



NEW SOUTH WALES CROWN
HOLIDAY PARKS TRUST

Po Box 245
Warners Bay
NSW 2282
P: 02 4967 2233

4 June 2014

NSW Department of Planning & Environment

GPO Box 39
Sydney NSW 2001

Dear Sir / Madam

Submission on Northern Councils EZone Review Interim Report

Thank you for the opportunity to provide a submission on the review of environmental zones on the North Coast.

Apply Recommendations to Non – Agricultural Land

The Trust recognises that the primary focus of the review was in regard to the application of environmental zones to rural and agricultural land. However, it is important that the recommendations from the review are applied throughout the entire local government areas, and across all land uses.

General Recommendations - Byron Shire Local Government Area

The following recommendations from the “Summary of the consultant’s draft recommendations which apply to Byron Shire” are fully supported.

- environmental zones should only be applied to those areas which have important environmental values, based on validated ecological evidence.
- E2 and E3 zoning should only be applied where there is proven evidence of significant environmental values that meet the specific criteria listed by the consultant.
- land that does not meet the criteria should be zoned according to its primary use.

Transfer of Existing Zones

The consultant has recommended that the following environmental protection zones under Byron LEP 1988 should be transferred directly to the E2 zone under draft Byron LEP 2014.

- 5(b) Rural (High Flood Hazard Liable)
- 7(a) Environmental Protection (Wetlands)
- 7(b) Environmental Protection (Coastal Habitat)
- 7(j) Environmental Protection (Scientific)
- 7(k) Environmental Protection (Habitat)

The Trust opposes the automatic transfer of these zones to the E2 zone unless there is proven evidence of significant environmental values. There are a number of anomalies, where the existing zoning is inconsistent with the environmental values of the location.



NEW SOUTH WALES CROWN
HOLIDAY PARKS TRUST

Po Box 245
Warners Bay
NSW 2282
P: 02 4967 2233

Automatic transfer as proposed would be inconsistent with the Department's response to the interim report which states that the value of environmental zones should not be diminished by inappropriate application and zoning decisions are evidence based.

Criteria for the Application of the E2 Environmental Conservation Zone

The Trust opposes the use of the criteria listed by the consultant in Tag 2 as the sole determinant of whether the E2 zoning should be applied.

There are a number of anomalies, where the existing environmental mapping is inconsistent with the environmental values of the location. Environmental zones should not be applied to land on the basis of inaccurate environmental mapping and the value of environmental zones should not be diminished by inappropriate application and zoning decisions are evidence based.

In all cases E2 zones should only be applied to those areas which have important environmental values, based on validated ecological evidence, and accurate, verified mapping.

Further Consultation

The revised guidelines should include mandatory consultation by Councils on proposed amendments to the draft LEP to ensure that landholders have the opportunity to review and make submissions in relation to the application of environmental zones.

Should you require any additional information please contact Mr Russell Chaplin via email at Russell@nchp.com.au or telephone 6686 5171.

Yours sincerely

Jim Bolger
General Manager