

Director
Planning Coordination and Support
Department of Planning & Environment
GPO Box 39
Sydney 2001

4 June 2014

Dear Sir/Madam,

Submission: NORTHERN COUNCIL EZONE REVIEW INTERIM REPORT

Introduction

The Nature Conservation Council of NSW (NCC) welcomes the opportunity to comment on the *Northern Council Environmental Protection Zones Review Interim Report*.

We are the peak environment body for NSW, representing over 120 organisations across the state. We have long-standing experience in environmental and planning matters and we strongly support the strengthening of E zones in the Far North Coast Council Local Environment Plans (LEPs).

A number of our members are based on the north coast of NSW. These members overwhelmingly support E zones as a mechanism for protecting the region's environmentally sensitive areas. In particular, our members are worried that a downgrading of E zones will remove important and long-standing protections for high conservation areas in the region.

We welcome the review's general support for E zones. However we are concerned with some of the specific recommendations to downgrade proposed protection for areas with significant conservation values.

E zones are a crucial planning tool for protecting areas of conservation value in NSW. On the far north coast, E zones provide fundamental protection for over 27,000 hectares of forests, wetlands and wildlife habitats. This includes nearly all native vegetation and wildlife habitats not protected in National Parks and makes up over 30% of the region's natural areas. Without protection, these unique areas are left vulnerable to destructive residential and tourism developments along the coast, and the expansion of intensive agriculture in the rural hinterland.

The national *State of the Environment Report 2011* indicates that Australia is going backwards in biodiversity conservation, climate change impacts, the health of our watersheds and the protection of our forests and woodlands.

The downgrading of proposed E4 zones to residential zones, removing protection for wildlife corridors and allowing extensive agriculture within E2 zones threatens to contribute to this decline. The NSW Government must uphold and strengthen environmental protection mechanisms to safeguard our state's natural heritage for future generations.

A strong environmental legislative planning framework is essential for preserving wildlife habitats not protected in National parks. E zones ensure that planning decisions pertaining to our environmental assets are made with transparency, community consultation and certainty and are a critical part of a healthy, sustainable society. These measures ultimately ensure our air, water, landscapes, biodiversity and communities are protected.

Response to Interim Report

NCC welcomes the following key recommendations of the Interim Report:

- Endorsement of E zones and overlays in far north coast council LEPs.
- The expansion of E zones in Kyogle, Lismore, and Ballina and Tweed Shires to include all environmentally sensitive areas not currently protected.
- Endorsement of environmental overlays for buffers around estuaries, streams, wetlands, and rainforest.
- The development of guidelines for the mapping of scenic amenity and the inclusion of these mapped areas as an environmental overlay.
- The removal of cleared land subject to coastal hazards, including climate change effects, from the E2 zone; although these should be placed in a new coastal hazard zone rather than becoming an overlay.

However, NCC is concerned with other recommendations arising from the interim report, as outlined below:

- NCC does not support the downgrading of rainforest, old growth, wetlands, mangroves, riparian vegetation and 'rare, endangered and vulnerable ecosystems' from E2 to E3.

These areas have exceptional conservation value, and must be afforded appropriate levels of protection. To this end, we note that the Department's Practice Note PN 09-002 – Environmental Protection Zones identifies E2 zones as appropriate for the protection of

areas of very high conservation values, including old growth forests, significant wildlife, wetlands or riparian corridors or land containing endangered ecological communities.

We submit that, in accordance with Practice Note PN 09-002, these areas should be zoned E2 – Environmental Conservation.

- NCC does not support the downgrading of proposed E4 zones to residential zones in the Byron LEP.

It is our understanding that these areas include core Koala Habitat, several Endangered Ecological Communities and significant threatened species habitat. We submit that the protection of these values through E zones is consistent with Practice Note PN 09-002.

- NCC is also concerned with recommendations to remove all protection for wildlife corridors mapped by the National Parks and Wildlife Service, and allow 'extensive agriculture' such as grazing, cropping and irrigated pasture within E2 zones.

Conclusion

NCC believes that our environment, on which all Australians rely, deserves protection. We urge the NSW government to ensure that the Far North Coast's high conservation areas, including forests, wetlands and wildlife habitats are protected by appropriate E zones in local environment plans. E zones have been an important part of our environment and planning laws in NSW for twenty-five years providing long-term sustainability for our ecosystems, environment, society and economy. It is vital that they continue to provide this service.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. Clarke', with a large, sweeping initial 'P'.

Pepe Clarke
Chief Executive Officer