



# Fact Sheet 2 - E Zones

## Deferred Matters

### Overview

- A number of areas with environmental values throughout the Shire were deferred from being zoned in the *Byron Local Environmental Plan 2014 (LEP 2014)*, pending the outcome of the Department of Planning & Environment's [Northern Councils E Zone Review](#) (the *E Zone Review*). The review is now complete and Council has received a Ministerial direction that clarifies how the E Zones are to be applied.
- As part of Council's implementation of the *E Zone review*, areas currently identified as a Deferred Matter under LEP 2014 are being assessed against clear criteria that must be met to rezone land to Environmental Conservation (E2) or Environmental Management (E3), based on the primary land use and the nature of existing vegetation.
- Deferred Matter areas that do not meet the criteria for an E Zone will have an alternative zone applied.
- Coastal 7(f1) and 7(f2) zones will be considered under a separate process and remain as a Deferred Matter until appropriate planning controls are developed in consultation with the State government.

### Relationship to LEP 1988 'Environmental' Zones

The following environmental zones under the *Byron Local Environmental Plan 1988* (LEP 1988) are currently identified as a Deferred Matter in the Byron LEP 2014:

- 7(a) Wetlands
- 7(b) Coastal Habitat
- 7(j) Scientific
- 7(k) Habitat
- 7(c) Water Catchment
- 7 (d) Scenic/Escarpment

Zones 7(a), 7(b), 7(j) and 7(k) will generally be transferred to an E zone if the vegetation is consistent with the E zone criteria. The information

collected during Council's recent Shirewide Vegetation Mapping Review will determine the appropriate E zone for individual properties. **It is not necessary to determine the primary use of land already within an existing 7(a), 7(b), 7(j) or 7(k) zone under the Byron LEP 1988.**

Parts or all of certain land zoned 7(c) Water Catchment and 7(d) Scenic/Escarpment under the Byron LEP 1988 may transition to an E Zone, but only if the primary land use and vegetation are consistent with the E zone criteria.

### Relationship to LEP 1988 'Rural' Zones

The following rural zones under the *Byron Local Environmental Plan 1988* (LEP 1988) are currently identified as a Deferred Matter in the Byron LEP 2014:

- 1(a) General Rural
- 1(b1) Agricultural Protection
- 1(b2) Agricultural Protection
- 1(c1) Small Holdings
- 1(c2) Small Holdings
- 1(d) Investigation
- 1(e) Extractive Resources
- 1(f) Forestry
- 5(b) High Flood Hazard Liable
- 9(a) Proposed Road Reserve

Within these zones, Council will assess whether or not the existing vegetation and primary land use (predominant land use over the last 2 years) are consistent with the criteria for applying an E Zone.

### Relationship to LEP 1988 'Urban' Zones

Part of the following urban zones under the *Byron Local Environmental Plan 1988* (LEP 1988) are currently identified as a Deferred Matter in the Byron LEP 2014:

- 2(a) Residential
- 2(t) Tourist Area
- 2(v) Village
- 4(a) Industrial
- 5(a) Special Uses



Within these zones, Council will assess whether or not the existing vegetation and primary land use (predominant land use over the last 2 years) are consistent with the criteria for applying an E Zone.

Deferred Matter areas that do not meet the criteria for an E Zone will have an alternative zone applied, most likely an appropriate urban or rural zone.

## Relationship to 'Coastal' Zones

The following coastal zones under the *Byron Local Environmental Plan 1988* (LEP 1988) are currently identified as a Deferred Matter under the Byron LEP 2014, pending the outcomes of the State government's coastal management review and the possible adoption of a new coastal zone:

- 7(f1) Coastal lands; and
- 7(f2) Urban Coastal Lands

Such areas will be considered under a separate process and remain as a Deferred Matter under the Byron Local LEP 2014 until appropriate planning controls are developed in consultation with the State government. The relevant planning provisions in Byron LEP 1988 and Byron Development Control Plan (DCP) 2010 will continue to apply in these areas.

## Further information

For further information on E Zones within Byron Shire, please refer to Council's website:

[www.byron.nsw.gov.au/environmental-zones](http://www.byron.nsw.gov.au/environmental-zones)

