

6.1 PROPOSED BIOCERTIFICATION OF COUNCIL OWNED PROPERTY "HAWTHORN"

SUMMARY

The Council owned property "Hawthorn" to the north of Murrumbateman, has long been identified as a logical location for the expansion of the Murrumbateman village. Whether Council develops the land or sells to a third party, Biocertification under the *Biodiversity Conservation Act 2016* is a way to consider and embed the best strategic and biodiversity outcomes for the site.

RECOMMENDATION

That Strategic Biocertification for the development of the Council property known as 'Hawthorn' be pursued.

FINANCIAL IMPLICATIONS

Specialist ecological surveys (approximately \$40,000) and Strategic Biocertification application lodgement (\$5,000) will be funded from the Murrumbateman Land Investigation Project Budget.

Decisions surrounding amount of land cleared of native vegetation and amount protected from development impacts will have several financial impacts including possible cost for purchasing credits to offset clearing, possible income from excess credits from conservation areas, the amount of developable land available to be sold in the future and the cost of ongoing management of any conservation areas.

POLICY & LEGISLATION

- *Biodiversity Conservation Act 2016*
- *Environmental Planning & Assessment Act 1979*
- *Environmental Protection & Biodiversity Conservation Act 1995*
- Environmental Sustainability Policy

REPORT

1. Background

Council owns 286ha of land located on the Barton Highway to the north of Murrumbateman, known as 'Hawthorn'. The site is currently leased for agricultural purposes, consistent with the historical land use since European settlement of the area. There are a cluster of buildings in the northern portion of the site, some associated with settlement of the original Murrumbateman Station, along with more recent structures and dwellings.

This site has been identified as a potential location for medium to long term growth within the *Yass Valley Settlement Strategy*, as well as the possible location for a primary school through discussions with the Department of Education.

The site is currently zoned part RU1 Primary Production and part RE1 Public Recreation.

Under the *Yass Valley LEP 2013* 'Hawthorn' (outbuildings formerly part of Murrumbateman Station) is listed as a (European) archaeological site.

There is potential to include the adjacent properties as part of a Strategic Biodiversity Certification. These properties are known as 56 and 39 Hercules Street and 3489 Barton Highway as shown on the map below together with Council's land.

The *Biodiversity Conservation Act 2016* is the key NSW legislation which regulates impacts on native species by development. The Act aims to, among other things, conserve biodiversity at a bioregional and State scale, slow the rate of biodiversity loss, and conserve threatened species. The Biodiversity Offset Scheme (BOS) is the key mechanism under the Act, and aims to encourage developers to avoid and minimise impacts to native vegetation and species by assigning a financial cost (in the purchase of biodiversity offset credits) to clearing and other impacts on native species.

Biocertification is a mechanism available under the Act to promote the integration of planning for biodiversity conservation with planning for proposed intensification of land use. Biodiversity impacts of future development are assessed and offset early in the planning process, concurrently with the rezoning process.

Strategic Biocertification can only be applied for by a Planning Authority, and allows a broader range of options for offsetting the impacts of development under the *Biodiversity Conservation Act 2016*.

The work would be undertaken with three adjoining landholders to the south and east in addition to Council's land to plan the development of the area as a whole, with overall strategic and biodiversity outcomes to be considered. This application will then be forwarded to the Consent Authority (in this case the Minister for the Environment) for consideration and approval.

4. Development Scenarios for Consideration

Three scenarios for development have been drafted to inform Council whether to proceed with Strategic Biocertification.

These scenarios are shown in **Attachments B, C and D** and are compared in the table below.

When considering these scenarios it should be noted:

- These are estimates only, to assist in decision making. The maps are generalised in nature. Areas will change and the cost of credits purchased will change.
- Development impacts could be greater than stated (except for Scenario 1) e.g. if access roads need to be located through the native vegetation.

STRATEGIC DIRECTION

Key Pillar 1. Our Environment

CSP Strategy EN1 - Protect and enhance the existing natural environment, including flora and fauna native to the region

Delivery Program Action EN1.1 - Protect our natural assets in line with community values

Operational Plan Activity EN1.1.1 – Ensure assessment of development applications protects our natural environment

ATTACHMENTS:

- A. Constraints Map
- B. Scenario 1
- C. Scenario 2
- D. Scenario 3

Hawthorn Investigation - Constraints Mapping

Murrumbateman_Investigation

Property boundary

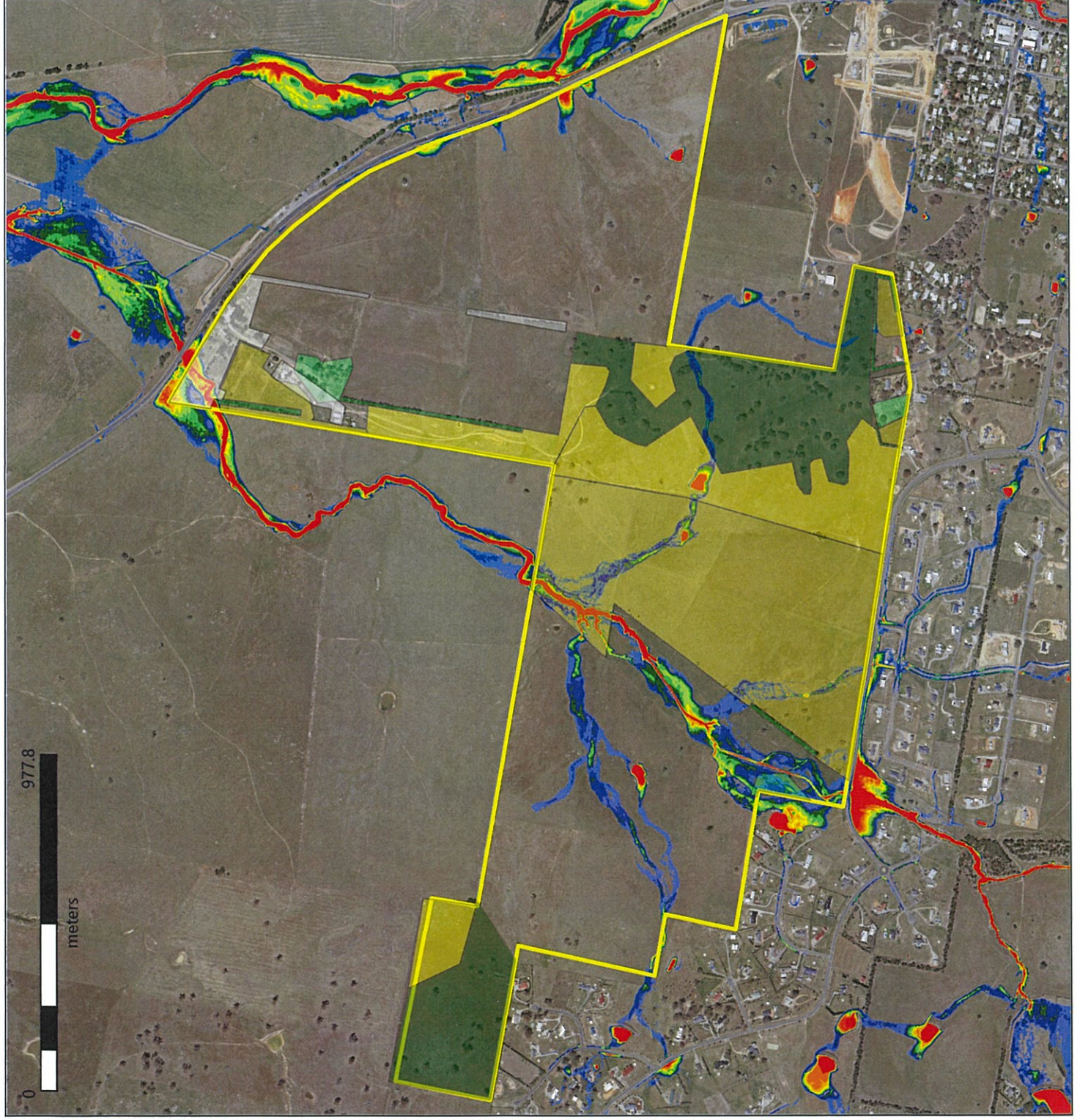
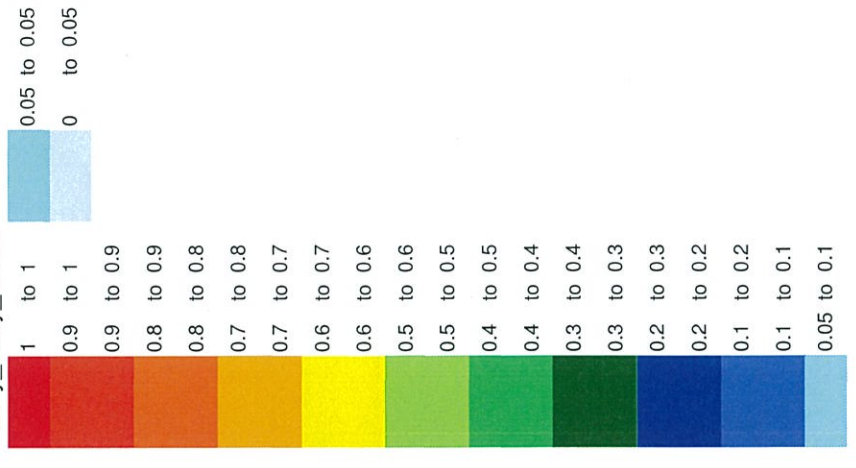
Heritage

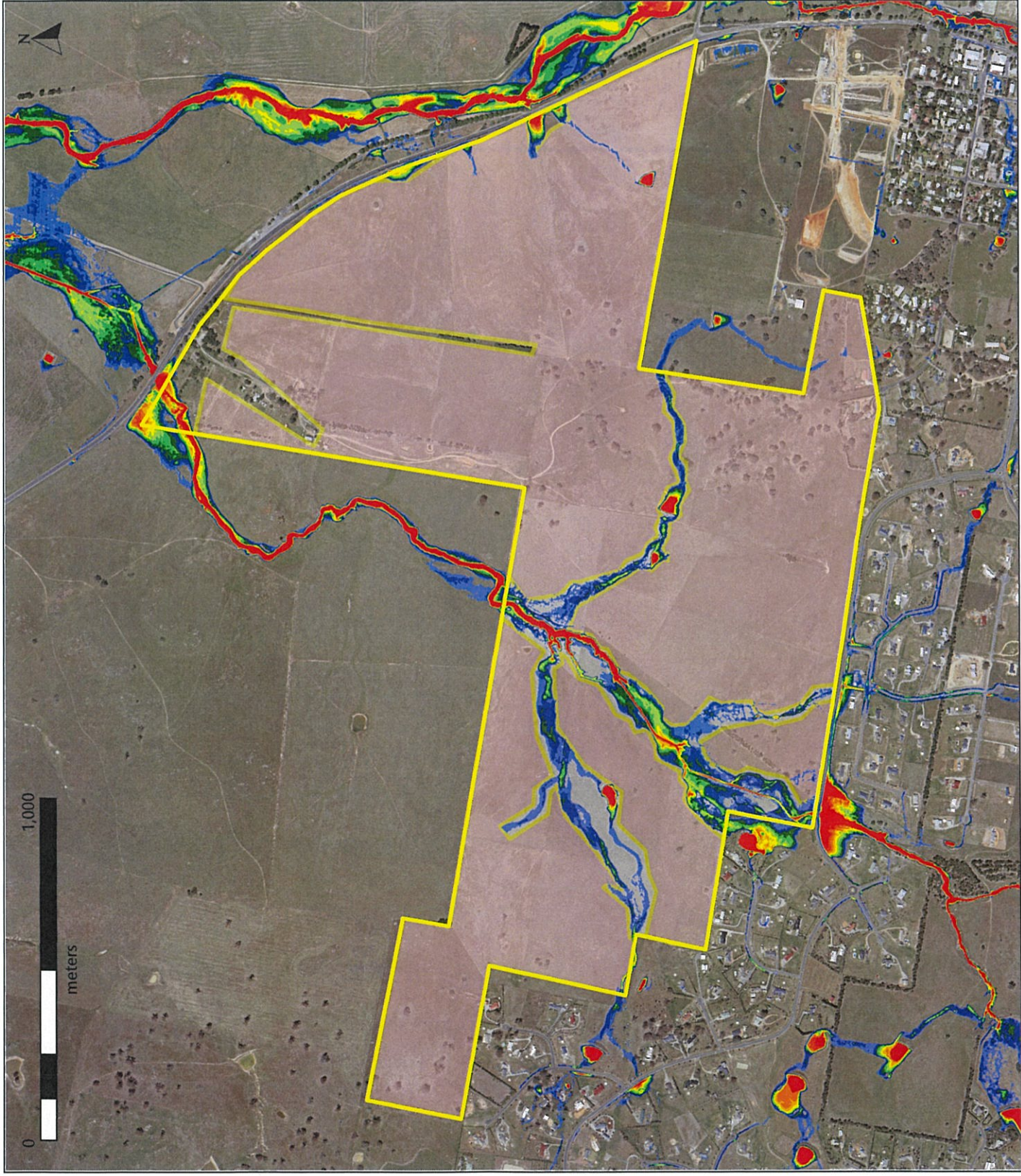
Heritage Conservation Area

NativeVegZones

- Box Gum Woodland Good Cond (2)
- Derived Grassland Good Cond (4)
- Derived Grassland Poor Cond (4)
- Planted Native Veg (5)
- Box Gum Woodland Poor Cond (3)
- all others (1)

Murrumbateman Flood Study_100y_Event

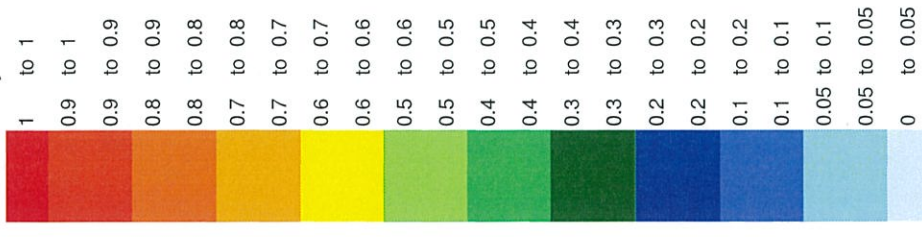




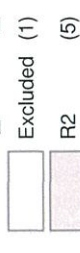
Murrumbateman_Investigation

Region

Flood Survey 1% AEP



Hawthorn_Scenario_1



Hawthorn Investigation
Scenario 1 - 100% impact

Murrumbateman_Investigation

Region

Hawthorn_Scenario2

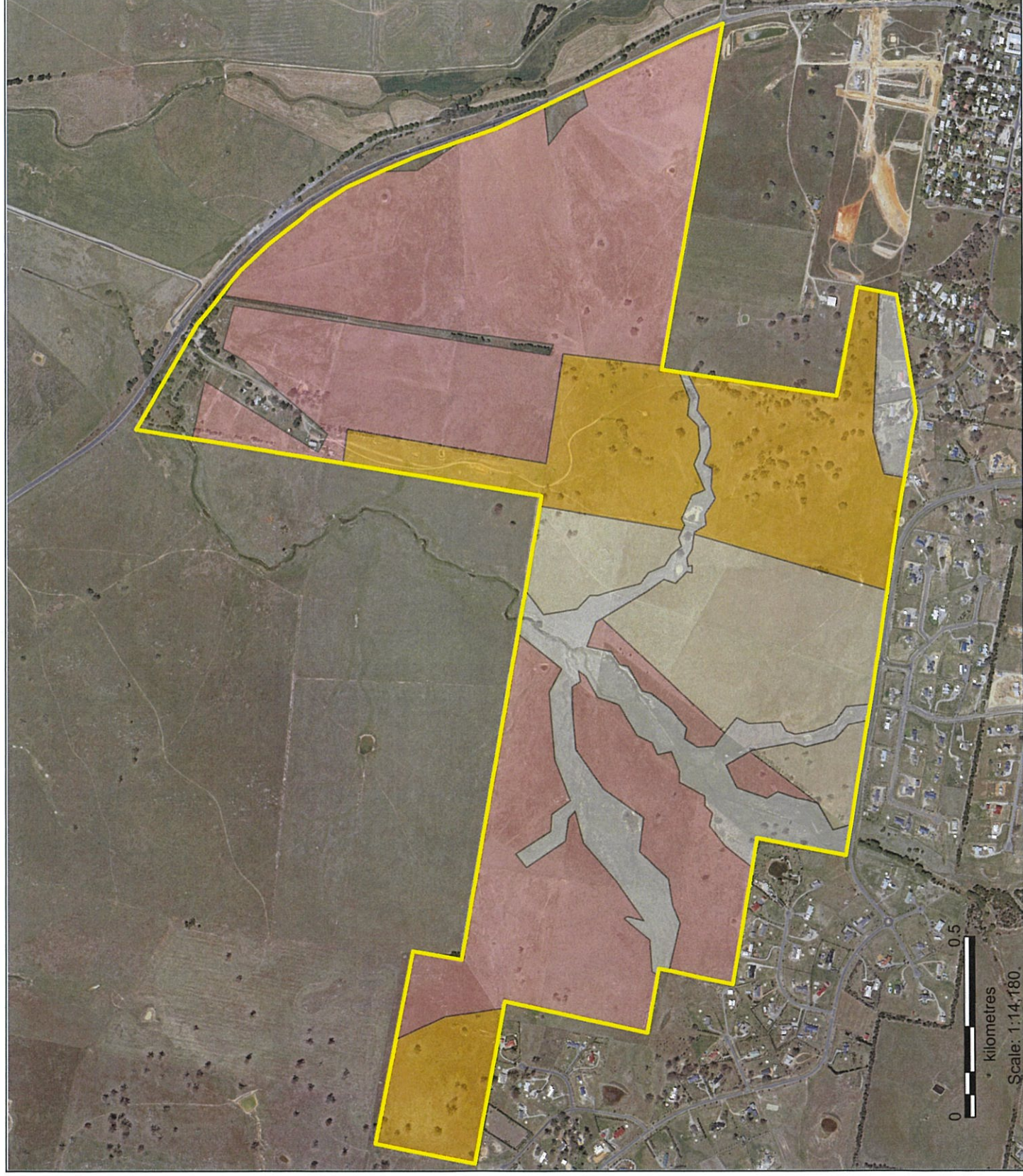
E2

E4

Excluded

R2

Hawthorn Investigation
Scenario 2 - Reduced Impact



Murrumbateman_Investigation

Region

Hawthorn_Scenario_three

E2

Excluded

R2

Hawthorn Investigation
Scenario 3 - No Impact

