

Conservation Zones Review

Executive summary

August 2022



northern
beaches
council

Executive summary

As part of developing a single LEP for the Northern Beaches, there needs to be consideration of how the unique character and diverse coastal, bushland and cultural values should be protected from inappropriate future development.

Land that has high conservation values can be protected and managed through conservation zones (or C zones). C zones are used to protect and manage land that is of important environmental value. C zones are also used to limit the intensification of developments that are known to be subject to hazards.

Across Pittwater, Warringah and Manly, there is variation in how the current conservation zones (C zones) have been applied. As a result, there is a need to develop a single set of C zones to allow the transition to the new LEP.

What was the purpose of the C Zones Review?

The purpose of this report was to undertake a review and develop a consistent approach for identifying land across the Northern Beaches with important environmental values and land subject to hazards that should be protected and managed by a C2 Environmental Conservation, C3, Environmental Management or C4 Environment Living zone.

The Conservation Zones Review (or C Zones Review) will help to establish which land areas are included in, or excluded from, the C2, C3 and C4 zones.

The C1 zone comprises existing national parks, nature reserve and conservation areas established under the *National Parks and Wildlife Act 1974* and areas identified as proposed for national park or nature reserves agreed by the NSW Government. As such was not included as part of the C Zones Review.

What was the C Zones Review Process?

The approach for undertaking the C Zones Review required a robust research process and a strong focus on engagement and to understand local issues and experiences and identify the important environmental values and hazards across the Northern Beaches that need to be protected and managed.

In identifying what land areas are included in, or excluded from, a C zone, it was important to:

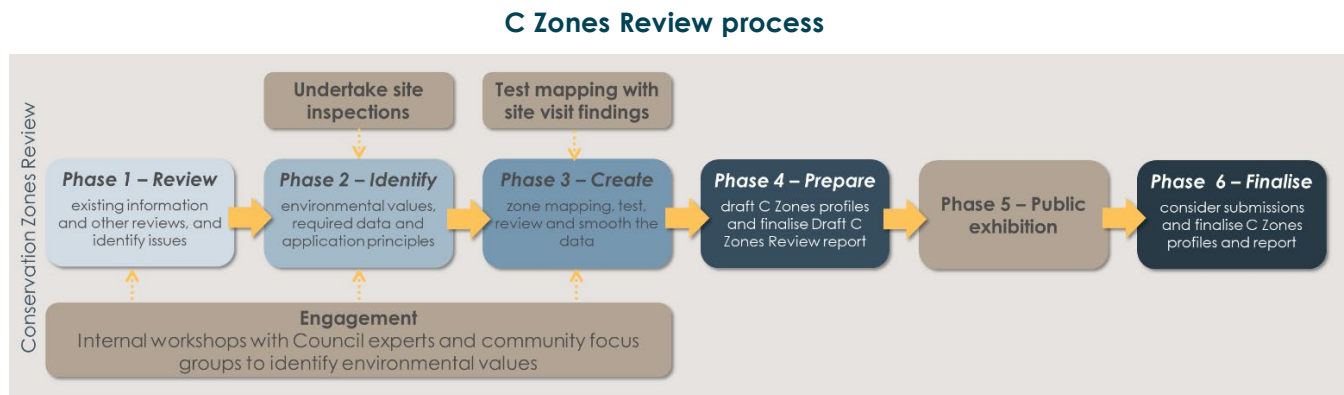
- identify the proposed C zone criteria (i.e., reserves, bushland, threatened ecological communities, habitat for threatened species, waterways, beaches and headlands, land affected by high risk natural hazards etc.) for each C zone, which would be used to help identify what land has important environmental values or processes that need to be protected or managed;
- identify the associated data required to spatially map the proposed C zone criteria over land;
- identify the proposed land uses that will be permitted (without consent or with consent), and prohibited, for each C zone;
- identify alternative statutory measures in the circumstances where C zones are not considered appropriate; and

Conservation zones

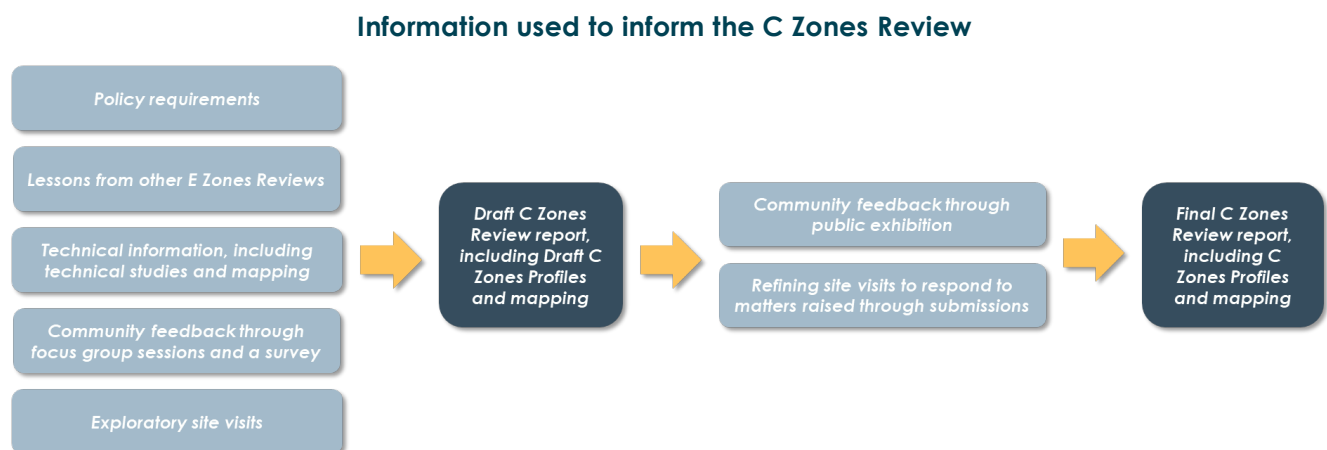


- discuss any foreseen impacts and potential issues such as the application of SEPPs, split zoning and minimum lot size.

The following figure provides the process for undertaking the C Zones Review:



The following figure provides the information that informed the C Zones Review:



Proposed C zones approach

Unique environmental qualities, ecological values and natural processes extend across non-urban and urban areas of the Northern Beaches. The purpose of the Northern Beaches C Zones Review is to develop an approach that is tailored for the whole of the Northern Beaches, and so the methodology and criteria consider and reflect the unique natural environments and their hazards in both urban and non-urban areas. In particular:

C2 Environmental Conservation

- The C2 zone is for areas that contain high ecological, scientific, cultural or aesthetic values on public land outside of national parks and nature reserves protected under the C1 zone.
- The identification of natural areas which should be included in a C2 zone was informed by an audit undertaken by Council of its open space areas and associated plans of management which identified natural areas where the primary purpose is for conservation of natural values.
- The C2 zone is also intended for land with an existing C2 zone that is zoned for environmental protection where strict controls on development apply, as well as land that has an existing conservation mechanism requiring its protection for its conservation values, such as a BioBanking Agreement or conservation covenant.

C3 Environmental Management

- This C3 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.
- The C3 zone is intended to apply to land with high environmental values in non-urban areas that should be protected, and land across the local government area where there is a presence of high natural hazard risks.
- Non-urban areas have extensive tracts of high value bushland, coupled with larger minimum lot sizes which prevents further lot fragmentation. In non-urban areas, the C3 zone is therefore intended to apply to land that is identified as having undeveloped bushland, and the site is mapped with one or more high environmental values.
- Zoning is a mechanism for managing natural hazard risks and in locations where evacuation may be difficult. The C3 zone is therefore also intended to be used as a way to limit incompatible land uses which are sensitive to natural hazard risks and/or difficult to evacuate across non-urban and urban land that is affected by high risk natural hazard processes which require careful management.

C4 Environmental Living

- This zone is for land with special environmental values and accommodates low impact residential development.
- The suburban residential areas of the Northern Beaches comprise of a network of waterways, bushland, tree canopy and green ground cover, parks and open spaces which contribute to their urban ecology. With the presence of high environmental values, biodiversity corridors, leafy escarpment lands, major ridgelines and steep slopes (as development has been limited in these locations), the Northern Beaches has one of the highest urban tree canopy coverages in Greater Sydney.
- The C4 zone is intended for low density residential development land in urban areas that contains high environmental values and/or two or more medium biodiversity values, which will recognise and protect the urban ecology of the Northern Beaches' residential areas.

The following table provides a summary of the proposed C zones environmental and natural hazard criteria and land application criteria which were used to create the proposed C zone maps for the new LEP:

Environmental and natural hazard criteria and land application criteria used to create the C zones

Criteria	C2	C3 Non-urban	C3 LGA wide	C4
Land application				
Urban areas	✓		✓	✓
Non-urban areas (land in non-urban areas included in the following zones – RU2, RU4, R5, C3, C4, Deferred Matters Land)	✓	✓	✓	
Undeveloped bushland		✓		
Low density residential areas (land included in the following low density residential zones – R2, R5, C3, C4, RU2)			✓	✓

Criteria	C2	C3 Non-urban	C3 LGA wide	C4
High environmental values (one or more apply)				
Bushland reserves and parks (<i>natural open space</i>)	✓			
Land protected by a conservation mechanism	✓			
Land with an existing C2 Environmental Conservation Zone	✓			
Native vegetation (i.e., core habitat, land with high and very high conservation significance)		✓		✓
Threatened Ecological Communities (TECs)		✓		✓
Threatened species habitat		✓		✓
Wetlands		✓		✓
Riparian corridors (Category 1 and Category 2)		✓		✓
Transitional areas between high conservation value land and low density residential land in urban areas				✓
Selected land in a heritage conservation area with high environmental value				✓
Medium environmental values (two or more apply)				
Biodiversity corridor and/or urban tree canopy				✓
Escarpment lands and major ridgelines (with 50 metre buffer)				✓
Land with steep slopes				✓
Natural hazard criteria				
Land exposed to coastal and estuarine hazards			✓	
Land in close proximity to coastal cliff zones which are more susceptible to instability			✓	
Land exposed to high natural hazard risk: <ul style="list-style-type: none"> Bush Fire Prone Land – Vegetation Category 1 Deferred Lands Bush Fire Intensity High and Medium Flood Risk Low flood islands 			✓	

✓ Criteria applies

Proposed permitted land uses

To inform the C zones land use, a review of the land uses that are permitted without consent, permitted with consent and prohibited across the three existing LEPs has been undertaken.

A key principle of the review was that current permissible uses should not change unless there is a:

- clear strategic imperative identified and substantiated in the LSPS or other strategy;
- practice imperative e.g., the need to harmonise uses across current LEP's without effecting local values; and
- recognised problem e.g., development not occurring because it is not feasible.

The following table provides the recommended permitted land uses for each C zone:

Land uses	C2 zone	C3 zone	C4 zone
Commercial			
Bed and breakfast accommodation			✓
Building identification signs		✓	✓
Business identification signs		✓	✓
Home businesses		✓	✓
Home industries		✓	✓
Home occupations			✓
Community			
Centre-based child care facilities			✓
Community facilities			✓
Educational establishments			✓
Health consulting rooms			✓
Home-based child care			✓
Places of public worship			✓
Recreation areas	✓	✓	✓
Respite day care centres			✓
School-based child care			✓
Housing			
Dwelling houses		✓	✓
Group home (permanent and transitional)			✓
Secondary dwellings			✓
Infrastructure and works			
Emergency services facilities	✓	✓	✓
Environmental facilities	✓	✓	✓
Environmental protection works	✓	✓	✓
Flood mitigation works	✓	✓	✓
Roads	✓	✓	✓
Water reticulation systems	✓	✓	✓
Oyster aquaculture	✓	✓	✓
Pond-based aquaculture		✓	✓
Tank-based aquaculture		✓	✓

✓ Proposed permitted use