Sea Spirit - 140 lots, approved in 2011 by the NSW Department of Planning.

Ridgeviews - 35 lots, approved in 2013 by NSW Department of Planning.



Source: ridgeviews.com.au

The following sites are residential zoned but no development consent approval:

Phillip Drive - old oil terminal site

Gilbert Cory St - Colliers previously advertised this site as EOI for 143 dwellings on 15.45ha.



Gilbert Cory block - Colliers is the southern third.

Of the above 10 developments that have been approved, only three were approved by council, two went through Land and Environment Court and the remaining five were approved by the NSW State Planning Panel.

Recommendation:

5. Review the current process that allows development to bypass local government planning approvals. Give Councils additional financial or legislative protection to allow them to challenge inappropriate developments, including zombie DAs, to reduce financial loss such as legal fees.

4. Land Carrying Capacity & Infrastructure

Sustainable development must consider the carrying capacity of the land, including ecological limits, availability of drinking water, and housing demands. Planning and growth must not impact high biodiversity value land. To prevent further environmental degradation new subdivision developments must undergo rigorous assessments. The current planning system needs to be strengthened.

As at the 10th November 2023 realestate.com.au has 60 lots of residential land listed for sale with some lots having capacity for more than one dwelling. This does not include 18 residences currently for sale at "The Rocks" Rise project on Phillip Drive or their proposed 5 and 6 storey apartment blocks included in their soon to be submitted DA. These developments will push South West Rocks beyond its maximum sustainable capacity.

Existing infrastructure and services are inadequate. Infrastructure and services must be improved before there is any more development. South West Rocks has limited capacity to service the current population of almost 6,000. Services are particularly strained during peak holiday season. Demand for amenities and community services will increase further if South West Rocks accommodates 56% of the Shire's population growth by 2041 (as stated in NSW State Government Growth Targets).

According to the South West Rocks Structure Plan June 2023 we have an ageing population with the median age of 48 in 2021 and of the 5414 residents in 2020, 1802 people were over the age of 65. Health services are very important to an ageing population and there are currently insufficient doctors.

South West Rocks residents who do not have a local doctor have to travel at least 35 km to go to the doctor, experience long wait times and travel long distances for specialists. The nearest Hospital in Kempsey (36 Km away) is an 81 bed level 3 facility. It does not have an intensive care unit or any paediatric services.

Many of the roads in and around South West Rocks need upgrading and many residential streets do not have curb and guttering. The access road to South West Rocks crosses low-lying farmland and includes bridges over the Macleay River and Spencers Creek. During flood events the town is often isolated with the roads being inundated with flood water.

While residents expect there will be suitable housing available, they do not want to see over-development here and destruction of the environment or development on flood prone or bush fire prone land. There is also concern that developers are aiming projects at the high-end luxury level which will not be affordable for local people.

Growth strategy must balance maintaining the cultural character of villages and small towns. Increasing height limits and density in regional centres and cities may be appropriate but should not fundamentally change the character of small towns. Future planning must consider carrying capacity and the suitability of land coupled with community needs, not growth targets.

Recommendation:

6. Growth must be planned within certain constraints, i.e. ecological limits and biodiversity conservation, town infrastructure limits, maintaining town character and cultural heritage.
7. Land carrying capacity and community resilience must be a key consideration in the planning approvals process. This is particularly important for coastal villages with one road in and out, limited infrastructure and limited resources that will be continually stretched as climate change brings an increase in the frequency and intensity of catastrophic weather events

5. Impacts of Climate Change

The impacts of climate change, including more frequent and severe weather events, rising sea levels, and changes in temperature, are becoming increasingly evident in our region. South West Rocks is vulnerable to flooding, sea level rise, tidal inundation and bushfires and the town has been regularly cut off by floods from the Macleay River.

As a community, we believe that a robust and adaptive planning system is crucial in preparing for and responding to the challenges posed by climate change.

The NSW Government also prioritises Climate change as a Key Threatening Process (KTP) to native plants and animals in New South Wales. In particular, Anthropogenic Climate Change, or human induced climate change is identified as a high risk.

Sea level rise is already impacting on the estuarine ecosystems in the Macleay, with transitional ecosystems of seagrass, mangrove and saltmarsh migrating upslope. This migration is limited to locations where there is no infrastructure such as flood gates, drains or solid impediments such as walls. This is likely to put further strain on infrastructure to mitigate the impacts.

Our community urges the implementation of comprehensive planning policies that consider these factors when approving new developments and infrastructure projects along the coast. Ruling out developments in high-risk areas, protective measures, and sustainable development practices should be prioritised.

The increasing frequency and severity of extreme weather events will have continued impacts on South West Rocks. Some of the key concerns include:

- Isolation during flooding. With only one road in and out, South West Rocks routinely becomes isolated during major flooding. This isolation usually only lasts a couple of days, however if severity increases, so will the length of isolation.
- Bushfire risk
- Poor air quality during bushfires
- Storm damage and coastal
- Storm water run-off and flash flooding. With increasing development and a reduction in trees, we've seen localised flash flooding around development sites
- Coastal erosion - making beach access unsafe and constant upkeep of access points are an increasing burden on Council and NSW NPWS



Storm water run off from Ridgeviews development site, July 2022



Looking towards South West Rocks during March floods 2021



Looking towards Hat Head from Smoky Cape November 2019

AdaptNSW's climate change observations have forecasted that many of the changes related to climate that have been observed over recent decades will worsen in the future. It is no longer enough for developments to meet the bare minimum of compliance. We need safeguards built into our planning system that ensures developers are creating housing that is built to withstand the impacts of climate change well into the future, while also avoiding further contributing to

Anthropogenic Climate Change. The relevant planning legislation must acknowledge climate change and update policies so developments must consider climate change impacts and avoid development in areas that are vulnerable to bushfire, flooding, sea level rise, and other climate impacts.

Recommendation:

8. Strengthen planning legislation to address the changing climate with a long term view that incorporates predictive flood mapping, coastal erosion and sea level rise well into the future. If a parcel of land is at risk of sea level rise inundation in the next 100 years, we should not be building there
9. We recommend that the planning system incorporates climate resilience measures, ensuring that critical infrastructure is designed to withstand extreme weather events and that emergency response plans are in place

6. Conservation

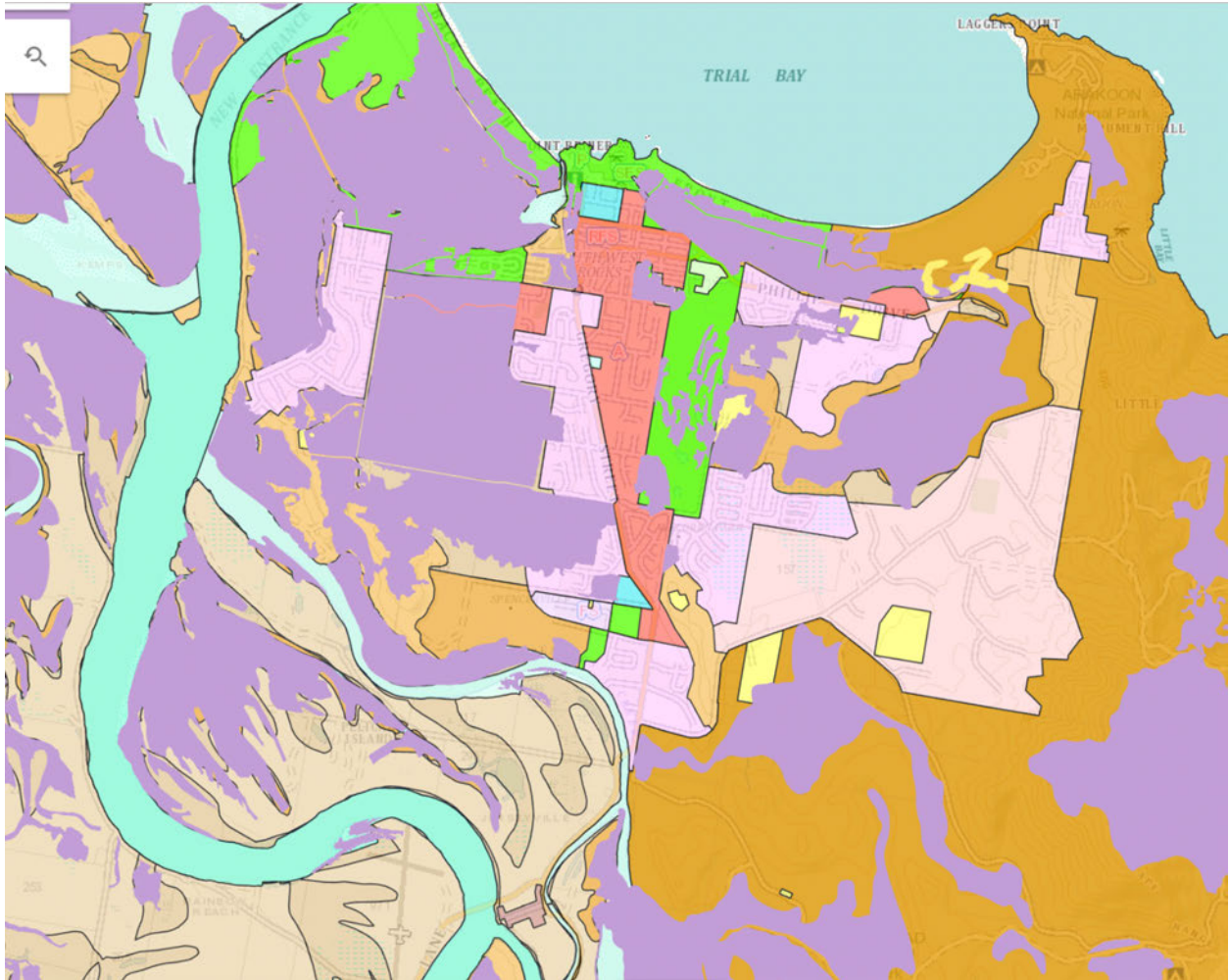
Arakoon National Park sits on the eastern side of South West Rocks, supporting habitat for a number of endangered and threatened species, including the koala and the brush-tailed phascogale. On the western side of South West Rocks there is a significant portion of old growth habitat. However development through the centre of town, without the inclusion of wildlife corridors has resulted in wildlife being forced into urban environments. Unfortunately for our wildlife it has led to car strikes and domestic dog attacks.

Provisions for conservation should be considered within the planning system. The NSW Government has committed to doubling koalas by 2050 but we aren't seeing this reflected in planning policy. Securing habitat is one of the core pillars in the NSW Koala Strategy and yet we are witnessing hectares of koala food trees clear-felled across multiple developments in South West Rocks.

Hollow-bearing trees are critical to support biodiversity, as they provide nesting sites and shelter for many fauna species, *"In NSW, terrestrial vertebrate species that are reliant on tree hollows for shelter and nests include at least 46 mammals, 81 birds, 31 reptiles and 16 frogs. Of these, more than 40 species are listed as threatened on the Schedules of the Biodiversity Conservation Act 2016"* (NSW DPIE 2021)⁴. We would like to see greater protection of hollow-bearing trees when clearing land for sub-development.

Much of the undeveloped land in South West Rocks is considered high biodiversity value. As you can see from the below image from the NSW Planning Department, the areas in purple have been designated as having high biodiversity values and being "sensitive to impacts from development and clearing." Some of this high biodiversity land has now been cleared for developments, such as the Settlers Ridge development and some is slated to be cleared for future developments.

⁴ NSW Department of Industry Planning and Environment (2021), Office of Environment and Heritage, Loss of Hollow-bearing trees, Saving our Species strategy, 2021



Recommendations:

10. Ensure the planning system prioritises conservation of existing habitat with a whole of area approach to prevent fragmentation and preserve connective corridors.
11. In areas where there are known koalas, koala mapping should be undertaken with forecasting to support population growth. This mapping must be addressed in any development applications, with all impacts on koala populations, and other threatened species, avoided.
12. Execute stringent environmental impact assessments in the planning process, with a focus on preserving and enhancing biodiversity. Green spaces, wildlife corridors, and sustainable development practices should be integral parts of the planning framework.
13. The NSW Planning system must rule out development in areas of high biodiversity value, especially with Endangered Ecological Communities and cultural sites.

7. Wetlands: Saltwater Creek and Saltwater Lagoon

Wetlands are incredibly important ecological systems, they act as carbon sinks, sequestering carbon up to 40 times higher than rainforests and act as a buffer against extreme weather events⁵. Studies have found that every remaining hectare of healthy coastal wetland averts over \$4,200 AUD of storm damage annually.⁶ No new development should be approved where they threaten the health or extent of any coastal wetland.

Saltwater Lagoon is considered a Nationally Important Wetland. There is increasing pressure on Saltwater Lagoon and Saltwater Creek from encroaching development (Rise Development and Seabreeze Estate). The impacts of increased runoff from housing, including garden runoff that may include synthetic fertilisers or an imbalance of chemicals.

The Saltwater Creek Coastal Management Program report states⁷:

"Virtually all of the estuary is designated as state-significant coastal wetlands, and a significant biodiversity is present including notable species of birds, fish, reptiles and mammals.

"However, the estuary is facing increased pressure from urban development within its catchment. The South West Rocks area is projected to experience a 40% increase in population over the next 15 years, and a series of major developments are planned for the study area catchment during this period. Catchment runoff and urban stormwater discharge are already a major source of water quality issues across the estuary, which as an ICOLL comprises a sensitive receiving system."

Recommendation:

14. All wetlands are protected, not only with buffers but by factoring in the ongoing stresses and pressures that adjacent developments are likely to have on wetlands. Coastal wetland protection must be written into planning laws.

8. Dormant Development Applications (Zombie DAs)

South West Rocks is continuing to witness the impacts that Zombie DAs have on sensitive ecosystems. Dormant development applications, often referred to as Zombie DAs, are based on outdated environmental science and climatic projections.

Old approvals do not take into account the impacts of the 2019 bushfires, 2021 and 2022 floods, and the increasing severity of weather events. They do not account for sea level rise or coastal erosion. They do not account for the rapid rate of species extinction. They do not account for

⁵ https://www.natureaustralia.org.au/content/dam/tnc/nature/en/documents/australia/MOW_Report_Web.pdf

⁶ Mulder, O.J., Mulder, K.P., Kubiszewski, I., Anderson, S.J., Costanza, R., & Sutton, P., 2020, 'The value of coastal wetlands for storm protection in Australia', *Ecosystem Services*, vol. 46, p. 101205

⁷ <https://www.watertech.com.au/projects/saltwater-creek-coastal-management-program-stage-1/>

climate change. They do not consider current housing trends or meaningfully engage with communities.

A solution must be found to ensure that Zombie DAs cannot continue to wreak havoc on our environment and on our communities.

It is vital that planning legislation and controls are strengthened to conserve the remnant native vegetation, recognising that remnant habitat in the area has incredibly high biodiversity value as wildlife refuges after the 2019/20 bushfires.

Recommendations:

15. Development Applications older than 5 years to be reviewed and assessed with up-to-date biodiversity data, climate modelling and ecosystem impacts considered. Inappropriate approvals must redesign or swap land
16. Hand more power back to local councils for Zombie DA considerations
17. Property developers and real estate agents are banned from sitting on councils
18. Developments are banned in areas that are vulnerable to floods, bushfires and sea level rise
19. LGA masterplans that assess the cumulative impact of development on threatened species habitat are required

9. Considerations

We ask the Portfolio Committee No.7 - Planning and Environment Inquiry to consider the following key concerns:

- Coastal communities with one road in and out have land carrying limitations that need to be factored into planning.
- Infrastructure and amenities are already stretched in South West Rocks before adding close to a thousand additional dwellings that are currently under construction. Many residents cannot readily access a local GP or have to travel significant distances to get a specialist medical appointment.
- The clearing of old growth habitat for development has far reaching impacts - habitat loss and species vulnerability, contributions to climate change, erosion and flash flooding, localised extinctions, detrimental impact on the mental and physical health of the community.
- South West Rocks' economy is driven by tourism. One of the key draw cards for visitors to South West Rocks is its untouched, natural beauty. If we continue to clear nature for development we will detrimentally impact our tourist economy.