

Ryde Environment Group  
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5 June 2014

The Director,  
Planning Coordination and Support,  
Department of Planning & Environment,  
GPO Box 39,  
Sydney 2001  
[ezonesreview@planning.nsw.gov.au](mailto:ezonesreview@planning.nsw.gov.au)

Dear Sir,

**Ryde Environment Group submission on the interim report of the review of E zones in local environmental plans in Local Government Areas in Northern NSW.**

This submission represents the views of the Ryde Environment Group, which has a long-standing commitment to achieving the most effective planning protection of the State's natural resources, including air, water, soil and vegetation. It would be appreciated if the Department would give consideration to all of the matters raised as the findings of the Interim Report have major implications for all areas of the State.

E-zones in local environmental plans provide fundamental protection for a wide range of soils, forests, wetlands and wildlife habitats:

- These unique areas are vulnerable to clearance and fragmentation for residential, tourism and infrastructure developments along our coast, and the expansion of coal seam gas (CSG), logging, mining and intensive agriculture in our rural hinterland. They require strong statutory protection which is best provided by E-zones.
- The lands protected by E- zones include significant World Heritage, National Heritage, State and Local Heritage, including Natural and Cultural heritage of significance to all Australian people, including Aboriginal people.
- The existing forests are of economic, ecological and social value to all Australian people which should also be given proper consideration in determining the appropriate E zoning.
- The determination of the appropriate zoning for the land subject of the review, should also consider the value of the lands, especially those which have forests and threatened species or endangered ecological communities, in mitigating the impacts of climate change.

## **Comments:**

1. The Interim Review endorses the use of environmental zones and overlays in far north coast council Local Environment Plans and their expansion to include environmentally sensitive areas not currently protected, in Kyogle, Lismore, Ballina & Tweed Shires. This work is a critical element of strategic planning for the Northern regions to inform the Local Environmental Plans and should be given the highest priority to be carried out immediately. The NSW Government should take responsibility for the funding and oversight of this work in order to achieve consistent planning outcomes across the region.
2. It is of concern that land identified in overlays will not be given adequate statutory enforcement. Clarification is required on the application of environmental overlays for "buffers around estuaries, streams, wetlands, and rainforest". Buffer zones should be protected with an E-zoning to ensure adequate statutory protection. Land identified as being of "scenic amenity" also requires an appropriate E zoning to ensure statutory protection. Environmental overlays lack the essential statutory force to ensure long-term protection.
3. Recommendations 1 and 7 involve downgrading rainforest, old growth forest, wetlands, mangroves, riparian vegetation and 'rare, endangered and vulnerable ecosystems' from E2 to E3. These areas which are all of exceptional conservation value should have the highest statutory protection under the E2 zones in accordance with the NSW Department of Planning (Practice Note PN 09-002 – Environmental Protection Zones), as applies across the State.
4. Lands with identified high conservation values must also be protected from CSG and other mining activities. They require specific exclusion from the 'Mining' SEPP - State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007, as amended. This action should be carried out without delay by the NSW Government.
5. Recommendation 14 which proposes to downgrade draft E4 zones to residential zones is opposed because these areas include core Koala Habitat, several Endangered Ecological Communities and significant threatened species habitat with exceptional conservation value deserving the higher conservation protection.
6. The protection of the conservation values inherent in land with an existing E-zone, should be retained as it is in accordance with the NSW Department of Planning (Practice Note PN 09-002 – Environmental Protection Zones), as applies across the State.
7. Tree Protection Orders are totally inadequate to protect the high conservation values of these lands.
8. Wildlife corridors mapped by the National Parks & Wildlife Service should be protected by E zoning to demonstrate their value for environmental and habitat protection and enhancement in accordance with the identified values applying to these lands.
9. Recommendation 4 allowing 'extensive agriculture' such as grazing, cropping and irrigated pasture within E2 zones is opposed because these activities are highly destructive of the ecological values in environmentally sensitive areas and should be prohibited.

10. The recommended redrafting of E2 zone provisions to permit grazing, cropping and irrigated pasture as permitted activities under the 'Mining' SEPP - State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 is an unacceptable precedent for planning in NSW. It should be rejected as it ignores the accepted values of these lands under existing planning controls.

11. The Interim Review has not given sufficient consideration to the responsibility of each tier of government for the protection of natural and cultural Heritage. The document at Attachment 1 discusses the significance of the World Heritage listed rainforests. It also identifies several scientific studies that should be a consideration of the interim report when providing recommendations for the zoning of other lands within the catchments of the World Heritage listed areas.

12. The Interim Report should make recommendations that are of a dynamic nature, taking into consideration the high sensitivity of the land identified for E zoning and its scientific, natural and cultural values.

13. The Department of Planning & Environment should require that heathlands and shorebird roosting and nesting areas be included in E2 zones, and

14. Core Koala habitat identified in a Koala plan of Management should also be zoned E2.

15. The Government should support the recommendation of the Interim Review that all land designated an environment zone should be a priority area for the application of incentive based mechanisms, including financial incentives, rate rebates, management assistance, and local award schemes to encourage and actively support the long-term conservation of these lands across Northern NSW.

16. The Government should apply incentive provisions to high conservation value land to protect these lands for the long-term.

17. E-zones are a critical element of the planning system. They should continue to be applied across LGAs in NSW. Lands that are of high-conservation value should be protected and the statutory power of the E-zones should not be substituted by overlays having less statutory effect.

Thank you for the opportunity to provide comment on the Interim Report.

Yours sincerely

A handwritten signature in cursive script, reading "J. Minifie". The signature is written in dark ink on a light background.

Jennie Minifie  
For Ryde Environment Group.

## Attachment 1:

### The Gondwana Rainforests of Australia World Heritage Area



The Gondwana Rainforests of Australia (formerly known as the Central Eastern Rainforest Reserves of Australia or CERRA) include the most extensive areas of subtropical rainforest in the world, large areas of warm temperate rainforest and nearly all of the Antarctic beech cool temperate rainforest. Few places on earth contain so many plants and animals which remain relatively unchanged from their ancestors in the fossil record. The outstanding geological features displayed around shield volcanic craters and the high number of rare and threatened species are of international significance for science and conservation.

The Gondwana Rainforests of Australia World Heritage Area was first inscribed on the World Heritage List in 1986 and extended in 1994. It is what is known as a serial World Heritage Area and is comprised of several protected areas in north-east NSW and south-east Queensland.

### World Heritage

The Convention for the Protection of the World's Natural and Cultural Heritage was established by [UNESCO](#) (United Nations Educational, Scientific & Cultural Organization) in 1972 to ensure the protection of heritage that is considered to be of outstanding universal value.

The outstanding natural values for which the Gondwana Rainforests was listed, are detailed at [World Heritage Places - Gondwana Rainforests of Australia - Outstanding Universal Value](#).

### Who Manages the Property?

The management of World Heritage areas in Australia is undertaken cooperatively by state and federal governments in accordance with the Australian World Heritage Intergovernmental Agreement (IGA).

The Gondwana Rainforests of Australia is managed principally by:

- the NSW National Parks & Wildlife Service (part of the Office of Environment & Heritage) and
- the [QLD Parks & Wildlife Service](#) (part of the Department of Environment & Resource Management).

The Australian Government, as signatory to the World Heritage Convention, works in cooperation with the state agencies through the Commonwealth [Department of Sustainability, Environment, Water, Population and Communities](#).

To coordinate management of the property, representatives of the three partner agencies participate in a Steering Committee which determines policy directions and a Coordinating Committee which addresses operational matters.

#### **Advisory Committees**

There are two advisory committees for the Gondwana Rainforests of Australia World Heritage Area:

- a Community Advisory Committee, and
- a Technical and Scientific Advisory Committee.

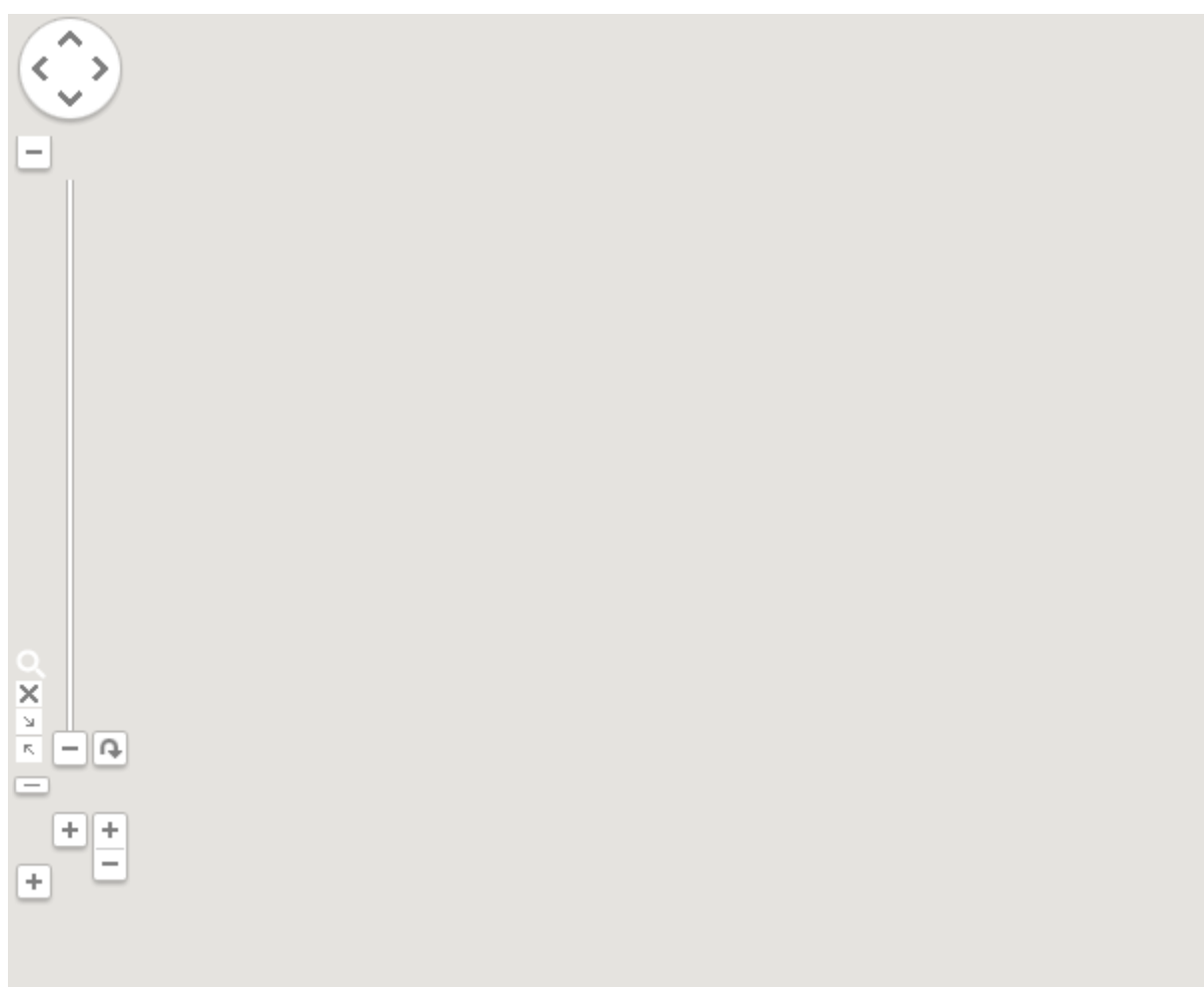
The members of these committees provide advice to the managing agencies and undertake activities to raise community awareness of the property and its values.

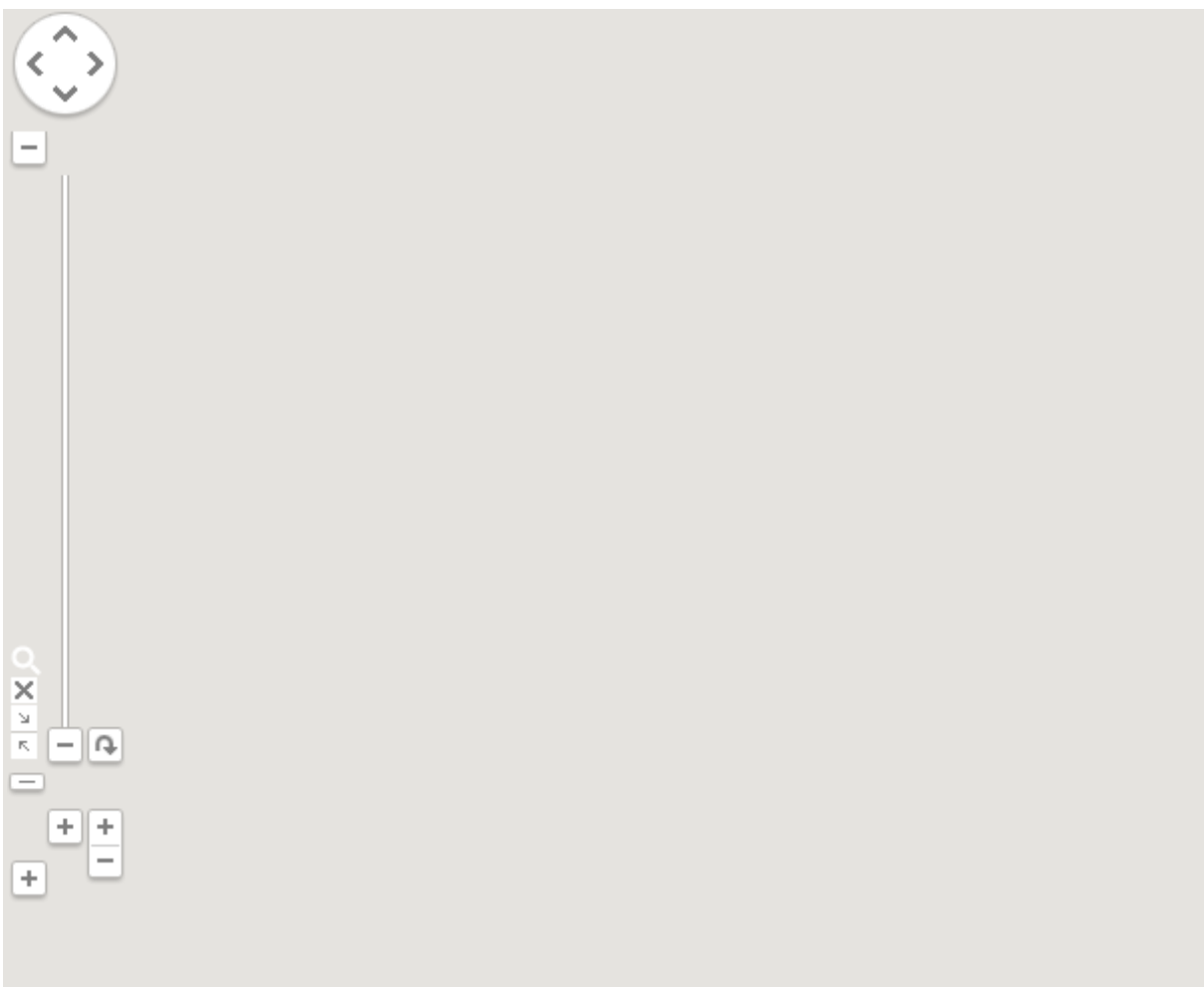
#### **Current cooperative projects**

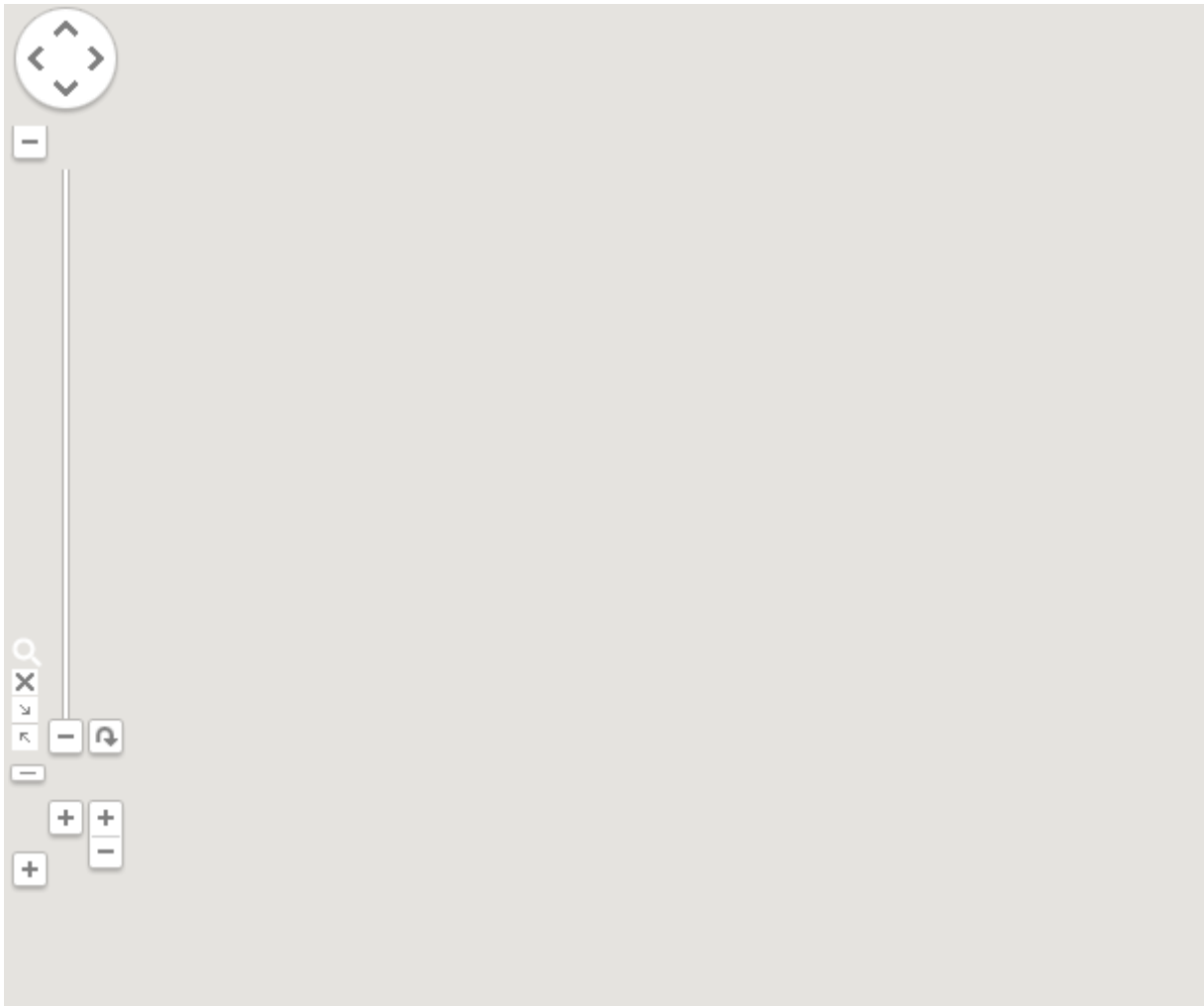
In addition to the ongoing work undertaken in both states in the management of the World Heritage Area, the Australian Government provides funding through a variety of programs including **Caring for Our Country** (CfoC). The current CfoC program target is to mitigate threats to the outstanding universal values of the property.

#### **Current CfoC funded projects include:**

- Weed management programs to reduce the impact of priority weeds in priority locations
- Management of Bell Miner Associated Dieback (BMAD)
- Monitoring of amphibian chytrid fungus
- Sampling for the pathogen *Phytophthora cinnamomi*, and the preparation of a management plan
- Threatened species monitoring for the Hastings river mouse and the spotted-tailed quoll
- regional assessment of climate change impacts and the development of appropriate actions for threat mitigation
- Monitoring of endemic high mountain dwelling frog species in relation to climate change
- An assessment of fire impacts on rainforest communities.







### **Gondwana Rainforests of Australia**

[Barrington Tops NP](#)  
[Border Ranges NP](#)  
[Captains Creek NR](#)  
[Cunnawarra NP](#)  
[Dorrigo NP](#)  
[Gibraltar Range NP](#)  
[Iluka NR](#)  
[Koreelah NP](#)  
[Limpinwood NR](#)  
[Mallanganee NP](#)  
[Mebbin NP](#)  
[Mount Clunie NP](#)  
[Mount Hyland NR](#)  
[Mount Nothofagus NP](#)  
[Mount Royal NP](#)  
[Mount Seaview NR](#)  
[New England NP](#)  
[Nightcap NP](#)  
[Numinbah NR](#)  
[Oxley Wild Rivers NP](#)  
[Richmond Range NP](#)  
[The Castles NR](#)  
[Toooloom NP](#)  
[Toonumbar NP](#)  
[Washpool NP](#)  
[Werrikimbe NP](#)  
[Willi Willi NP](#)  
[Wollumbin NP](#)

*Page last updated: 21 January 2014*



