

Renaming ‘environment zones’

Answers to common questions about the renaming of ‘environment zones’ to ‘conservation zones’

What is happening with environment zones and when is this change happening?

Environment zones are being renamed as ‘conservation zones’ in clause 2.1 Land use zones of the Standard Instrument—Principal Local Environmental Plan.

The new conservation zones will be:

- Zone C1 – National Parks and Nature Reserves
- Zone C2 – Environmental Conservation
- Zone C3 – Environmental Management
- Zone C4 – Environmental Living

The objectives and land use tables remain the same across all zones. Only the prefix and zone category are changing.

This change came into effect on 1 December 2021.

My land is zoned environment zone (E zone), what does the name change mean for me?

This change is purely administrative and of name only. There are no changes to what can be carried out on your land, or the development consent process.

If you own land that is currently zoned one of the environment zones, you may have copies of planning documents relating to your land that refer to an environment zone.

In the coming months, councils will be updating their plans, forms, and documents to reflect the changed zone name. Any reference to the environment protection zones will be taken to now mean an equivalent conservation zone.

I am a landowner, what do I have to do?

No action is required from landowners for this name change. The NSW Department of Planning and Environment is making this change which will automatically amend the local environmental plan that sets the land use zone for your land.

My planning certificate says E1/E2/E3/E4. Is it still valid?

Planning certificates state all the relevant planning instruments that apply to the property. Planning certificates are correct as of the date of issue as the zoning of land and development controls change frequently. It is usual to rely on a planning certificate for up to 3 months from the date of issue, but an up to date certificate is essential for conveyancing matters.

The amendment [order](#) provides that a reference to an environment zone is taken to be a reference to the equivalent 'conservation zone' in any environmental planning instrument or other document. Therefore, planning certificates that refer to environment zones are not invalidated because of the zone name change.

I am in the process of rezoning my land, what does this mean for my planning proposals?

This change will not affect the planning proposal assessment and determination process. If you have an environment zone in your planning proposal, the stage your planning proposal is at will determine if you need to take any action.

Developing your planning proposal with council (prior to receiving a Gateway determination)

If you are in the process of developing your planning proposal (but have not yet lodged it with council), use the new zone names. If you have submitted your planning proposal to council after the change comes into effect, you will need to talk to council about revising your proposal to use the new zone names

Planning proposal is with the department (Gateway stage)

If your planning proposal is already being considered and part way through the gateway process when the changes come into effect, the department can condition this prior to public exhibition. You may be required, as a condition of the gateway determination, to update the proposal with the new zone names prior to public exhibition.

Community consultation

If your planning proposal is on public exhibition when the changes come into effect, a notice can be placed on the planning portal that states any reference to an environment zone is taken to mean the equivalent conservation zone. This is at the discretion of the planning proposal authority.

Making of the LEP

The plan making authority can amend the LEP as appropriate to reflect the new zone names.

Are there any changes to the matters I need to address for land in a conservation zone when preparing a planning proposal?

No. There is no change in the matters that you need to address for the new conservation zones. This is an administrative change of name only.

Will the permitted or prohibited land uses under the zones with a name change also change?

The existing land use tables remain unchanged. The only change is the prefix to the zone name from an 'E' to a 'C' and the change of the zone heading under clause 2.1 of the Standard Instrument—Principal Local Environmental Plan. This name change means that references to the

environment zones in other environmental planning instruments is taken to be a reference to the equivalent conservation zone.

How does this change relate to heritage conservation areas?

A heritage conservation area is an area recognised and valued for its special historical and aesthetic character. Heritage conservation areas are listed in part 2, schedule 5 of your council's standard instrument local environmental plan. Changing the name of environment zones to conservation zones does not impact this, or change any listing applying to your land. It also doesn't list your property as a heritage conservation area.

How does this change relate to the Northern councils E Zone Review?

The name change does not alter the recommendations of the Northern councils E Zone Review. Please note that following the making of Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021 the reference to an environment protection zone in the [Northern Councils E Zone Review Final Recommendations Report](#) should be taken to be a reference to the equivalent conservation zone.

What will councils do to respond to this change?

Councils' local environmental plans will be updated through the amendment order to the standard instrument principal environmental plan. Councils will **not** need to update their LEPs to reflect the name change.

Broadly, councils will:

- update any council templates, policies, and procedures to reflect the new zone name
- place a notice advising that a reference to an environment zone is taken to be a reference to a conservation zone when using these documents. This notice should be placed where the documents are downloaded from council's website, and
- update council's property information system used to generate planning certificates to reflect the new zone names

The department will provide advice direct to councils on updating documentation and providing advice to landholders.

Do councils need to update the LEP maps?

There is no need for councils to update the LEP maps. The spatial viewer will be updated with the new zone names, and for the PDF maps, there is a savings and transitional provision that provides that a reference to an environment zone is taken to be a reference to the equivalent 'conservation zone' in any environmental planning instrument or other document. Furthermore, a pop up will be in place on the eplanning website that replicates the saving and transitional provision wording each time an LEP zone application map is downloaded. The department and councils will not be updating pdf maps.

How long does council have to make these changes?

The change will come in on 1 December 2021. Councils can update their plans and documents gradually as the amending order includes a transitional provision which means a reference to an environment zone should be taken to be a conservation zone without the need for plans, forms and documents to be updated in time for commencement. Councils should remember to update references to the changed zone name when they do housekeeping amendments to these documents.

What support is available to councils to help make this change?

The department recognises the great work councils are currently doing with the broad number of planning reforms underway. The department has provided advice to councils on updating documentation, including wording and a factsheet councils can choose to send to landholders informing them of the change.

Are state environmental planning policies and non standard instrument LEPs captured in this change?

The wording of the amending order means that any zone or reference to a zone that follows the exact wording of the SI LEP Environment zones E1 – E4 will get captured with the name change. For example, if a non-Standard Instrument local environmental plan has used the zones of the SI LEP i.e. E3 - Environmental Management then the name of that zone will change within that plan to C3 - Environmental Management. The consequential amendments will be led by the Department to reflect the change, however in the meantime the transitional provision applies.

Where a state environmental planning policy references a standard instrument E zone the transitional provision will apply so that zone should be taken to be a conservation zone. For example, the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 includes exempt development provisions for environment zones, these will continue to apply once the zone name has change to conservation.

What happens if a plan only references to zone category name: environment protection zones?

In the instance where a state policy or an LEP local provision calls up the zone category name rather than the name of individual E zones these are also captured by the intent of the transitional provision. For example, if an LEP includes a provision applying minimum lot sizes for environment protection zones, this provision will continue to apply and a reference to environment protection zones should be taken to be a reference to conservation zones.

Will plans be updated to reference the new zones?

The department is preparing detailed consequential amendments to capture references to environment zones and all its variations within LEPs, SEPPs, deemed SEPPs and Regulations. Ahead of this the transitional provision applies including both where specific reference to an E1-E4 zone is made as well as reference to the zone category.

Why is the department making this change?

The name 'environment protection zone' is too broad and is open to multiple interpretations which can cause confusion about the purpose, intent, and objectives of the zone. 'Conservation' clearly signals that this zone is about conserving the environmental values and natural qualities in areas where it applies.

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