

Looking After Our Environment

Item: 12.06

Subject: DRAFT BIODIVERSITY CERTIFICATION ASSESSMENT AND APPLICATION - PORT MACQUARIE AIRPORT AND SURROUNDING LAND

Presented by: Development and Environment Services, Matt Rogers

Alignment with Delivery Program

4.7.1 Promote the conservation of key habitats.

RECOMMENDATION

That Council:

1. **Note the information contained in the Draft Biodiversity Certification Assessment and Application - Port Macquarie Airport and surrounding land report.**
2. **Delegate authority to the General Manager to submit a draft biodiversity certification assessment and strategy for the Port Macquarie Airport and surrounding lands to the NSW Minister for the Environment and to publicly notify and exhibit the assessment and strategy in accordance with sections 126J and 126N of the Threatened Species Conservation Act 1995.**
3. **Receive a submissions report following the public exhibition period for consideration prior to referral of the biodiversity certification assessment and strategy to the NSW Minister for the Environment.**

Executive Summary

The purpose of this report is seek Council approval to submit a draft biodiversity certification assessment and strategy for the Port Macquarie Airport and surrounding land to the NSW Minister for the Environment and to exhibit the assessment and strategy in accordance with sections 126J and 126N of the *Threatened Species Conservation Act 1995*.

The draft biodiversity certification assessment and strategy has been prepared for Council by EcoLogical Australia Pty Ltd as a strategic solution to ongoing operational, development and biodiversity issues related to the Port Macquarie Airport. The draft biodiversity certification assessment and strategy has regard to the *Port Macquarie Airport Master Plan 2010* and enables practical decision-making and a coordinated method to offset the impacts of development.

The proposal for biodiversity certification relates to Council owned land around the Airport, including land zoned for residential and light industrial development in the Partridge Creek Industrial and West Lindfield neighbourhoods of the adjoining Thrumster Urban Release Area. The proposal also relates to privately owned land to the south of the Airport on which vegetation is required to be cleared due to the Obstacle Limitation Surface (OLS) for airport operations.

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A planning proposal is currently being prepared for the area affected by the biocertification application to amend *Port Macquarie Hastings Local Environmental Plan 2011* to bring into effect the outcomes proposed in the draft biodiversity certification assessment and strategy. This will be reported to Council separately.

It is expected that exhibition of the planning proposal and biocertification application will both proceed early in 2016. The purpose of this report is to ensure that the consultation in relation to the biocertification application can commence.

Discussion

Port Macquarie Airport Master Plan 2010

The Port Macquarie Airport is owned and operated by Port Macquarie-Hastings Council and is the fifth largest regional airport in NSW (by passengers) with approximately 230,000 passenger movements per annum. A doubling of passenger numbers is forecast to approximately 450,000 passengers per annum by 2030.

The *Port Macquarie Airport Master Plan 2010* and *Port Macquarie Airport Master Plan Addendum Report 2013* (i.e. Airport Master Plan) sets out a 20-year vision for the Airport and provides the framework and strategic direction to guide the future development to underpin the region's economic development and tourism potential.

Priority objectives are:

- to provide adequate infrastructure and facilities to meet forecast demand for future regular public transport airline operations
- to provide opportunity for commercial property development to promote employment opportunities, facilitate economic development, and support the long-term financial viability and sustainability of the Airport business

The Master Plan identifies areas required for the ongoing operation and development of the Airport consistent with aviation demand forecasts and compliance with the Civil Aviation Safety Authority's (CASA) requirements for full Code 4C aerodrome standards. This includes widening the runway and associated obstacle limitation surface from 150 to 300 metres and the extension and/or relocation of critical aviation-related infrastructure and facilities.

Also identified are potential areas for non-aviation uses including a proposed business park and Airport related accommodation / hotel development to the north and east of the existing Airport facilities.

Development Issues

The draft biodiversity certification assessment and strategy provides a proposed response to the ecological issues associated with the implementation of the Airport Master Plan and compliance with CASA standards.

In addition to ecological issues, flooding, ground water, bushfire hazard and acid sulfate soils are also considerations relevant to planning for the land. The planning proposal for the Airport and surrounding lands will also need to consider the capacity of infrastructure to service the proposed development, including water, sewerage, stormwater and road infrastructure.

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Biodiversity Certification

Part 5A of the *Environmental Planning and Assessment Act 1979* requires an assessment of the impact of development or activity upon biodiversity values during the development application process. This is known as an Assessment of Significance or 7 Part Test. If the impacts on the site were found to be 'significant', a Species Impact Statement would be required together with concurrence from the Director General of the NSW Office of Environment and Heritage (OEH).

An alternative method of biodiversity impact assessment is 'biodiversity certification'. Biodiversity certification, under Part 7AA of the *Threatened Species Act 1995*, offers planning authorities a streamlined biodiversity assessment process for areas marked for development at the strategic planning stage, along with a range of secure options for offsetting impacts on biodiversity.

The granting of biodiversity certification is subject to the NSW Minister for the Environment being satisfied that the conservation measures in the biodiversity certification application result in an overall improvement or maintenance in biodiversity values. After biodiversity certification is granted, development may proceed without the usual requirement under the *Environmental Planning and Assessment Act 1979* for site-by-site threatened species assessment.

Biodiversity certification potentially provides greater certainty for Council, the developer and the community, as the impacts of development to biodiversity values are identified and the offset measures agreed up-front as part of the process. This saves both Council and the developer time and money in not needing to obtain individual flora and fauna studies and negotiating individual conservation outcomes.

PMQ Airport and surrounding lands Biodiversity Certification Assessment

Given the need to clear and crop vegetation to comply with CASA's Code 4C aerodrome standards and to provide commercial development opportunities in accordance with the Airport Master Plan, it is proposed to make application to the NSW Minister for the Environment to grant biodiversity certification on the Airport.

Council engaged EcoLogical Australia to prepare a biodiversity certification assessment report to inform biodiversity outcomes as a result of developing the land in accordance with the Master Plan and has extended this to include Council land to the south proposed for residential and light industrial development in the Partridge Creek Industrial and West Lindfield neighbourhoods of the Thrumster Urban Release Area.

The biodiversity certification assessment area (BCCA) encompasses 1,024.48 hectares (ha) and includes all land subject to native vegetation impacts relating to implementation of the Airport Master Plan, development of Council's existing zoned Thrumster residential and light industrial land including easements and fire trails, and available/potential offset areas.

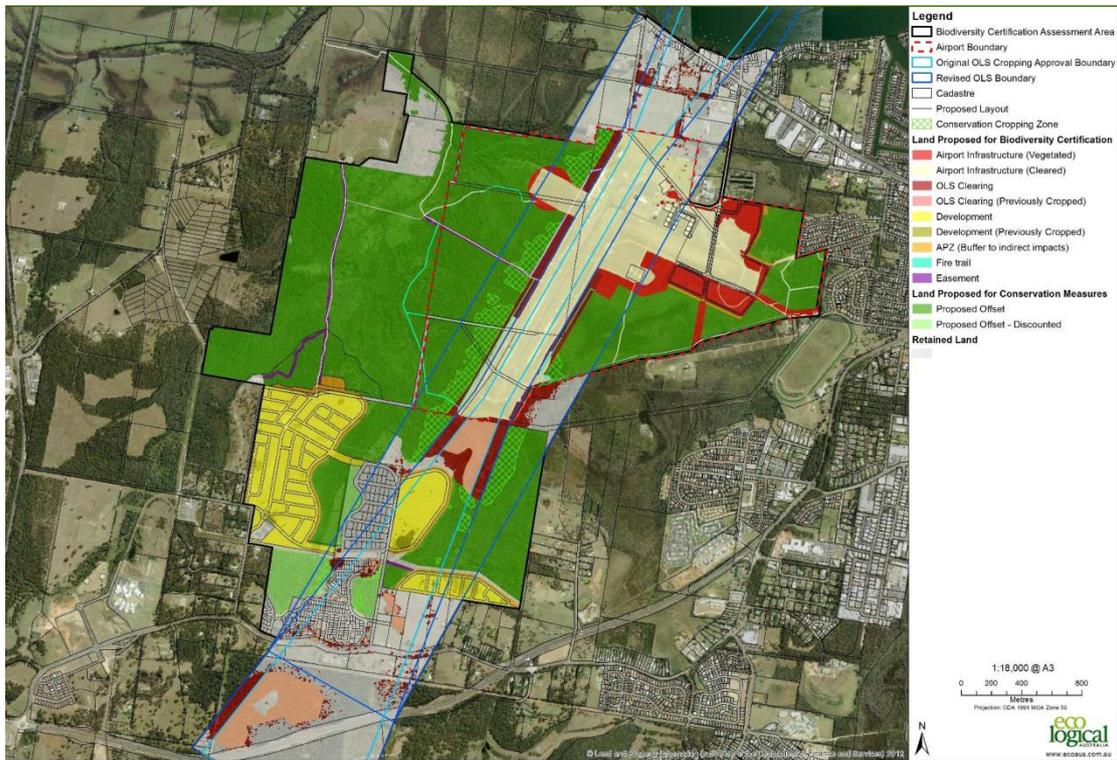
The biodiversity certification assessment report maps areas to be retained and certified, identifies losses from certified areas and identifies potential conservation measures and offsets for biodiversity losses. Offsets can be secured in a number of

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ways including entering into a Biobanking Agreement, which is proposed for the subject land.

EcoLogical Australia have also prepared a biodiversity certification strategy which identifies that of the 1,024.48 ha of land that is proposed for biodiversity certification, 320.48 ha (31%) of moderate to good and low condition vegetation will require clearing. To meet the requirements for biodiversity certification, a combination of conservation measures is proposed including permanently protecting and managing for conservation 444.17 ha (43%) of the BCCA as a registered Biobanking Site under Part 7A of the *Threatened Species Conservation Act 1995*.

A plan extract from the report showing the BCCA and land proposed for certification and conservation measures is below. A copy of the draft biodiversity certification assessment report and biodiversity certification strategy is **attached**.



Options

Council may adopt the recommendation as proposed, amend as required, or decide not to progress the biodiversity certification proposal.

If Council decides not to progress the proposal, future development of the Airport and adjoining Council Thrumster land will be subject to the usual requirement for site-by-site assessment of the impact of development upon biodiversity values at the development assessment stage, in accordance with Part 5A of the *Environmental Planning and Assessment Act 1979*.

Given the certainty that can be provided in relation to biodiversity conservation and footprints for future potential development of the Port Macquarie Airport and Thrumster land, it is recommended that Council submit the draft biodiversity



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certification proposal to the NSW Minister for the Environment and place the proposal on public exhibition.

Community Engagement & Internal Consultation

Preliminary consultation with the NSW OEH in relation to the draft assessment report and strategy has been ongoing, including a site audit and meeting at Council's Port Macquarie offices on 29 October 2015 to discuss and refine the proposal.

In correspondence dated 27 November 2015, the NSW OEH advised that based on its initial review of the draft proposal no major changes are anticipated. It was also advised that the decision to proceed with the public notification and exhibition of the biodiversity certification proposal rests with Council. A copy of OEH's advice is **attached**.

Public notification and exhibition of the draft biodiversity certification assessment report and biodiversity certification strategy would need to be carried out in accordance with s126N of the *Threatened Species Conservation Act 1995*. It would also be necessary to lodge Council's application for biodiversity certification with the NSW OEH prior to exhibition, as the application needs to form part of the exhibited documents.

An area of privately owned land within the BCCA in Thrumster is proposed to be certified for permanent conservation. The landowner has consented to lodgement and public exhibition of the proposal (see correspondence **attached**) and in addition to Council's General Manager, will need to sign the application form prior to the exhibition.

Planning & Policy Implications

Investigations for expansion of the Airport business park are listed as a key action in the *Port Macquarie-Hastings Urban Growth Management Strategy 2011*.

A planning proposal is currently being prepared for the area affected by the biocertification application, to amend the *Port Macquarie Hastings Local Environmental Plan 2011* to bring into effect the outcomes proposed in the draft biodiversity certification assessment and strategy. This will be reported to Council separately.

The planning proposal is expected to rezone land within the BCCA to reflect areas identified for Airport development, including widening the runway and OLS, providing for a potential Airport business park and Airport accommodation precinct and conserving available biodiversity offset areas.

At this stage, it is intended that the planning proposal will be reported to Council in the New Year for a resolution to seek a Gateway determination from the Department of Planning and Environment.

Financial & Economic Implications

There is no fee incurred by Council in making an application to grant biodiversity certification over the land.

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There will be costs for Council associated with the ongoing reporting on the biocertification strategy and with the maintenance of environmental offsets that the certification relies upon to allow clearing. These costs will be in addition to the costs of the implementation of the Master Plan itself (i.e. development of the business park, OLS clearing, airport infrastructure etc.). At the appropriate time, these development costs will need to be considered by Council from an airport landowner and operator perspective.

The development of the airport in accordance with the Master Plan will have significant economic benefits. These have been well documented in the past and are therefore not repeated here. Proceeding with the biocertification of the land is an important step in enabling these economic benefits to be realised.

Attachments

- 1 [View](#). PMQ Airport and Surrounding Lands Biodiversity Certification Assessment Report & Biocertification Strategy
- 2 [View](#). NSW OEH correspondence 27/11/15
- 3 [View](#). LEstrange consent to Biocertification application