

Environmental Protection Zones

*Our Place...
Our Future*

This fact sheet explains the environmental protection zones in the Lithgow Draft LEP 2013 and the key environmental protection development and performance standards.

Environmental Protection Zones

The Draft LEP 2013 proposes to adopt three out of the possible four environment zones of the Standard Instrument. The use of three environmental protection zones represents a significant change from the existing zoning model where only one zone (Zone 8) applies.

Please refer to the **Land Use Matrix** for quick reference of the permissibility of all land uses and to compare between zones. A definition of all land uses referred to is available at the back of the Draft LEP 2013 written instrument.

These zones are outlined below:

E1 National Parks and Nature Reserves

This zone is intended to cover existing national parks and nature reserves, and new conservation areas proposed for reservation that have been identified and agreed to by the NSW Government.

This zone is proposed to be applied to all areas currently zoned Zone 8 National Parks and Nature Reserves and any known new areas advised by the Office of Environment and Heritage.

What are the objectives of the zone?

- To enable the management and appropriate use of land that is reserved under the National Parks and Wildlife Act 1974 or that is acquired under Part 11 of that Act.
- To enable uses authorised under the National Parks and Wildlife Act 1974.
- To identify land that is to be reserved under the National Parks and Wildlife Act 1974 and to protect the environmental significance of that land.

What uses are permitted without development consent?

Uses authorised under the National Parks and Wildlife Act 1974.

What uses are permitted with development consent?

Nil

What uses are prohibited?

Any development not specified as being permitted with or without consent.

E3 Environmental Management

This zone is generally intended to be applied to land that has special ecological, scientific, cultural or aesthetic attributes, or land highly constrained by geotechnical or other hazards.

This zone is proposed to be applied to riparian areas in the urban centres that are currently zoned 6 Open Space and an area surrounding Lithgow including the steep escarpments and heavily vegetated scenic landscapes. This includes the majority of land identified as environmentally sensitive within the current LEP.

What are the objectives of the zone?

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To facilitate the management of environmentally sensitive lands and riparian areas within the zone.
- To protect and conserve the vegetation and escarpment landscape surrounding the Lithgow Valley.
- To maintain or improve the water quality of receiving water catchments in accordance with the NSW water quality objectives

What uses are permitted without development consent?

Extensive agriculture; Home occupations

What uses are permitted with development consent?

Building identification signs; Business identification signs; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Farm buildings; Flood mitigation works; Information and education facilities; Recreation areas; Research stations; Secondary dwellings; Water recycling facilities; Water reticulation systems.

What uses are prohibited?

Industries; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres.

Any other development not specified as being permitted with or without consent.

Key Change

This is a new zone. The current plan provides very little protection for land identified as environmentally sensitive, heavily constrained or having specific conservation attributes. This zone differentiates this land from other urban and rural lands.

Permitted uses within this zone are limited having regard to the sensitive nature of the lands.

Importantly dwellings remain permissible with consent.

E4 Environmental Living

This zone is generally intended to provide for low impact residential development in areas of special environmental or scenic value.

This zone is proposed to be applied to land on the western side of the Great Western Highway between Bowenfels and Tunnel Hill. This zone will be used as a transitional holding zone for future urban expansion beyond the life of the current LEP.

What are the objectives of the zone?

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To maintain the rural character of the lands within the zone whilst preserving the land for future urban growth.
- To ensure that development does not create unreasonable and uneconomic demands for the provision of extension of public infrastructure, amenities and services.

- To maintain or improve the water quality of receiving water catchments in accordance with the NSW water quality objectives.

What uses are permitted without development consent?

Extensive agriculture; Home occupations; roads

What uses are permitted with consent?

Building identification signs; Business identification signs; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Farm stay accommodation; Farm buildings; Flood mitigation works; Home-based child care; Home businesses; Home industries; Recreation areas; Research stations; Secondary dwellings; Bed and breakfast accommodation; Water recycling facilities; Water supply systems.

What uses are prohibited?

Industries; Service stations; Warehouse or distribution centres.

Any other development not specified as being permitted with or without consent.

Key Change

This is a new zone. Land within the zone is differentiated from the surrounding RU1 lands by different zone objectives and land use permissibility.

Only low key development is proposed within the zone to preserve its potential for future urban growth.

The zone will also preserve the rural interface between this land and the Lithgow urban lands.

Key Environmental Protection Development and Performance Standards

Minimum Lot Size for Subdivision

The minimum lot size for the erection of a dwelling within zones E3 and E4 will be 40 ha. This is an increased minimum lot size for the lands currently zoned Future Urban 1(d).

Enhanced Protection for Environmentally Sensitive Areas

Draft LEP 2013 introduces enhanced provision to protect and conserve land identified as Environmentally Sensitive Areas.

Clauses 7.4 to 7.7 of Draft LEP 2013 introduce increased assessment criteria for riparian lands and waterways, areas of groundwater vulnerability, areas of terrestrial biodiversity and sensitive land areas.

These areas are identified on a series of maps that support the Draft LEP. To determine if your land is affected by these clauses you are referred to the online mapping on Council's website at www.lithgow.com/lep/ or you can view hardcopy maps at any one of the static public exhibition displays.

For information

Further information on this or any other aspect of Draft LEP 2013 can be obtained:

- Online at www.lithgow.com/lep/; or
- By contacting a Council Planner on 0263549906 or 0263549920; or
- Emailing lep@lithgow.nsw.gov.au

Please note: this document has been prepared to assist you in understanding the Draft Lithgow LEP 2013 and should not be relied on in preparing a formal submission. Any submission should be based on the formal exhibition material and documents exhibited at Council's Administration Centre, town libraries or online at www.lithgow.com/lep/.