



What is the Environmental Lands Study?

The Environmental Lands Study (the Study) will include a review of environmental zones, identify lands of high environmental value in consultation with the community and recommend an environmental zoning framework for the future.

Why do we need the Study?

The Cessnock Local Government Area (LGA) is rich in biodiversity. It is home to a unique and diverse range of flora and fauna, including many threatened species and ecological communities. As we plan for the future we need to make sure we are identifying and taking steps to protect our environmentally significant lands.

Council has not undertaken a detailed review of our environmental lands or the management of environmental lands, since the making of the Cessnock Local Environmental Plan in 2011.

The Study will seek to identify lands of high environmental value in consultation with the local community and develop an environmental zoning framework for the future. It is needed to:

- identify and document the environmental values of land within the Cessnock Local Government Area;
- ensure that environmental zones are appropriately applied, reflecting the true environmental value and importance of the environmental attribute;
- ensure adequate protection of environmentally significant lands and areas of high biodiversity;
- ensure that Council is applying NSW legislation as intended;
- recommend environmental zone objectives, land uses and lot sizes for inclusion in the Cessnock Local Environment Plan; and
- develop environmental zone principles and criteria to guide the future application of environmental zones.

The Study will satisfy several actions from the recently adopted Local Strategic Planning Statement 2036 and directly supports the Cessnock 2027 Community Strategic Plan Objective 3.1 Protecting and enhancing the natural environment and the rural character of the area.

Where does the Study apply?

The Study applies to the Cessnock Local Government Area (LGA).

How can I be involved?

The Study will be undertaken in two phases and there will be many opportunities for the community to provide input throughout the Study.

Consultation undertaken during Phase 1 of the Study will seek to identify areas of environmental significance and importance to the community and to establish the proposed environmental zone values, objectives, criteria, principles, lot sizes and land uses.

Consultation undertaken during Phase 2 of the Study will seek to gather community feedback on any proposed environmental zones and recommendations.

Whilst a ban on gatherings is in place due to the Coronavirus (COVID-19), we will consult using remote and/or electronic methods. We will continue to monitor the situation and adapt our engagement methods accordingly.

What are Environmental Zones?

The Environment Protection Zones, E1 through to E4 are applied where the protection of the environmental significance of the land is the primary consideration. The NSW State Government Environmental Zones include:

E1 National Parks and Nature Reserves – this zone is for existing national parks, nature reserves and conservation areas and new areas proposed for reservation that have been identified and gazetted by the NSW Government.

E2 Environmental Conservation – this zone is for areas with high ecological, scientific, cultural or aesthetic values outside national parks and nature reserves. The zone provides the highest level of protection, management and restoration for such lands whilst allowing uses compatible with those values.

E3 Environmental Management – this zone is for land where there are special ecological, scientific, cultural or aesthetic attributes or environmental hazards/processes that require careful consideration/management and for uses compatible with these values.

E4 Environmental Living – this zone is for land with special environmental or scenic values, and accommodates some low impact land uses including certain forms of residential development.

What are the proposed land uses for the environmental zones?

No land uses are proposed for the environmental zones at this stage. The environmental zone land uses are going to be developed in consultation with the community during Phase 1 of the Study.

What are the current minimum lot sizes of the environmental zones?

The current minimum lot sizes for the LGA are generally as follows:

| Zone | Current Lot Size |
|---|------------------|
| E1 – National Parks and Nature Reserves | N/A |
| E2 – Environmental Conservation | 80 hectares |
| E3 – Environmental Management | 40 hectares |
| E4 – Environmental Living | 80 hectares* |

* There is only one area of the LGA that currently has an E4 zone and this was a negotiated lot size for this development.

These minimum lot sizes will be reviewed as part of the Study in consultation with the community.

What is a split zone?

A split zone is where different land use zones apply to a single allotment. More than one zone can be applied to properties where the characteristics of different areas of the land reflect different primary uses of the land.

What if my existing use is not permitted under proposed zoning?

Any approved use that no longer applies to the proposed Standard Instrument zones can continue to operate under the existing use right provisions under Division 4.11 of the Environmental Planning and Assessment Act 1979 (EP&A Act)

What is the Study timeline?

The Study will take approximately 12 months to complete. Any recommendations developed as part of the Study, will be considered for implementation through the comprehensive Local Environment Plan (LEP) planning proposal process. This process is set by the NSW State Government and more information on this process can be found at DPIE Gateway Process.