



# Office of Environment & Heritage

Your reference  
Our reference: DOC13/40624  
Contact: Liz Mazzer (02) 68835325  
Date: 8<sup>th</sup> August 2013

General Manager  
Lithgow City Council  
PO Box 19  
Lithgow NSW 2790

Attention: Ms Sherilyn Hanrahan, Strategic Land Use Planner

Dear Ms Hanrahan,

Thank you for your letter (dated 17<sup>th</sup> June 2013) seeking comment from the Office of Environment and Heritage (OEH) on the exhibited Draft Lithgow City Local Environmental Plan (LEP) 2013.

Please note that as of the 29<sup>th</sup> of February 2012, the Environment Protection Authority (EPA) has been re-created as an independent authority. If the EPA intends to provide comments on the draft documents, a separate response will be provided to Council.

Similarly, this response does not contain comments on non-Aboriginal cultural heritage matters. If the Heritage Branch has comments to make of the LEP, a separate response will be provided by that Branch.

As stated in our letter dated 24<sup>th</sup> June 2011, The OEH has the following primary areas of interest relating to strategic land use planning and the preparation of new Local Environmental Plans (LEPs):

1. The impacts of development and settlement intensification on biodiversity and Aboriginal cultural heritage;
2. Adequate investigation of the environmental constraints of affected land;
3. Avoiding intensification of land use and settlement in environmentally sensitive areas (ESAs).
4. Ensuring that development within a floodplain is consistent with the NSW Government's Flood Prone Land Policy, the principles set out in the Floodplain Development Manual, and applicable urban and rural floodplain risk management plans.

We also understand that draft LEPs must comply with current statutory matters such as the Local Planning Directions under S117 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

We generally support strategic planning proposals which:

- Avoid rural settlement intensification in areas of biodiversity value, Aboriginal cultural heritage value and other environmentally sensitive areas;

- Include objectives, such as ‘no net loss of native vegetation’, that will ensure the LEP supports the NSW State Natural Resource Management Targets and Catchment Management Authority Action Plans; and
- Minimise flood risk to human life, property and the local environment while maintaining floodplain connectivity for environmental benefit.

Some specific comments on the exhibited LEP are included below. For all other matters please refer to Attachment A which includes our generic recommendation for local government strategic planning, many of which will have already been addressed by Council.

## **Biodiversity**

### *LEP Provisions*

We would like to note our support for the following proposals in the LEP:

- The proposed E1 ‘National Parks and Nature Reserves’ zoning for OEH Estate.
- The use of Environmental Zones (E3 and E4). In particular, OEH is strongly supportive of the strategic use of Environmental Zones, such as the proposed E4 Environmental Living zone adjacent to Marrangaroo National Park.
- The inclusion of the Terrestrial Biodiversity Clause and overlay.

However we also have the following comments to make on the LEP.

Firstly, not all lands managed and acquired under the *National Parks and Wildlife Act 1974* (NPW Act) have been included within the E1 zone. For example, there have been small additions to Wollomi and Kanangra Boyd National Parks. We recommend that Council access the spatial layers for gazetted OEH Estate and other lands acquired but not yet gazetted under the NPW Act, by contacting the OEH Data Broker via [data.broker@environment.nsw.gov.au](mailto:data.broker@environment.nsw.gov.au).

In general, we also encourage Council to consider applying the E3 zone at a minimum, to the following public lands in the LGA:

- Any Crown Commons and Public Recreation Reserves with high biodiversity sensitivity vegetation.
- Suitable Travelling Stock Reserves (TSR’s). For example, this could include:
  - TSRs which have been specifically identified to be of medium or high biodiversity value. We refer Council to mapping available from the Grassy Box Woodlands Conservation Management Network which identifies the biodiversity values of TSRs. This mapping can be accessed via <http://gbwcmn.net.au/node/6>.
  - Vegetated TSRs adjoining OEH Estate.

All zonings relating to TSRs should however be discussed with the Department of Primary Industry (Local Land Services).

## **Minimum Lot Size**

OEH notes that the majority of the RU1 Primary Production and RU2 Rural Landscape zones have a small minimum lot size (MLS) of 40 ha. OEH considers that minimum lot size limits should be larger in RU1 and RU2 zones as well as environmentally sensitive areas. This will reduce the pressures of development and settlement on biodiversity in rural lands.

OEH supports clause 4.1 (5) of the draft LEP which restricts subdivision of Class 1 to 3 Agricultural Lands and Concessional Holdings. OEH also supports the MLS of 2ha for the R5 Large Lot Residential Zone, and the increase to 10ha in the vegetated R5 area south of Portland. We encourage Council to consider whether it is also possible to utilise an E4 Environmental Living zone in this vegetated area south of Portland.

### **Roads**

OEH is concerned that the draft LEP permits roads without consent in all zones except E1 (National Parks and Nature Reserves) and E3 (Environmental Management). Uncontrolled construction of roads has the potential to cause environmental impacts such as fragmentation of remnant vegetation, erosion and sedimentation.

OEH recommends that consent is required for construction of roads, particularly in RU1 (Primary Production), RU2 (Rural Landscape), R5 (Large Lot Residential) and E4 (Environmental Living) zones.

### **Aboriginal Cultural Heritage**

We have no additional advice to provide at this stage, beyond that provided in Attachment A.

If additional information relating to the proposed LEP indicates that areas within the OEH's responsibility require further investigation, we may provide future input. Should you require further information about this submission generally, please contact Liz Mazzer, Conservation Planning Officer on (02) 6883 5325, or via [liz.mazzer@environment.nsw.gov.au](mailto:liz.mazzer@environment.nsw.gov.au).

Yours sincerely,



**SONYA ARDILL**  
**Team Leader, Planning**  
**North West Region**

## ATTACHMENT A

### Office of Environment and Heritage (North West Branch) general advice for local government strategic planning – Lithgow City Council.

#### BIODIVERSITY VALUES

Rural settlement intensification can have significant impacts on biodiversity. Development will have short and long-term negative impacts on biodiversity. These negative impacts are caused by activities such as:

- the clearing of house and building sites
- the disturbance caused by infrastructure (such as new roads, fence lines, dams and access to utilities), and
- the construction of asset protection zones for statutory fire protection.

The cumulative effect of multiple subdivisions will magnify these substantial impacts on biodiversity. These impacts are not regulated by the *NSW Native Vegetation Act 2003* (NV Act).

There is also a need to recognise climate change as a severe and wide ranging threat to biodiversity in NSW. Rising temperatures and sea-levels, changed rainfall and fire regimes will affect biodiversity in complex and often unpredictable ways. As a result of climate change, current threats to biodiversity, including habitat loss, weeds, pest animals and drought, are expected to intensify.

In many cases, existing approaches to biodiversity conservation (protection of intact vegetation, species recovery, mitigation of current threats and revegetation and restoration activities) will form the basis of adaptation programs to address the impacts of climate change. Reducing existing threats to biodiversity, such as habitat loss, pests and weeds is the most effective option for enabling species to adapt to climate change (at least in the short term) as this will increase the capacity of species to persist in their current locations and form the base from which migration can occur.

Council has the responsibility to control the location and, to a degree, development standards of settlement and other land use intensification. Local Environmental Plans (LEPs) can be used to avoid settlement and development in Environmentally Sensitive Areas (ESAs) including areas of remnant native vegetation.

The S117 Directions (*Environmental Planning and Assessment Act 1979*) require that Councils in preparing a new LEP must include provisions that facilitate the protection and conservation of ESAs. As a minimum, these provisions must aim to maintain the existing level of protection for ESAs within the LGA, as afforded by the current LEP.

As a matter of priority the OEH recommends six actions be taken by Councils when developing new LEPs. These will address the S117 Directions, and protect biodiversity from growth, development and associated pressures and changes:

1. Implement appropriate Environmental Zonings.
2. Avoid development in remnant native vegetation.
3. Establish large minimum lot sizes.
4. Conduct comprehensive environmental studies if areas of high environmental sensitivity occur in sites where there is a strong imperative to intensify land use.
5. Include a biodiversity overlay and clauses within the LEP.
6. Define biodiversity protection and management measures in Development Control Plans.

## 1. Implement appropriate Environmental Zonings

The zone, E1 'National Parks and Nature Reserves', should be applied to all of the OEH estate within the LGA. We also encourage Councils to apply other environmental and water ways zones in appropriate areas.

The E1 zoning is intended to apply to all lands acquired under the *National Parks and Wildlife Act 1974* (NP&W Act), and therefore is not limited to only the 'National Park' and 'Nature Reserve' classifications.

The OEH is also strongly supportive of the implementation of appropriate environmental zonings to other areas identified to have high biodiversity or Aboriginal cultural sensitivity. Private and public lands with high conservation values, including those providing linkages or corridors, can be protected in LEPs through appropriate zoning and/or via overlays with associated development controls. Councils should implement land use zonings such as E2-E4 and W1-W2 to provide as much protection as possible to biodiversity and ecological communities. Specific advice regarding the use of these zones is included in Practice Note previously forwarded to Council.

In particular, we advocate the application of the E2 zone to areas of private or Crown lands that are presently managed primarily for conservation (such as crown reserves or areas under conservation covenants).

We also recommend that Travelling Stock Reserves (TSRs) with known conservation values are included in E3 zones at a minimum, although E2 zoning would be preferred. Mapping of TSRs, including identified conservation values, is available via the Grassy Box Woodlands Conservation Management Network. This mapping can be accessed via <http://gbwcmn.net.au/node/6>.

## 2. Avoid development in remnant native vegetation

- Council, through the Land Use Strategy and LEP, can protect biodiversity by avoiding development such as settlement and other land use intensification, in areas of remnant native vegetation.
- Development should be directed to areas that have already been cleared, unless such areas have been identified as having environmental importance (eg targeted by a Catchment Management Authority for revegetation to improve regional connectivity).

Avoiding development in areas of native vegetation will contribute to the achievement of Catchment and State biodiversity targets.

Settlement should also be avoided in locations that are likely to be targeted for investment by the Catchment Management Authority (CMA). Landholders in such areas may receive incentive funding for protection and enhancement of native vegetation or revegetation of cleared areas.

The OEH will not support strategic land use recommendations or LEP provisions that allow further settlement opportunities in these areas, particularly if Council assumes that ongoing management could be effectively controlled by complex DCP rules.

OEH is pleased to note that Lithgow City Council has incorporated the package of Environmentally Sensitive Area (ESA) mapping and associated Technical and Practice Notes provided previously in the draft LEP. At the broad strategic level, these maps can be used to identify areas that are most likely to be free from significant land, water or biodiversity constraints, therefore more suited to development.

Excluding remnant native vegetation from development pressure on private land could be largely achieved by retaining such areas on relatively large holdings, within RU1 and RU2 zones for example. This would also allow the CMA approval processes, under the *Native Vegetation Act 2003*, to be applied.

Similarly, higher density settlement in 'fire prone' locations should be avoided in the first instance. Where residential areas abut native vegetation there is pressure for the required Asset Protection Zones and other hazard management measures to encroach on that vegetation, particularly where adequate existing cleared land has not been retained to fulfil that role.

Avoiding settlement in remnant native vegetation is also likely to avoid bushfire prone lands and protect any Aboriginal cultural heritage that may remain in such areas.

### **3. Establish large minimum lot size limits**

Minimum lot size limits should be large in RU1 and RU2 zones as well as environmentally sensitive areas. This will reduce the pressures of development and settlement on biodiversity in rural lands.

Minimum lot size limits can be used to reduce the pressures of development and settlement on biodiversity. The LEP should define realistically large minimum lot size limits with associated dwelling provisions to control the intensity of development and settlement.

In particular, Council needs to ensure that minimum lot sizes in environmentally sensitive areas are of an appropriately large size to control the cumulative impact of any development and settlement intensification permitted in those areas by the LEP.

Council needs to adopt a risk-based approach to this matter. The selected sizes should be designed to meet expectations of rural living while minimising the adverse environmental impacts of any settlement that may occur with the sub division.

If Council is strongly of the opinion that lot sizes need to be reduced then this should not be applied uniformly across the shire with environmentally sensitive areas excluded from such revisions.

### **4. Conduct targeted environmental studies**

Where development in areas of native vegetation or environmentally sensitive areas cannot be avoided, a targeted environmental study should be conducted. This should focus on ensuring a "maintain or improve" outcome for biodiversity.

Where Council is unable to avoid applying zonings or minimum lot sizes which permit essential development intensification in remnant native vegetation, a targeted study should be conducted to investigate the biodiversity values of the area. Any study should determine how potential impacts can be mitigated or, where this is not possible, offset through conservation management of other areas.

This study and any resulting objectives and zonings should aim to ensure a 'maintain or improve' outcome. This is a vital step in the strategic planning process and in effectively addressing the S117 Directions.

## 5. Include a biodiversity overlay and suitable clauses within the LEP

The OEH strongly recommends the use of overlays and associated provisions with the LEP to provide additional protection for biodiversity.

It is particularly important to define assessment and development control provisions for those instances where development or settlement intensification cannot be avoided in remnant native vegetation.

LEPs should include objectives and provisions that require a 'maintain or improve' outcome for native vegetation and threatened species whenever clearing of native vegetation or environmentally sensitive areas cannot be avoided

Overlays can also be used to update any existing 'environmentally sensitive lands' provisions in current LEP and therefore meet the requirements of the S117 Directions to at least maintain existing environmental protection standards.

Importantly, the use of such overlays is consistent with the Department of Planning and Infrastructure (DoPI) Practice Note PN 09–002v (30 April 2009) on environmental zones<sup>1</sup> which states:

*'Local environmental provisions may be applied where zone provisions need to be augmented in order to ensure that special environmental features are considered. For example, rural land that is still principally for agriculture but which contains environmentally sensitive areas may be zoned RU1 or RU2 and the environmental sensitivities managed through a local provision and associated ('overlay') map.*

*The benefits of this approach include:*

- *The intended conservation or management outcomes for land can be clearly articulated in the LEP.*
- *Areas are clearly defined and controls streamlined.*
- *Sub-zones are not created. (These are not permitted under the standard instrument).*

*Provisions for environmentally sensitive areas may include multiple natural resource or other features such as acid sulfate soils and riparian land. A local provisions clause may include objectives and, where the sensitivity is a mappable attribute, a map would accompany the provision'.*

The OEH congratulates Lithgow City Council on the inclusion of the environmentally sensitive land overlays developed by the former Departments of Water and Energy, Environment and Climate Change, and Primary Industries (Fisheries). These overlays and clauses have been prepared to provide Council with information on resource assets and environmental constraints and how these assets and constraints should be managed during the assessment of development applications. The use of the environmentally sensitive areas overlays supplied by agencies is now common-place in both exhibited and gazetted LEPs.

The use of these overlays and clauses and how these may affect land uses are outlined in the previously mentioned Practice Note and Technical Note. When implemented in this way the layers and clauses do not exclude development. Rather, they act as a flag for values that may be present at a site. Sites should be checked for these potential values prior to any development approval. If the values are present at the site, the impact should be avoided or, if this is not possible, at the very least minimised and mitigated.

## 6. Define biodiversity protection and management measures in Development Control Plans

Biodiversity protection and management measures should be defined in Development Control Plans (DCP) for all areas zoned for rural small holdings, residential and other development intensifications.

We view DCPs as a secondary mechanism to provide biodiversity protection and management measures. It is vital that biodiversity values are first considered strategically in zoning decisions and development assessment provisions. We do not consider it acceptable to completely defer consideration of these matters to the DCP stage.

It is also important to consider the threats to remnant native vegetation posed by adjoining land uses. For example, threats to biodiversity associated with nearby growth and intensification of residential land use include (but are not limited to):

- clearing,
- domestic animals,
- invasive plants,
- effluent and waste dispersion,
- changes in hydrology and hydraulics,
- increasing access due to fire trails and other tracks, and
- firewood collection.

Particular attention should be paid to relevant Key Threatening Processes identified and listed under the TSC Act<sup>2</sup>. Mechanisms to abate threats to ESAs (such as implementing codes of practice, best management practice, alternative designs and operations, control technology and buffers between remnant vegetation and small holdings) should be considered.

Council should recognise that buffers may be necessary between environmentally sensitive areas and other land uses. The size of the buffer will vary depending on the nature or activity being undertaken and the level of management control required to prevent or minimise adverse impacts. Provisions should be made to rigorously assess any developments within environmentally sensitive areas and adjoining buffers to prohibit land uses and activities that threaten the ecological integrity, values and function of the area.

Some forms of development adjacent to national parks and reserves can impact on their values and should be avoided or restricted. Council should consider how these areas could be buffered from incompatible development and activities so that potential conflicts can be minimised.

The OEH Guidelines for Developments Adjoining OEH Estate<sup>3</sup> have been designed to assist Councils when they are assessing development on lands adjoining OEH estate. However, the issues identified in these guidelines are also relevant when considering buffers for protection of environmentally sensitive areas.



## ABORIGINAL CULTURAL HERITAGE

Land Use Strategies, LEPs and DCPs should aim to identify and protect culturally sensitive areas, rather than relying on site by site development assessment.

Aboriginal objects, places and areas are protected across all land tenure under the *National Parks and Wildlife Act 1974*. However, Council should not rely on the site by site development assessment process as the only mechanism for considering the impact of development and settlement intensification on Aboriginal cultural heritage.

It is clear from the S117 directions and mandatory clauses in the Standard Instrument that DoP supports a **strategic approach** to the protection of Aboriginal cultural heritage. Provisions to facilitate the strategic conservation of Aboriginal cultural and heritage within a local government area should include a landscape framework for assessing potential impacts and partnership development with local Aboriginal people.

We strongly recommend that Councils develop planning strategies that result in the **avoidance** of impacts to Aboriginal cultural heritage and minimise impacts in instances where avoidance is not possible.

Specifically, it is important to:

- Develop a framework for effective Aboriginal engagement; and
- Identify sensitive and least sensitive areas through:
  - accessing existing Aboriginal site information;
  - cross reference to landscape information;
  - assessment of areas of potential development/settlement intensification;
  - use of the Department's search tools;
  - reports from previous studies.
  - Aboriginal knowledge; and by
  - Undertaking site surveys to ground truth assumptions.

We offer the following advice to aid Council efforts in adequately addressing Aboriginal cultural heritage assessment and protection within strategic planning documents and environmental planning instruments:

### 1. The Aboriginal Heritage Information Management System

Councils should contact the OEH to seek access to the Aboriginal Heritage Information Management System (AHIMS) prior to the drafting of any new Land Use Strategy or LEP. AHIMS is the State register of known Aboriginal site locations. A data licence agreement between the OEH and Council can be prepared on application. Information about obtaining a data licence is available on the OEH website<sup>4</sup>. Alternatively, the AHIMS Registrar can be contacted by phone on (02) 9585 6513 or (02) 9585 6345 or by email at [ahims@environment.nsw.gov.au](mailto:ahims@environment.nsw.gov.au).

### 2. Aboriginal Heritage Study

We recommend using the AHIMS data, along with any previous landscape assessments of the occurrence of Aboriginal objects and sensitive areas, to assist in developing effective strategies to assess impacts to Aboriginal sites in areas being considered for future development. The selection of landscape mapping to overlay with AHIMS site data will highlight distribution patterns

between landscape features and Aboriginal sites. This information can assist in identifying potential areas of sensitivity in locations where no location information for Aboriginal sites exists.

The OEH can be contacted to advise on data searches for previous cultural and heritage studies undertaken in each Council LGA, and discuss the potential for appropriate desktop tools for use in cultural heritage management.

We recommend that the strategic planning process be used to initiate the development of a strategic framework for engaging local Aboriginal community interests to ensure that active engagement with Aboriginal people evolves over time.

### **3. Implement a range of tools to ensure strategic management of Aboriginal cultural heritage**

We strongly recommend that Councils aim to protect identified areas of Aboriginal cultural sensitivity through:

- The designation of appropriate zoning provisions and boundaries where possible,
- Inclusion on the Heritage Map of any specific important areas identified (which will enable the mandatory clauses in the Standard Instrument to be effectively applied),
- The generation of a cultural heritage constraints map which could be used in a similar way to the ESA layers provided by the natural resource management agencies,
- Appropriate provisions within DCPs to ensure adequate assessment and protection of Aboriginal cultural heritage values,
- Formation of an Aboriginal community Advisory Group to ensure on going input and dialogue on identification and management of Aboriginal cultural heritage for the LGA

### **4. Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales<sup>5</sup>**

This code of practice is to assist individuals and organisations to exercise due diligence when carrying out activities that may harm Aboriginal objects and to determine whether they should apply for consent in the form of an Aboriginal Heritage Impact Permit (AHIP).

The *National Parks and Wildlife Act 1974* (NPW Act) provides that a person who exercises due diligence in determining that their actions will not harm Aboriginal objects has a defence against prosecution for the strict liability offence if they later unknowingly harm an object without an AHIP.

The NPW Act allows for a generic code of practice to explain what due diligence means. Carefully following this code of practice, which is adopted by the *National Parks and Wildlife Regulation 2009* (NPW Regulation) made under the NPW Act, would be regarded as 'due diligence'. This code of practice can be used for all activities across all environments.

This code sets out the reasonable and practicable steps which individuals and organisations need to take in order to:

- identify whether or not Aboriginal objects are, or are likely to be, present in an area
- determine whether or not their activities are likely to harm Aboriginal objects (if present)
- determine whether an AHIP application is required.

When formulating DCPs and other planning controls, Council should require proponents to undertake due diligence in accordance with the Code of Practice. Proponents should provide Council with evidence that the due diligence process has been followed.

## FLOODPLAIN MANAGEMENT

Comprehensive flood studies and floodplain management studies should be conducted, and a floodplain risk management plan prepared and adopted, for all urban and rural residential areas.

The OEH considers that it is essential that Councils carry out comprehensive flood studies and floodplain management studies and use these to develop a floodplain risk management plan for all urban and in rural residential areas within the Local government area. This should be done prior to decision-making to inform the strategic selection of areas for development intensification.

We strongly believe that every Council in NSW should identify the floodplain in all identified urban centres within its administrative areas in order to ensure that the development within the floodplain is consistent with NSW Government's Flood Prone Land Policy and the principles set out in the Floodplain Development Manual (2005). This is also a requirement within the Section 117 Directions. If there is no formal identification of urban floodplains, then at least an effort must be made to identify floodplains through anecdotal evidence and information from historic flooding events.

The OEH has been providing technical policy and financial assistance to Councils to encourage appropriate development to minimise damage to the local environment, life and property.

We strongly recommend the use of overlays of hydraulic hazard categories and associated provisions with the LEP to provide additional protective measures for floodplain values. It is also particularly important to define assessment and appropriate development control provisions for those instances where development or settlement intensifications are likely to occur within floodplains.

A comprehensive analysis should also be conducted for rural areas to inform the strategic selection of areas for development intensification.

A comprehensive analysis also needs to be conducted for areas outside urban and rural residential areas. This can use existing flooding-related information including:

- flood maps,
- atlases,
- rural flood studies and rural floodplain management studies
- floodplain risk management plans

Council should liaise with the OEH, the NSW Office of Water, and the Department of Industry & Investment – Fisheries. These departments can provide information about legislative compliance and the strategic selection of areas for development intensification prior to decision-making.

As for urban and rural residential areas, development should be consistent with the NSW Government's *Flood Prone Land Policy* and the principles set out in the *Floodplain Development Manual (2005)*.

Again, the OEH strongly recommends the use of possible overlays of hydraulic hazard categories and associated provisions with the LEP to provide additional protective measures for the ecological, social and economic values of floodplains. It is also particularly important to define assessment and appropriate development control provisions for those instances where development or settlement intensifications are likely to occur within rural floodplains.

Councils should also consider the impacts of climate change on flood risks

Sea level rise and possible changes to flood producing rainfall intensity are likely to increase the extent and depth of flooding, flow velocities and the recurrence intervals for flooding.

The existing mechanisms for managing flood prone land, through the floodplain risk management process, can accommodate expected changes if climate change effects on flooding are considered during flood investigations and associated management decisions.

Council should refer to both the *Floodplain Development Manual* and the *Draft Floodplain Risk Management Guideline – Practical Consideration of Climate Change*. The latter provides a means for exploring the sensitivity of a flood prone area to changes in flood producing rainfall events. It also contains advice on how Councils can consider the potential impacts of climate change in the floodplain risk management planning process.

Identification of evacuation and other emergency response matters are considered in the floodplain risk management process. This requires Councils to consider the full range of flood risk, including events up to the probable maximum flood (PMF), the largest flood event likely to happen at a particular location under existing climate conditions.

Consideration of the PMF is primarily aimed at the reduction of risk to people and may result in the need for specific flood related development conditions and emergency response planning for floods. The latter involves the development of local flood plans under the leadership of the State Emergency Service.

<sup>1</sup> [http://www.planning.nsw.gov.au/planningsystem/pdf/pn09\\_002\\_envt\\_protection\\_zones.pdf](http://www.planning.nsw.gov.au/planningsystem/pdf/pn09_002_envt_protection_zones.pdf).

<sup>2</sup> **Key Threatening Processes:**

[www.nationalparks.nsw.gov.au/npws.nsf/Content/Key+threatening+processes+by+doctype](http://www.nationalparks.nsw.gov.au/npws.nsf/Content/Key+threatening+processes+by+doctype)

<sup>3</sup> **Guidelines for Development Adjoining DECCW Estate:**

<http://www.environment.nsw.gov.au/protectedareas/developmntadjoiningdecc.htm>

<sup>4</sup> <http://www.environment.nsw.gov.au/licences/AboriginalHeritageInformationManagementSystem.htm>

<sup>5</sup> **Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW**

<http://www.environment.nsw.gov.au/licences/archinvestigations.htm>