

## Order conferring biodiversity certification – Brimbin.

Under section 126H of the *Threatened Species Conservation Act 1995*

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Under section 126H of the *Threatened Species Conservation Act 1995* (**the Act**), I Mark Speakman MP, Minister administering that Act, confer biodiversity certification on the specified land.

Under section 126P of the Act I have determined on the basis of a biodiversity certification assessment that the overall effect of biodiversity certification is to improve or maintain biodiversity values.

Under section 126Y of the Act, I specify the measures listed in Schedule 3 as approved measures under this biodiversity certification.

Under section 126ZA of the Act, biodiversity certification of the specified land takes effect from the date of publication of this order in the Government Gazette and remains in force indefinitely.

### Definition

In this order “**specified land**” means the land described in Schedule 1 to this order that is also marked as “certification area” shown in pink on the map in Schedule 2.



**MARK SPEAKMAN SC MP**  
**Minister for the Environment**

Signed at Sydney, this 15<sup>th</sup> day of October 2015

## Schedule 1 Description of the specified land

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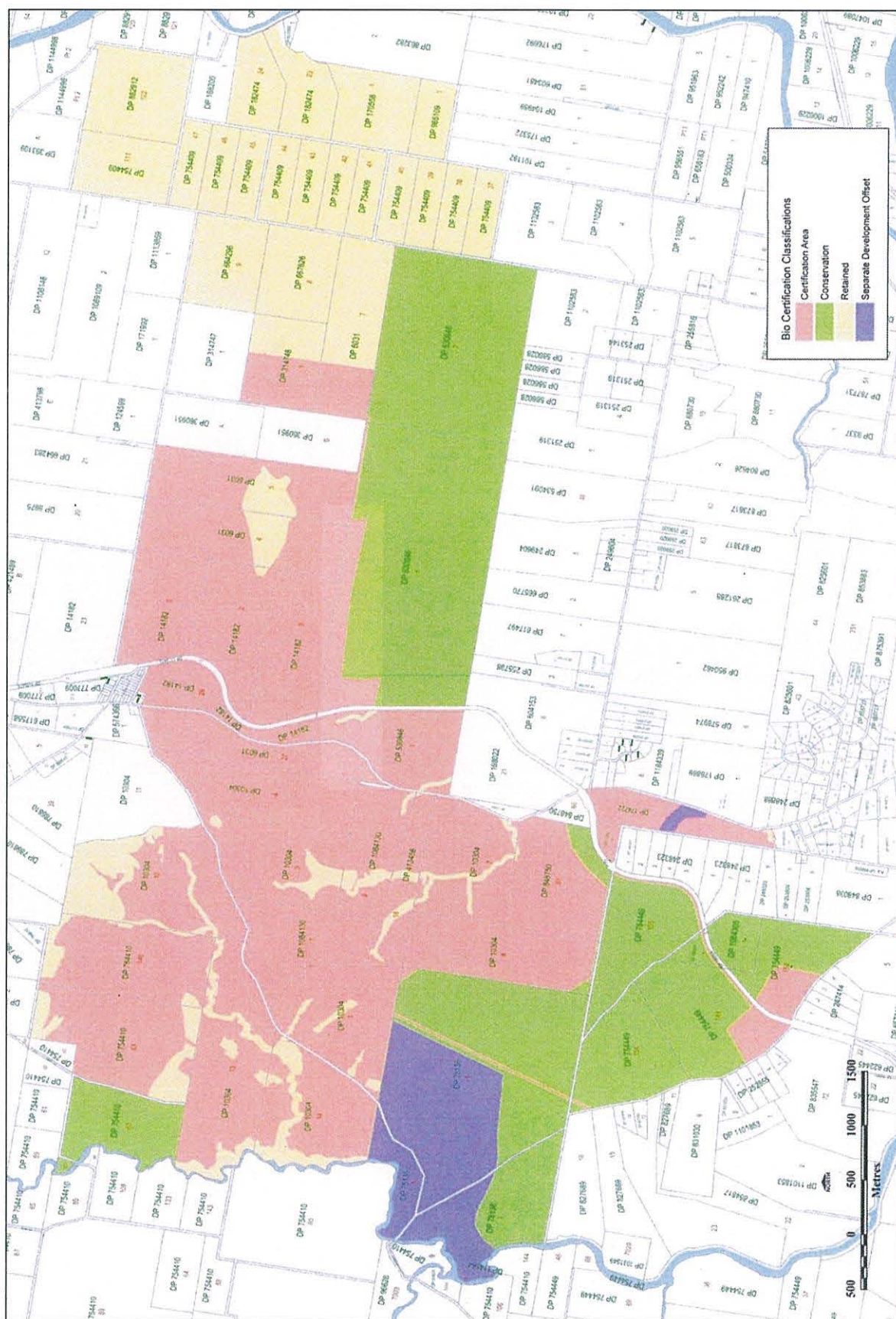
### Roads and Railway

All internal unformed roads within the Biodiversity Certification Area owned by the applicant but excluding roads and railways on Crown land being the closed old Taree to Port Macquarie Road, the existing Landsdowne Road and the existing Sydney to Brisbane railway.

### Lots within deposited plans

DP Number	Lot
DP10304	1,3,4, part 6,7,10,12,13,14
DP1084130	1,2
DP14182	1,2,3,28
DP174722	1
DP314748	1
DP413456	18
DP530846	part 1, part 2 (includes 20m road access to eastern lots)
DP6031	4,5,7,27
DP754410	part 63 (excludes conservation land),140
DP754449	part 149 (includes 20m infrastructure buffer west of railway line), part 152, part 155 (20m infrastructure buffer west of railway line)
DP1084305	part 1 (20m infrastructure buffer west of railway line)
DP848750	part 81
DP78136	part 1 (20m infrastructure buffer east of power line)

# Schedule 2 Map of the specified land



## Schedule 3 Approved measures

The approved measures under this order are as follows:

### Proposed conservation measures

1. The transfer of Conservation Lands shown in green in Schedule 2 to the Minister (National Parks and Wildlife Service) subject to a Planning Agreement made under s93F of the *Environmental Planning and Assessment Act 1979* but excluding part Lot 63, DP754410 (*Eucalyptus seeana* area to be rehabilitated) and part Lot 81, DP848750 (wildlife corridor to be rehabilitated).
2. The funding of management measures relating to the lands transferred above to the value of \$1 million over 5 years in accordance with an agreed Statement of Works under the Planning Agreement. ~~5~~ <sup>million</sup> ~~5~~ <sup>five</sup>
3. The protection of riparian buffers, steep lands and wetlands shown in yellow as retained lands in Schedule 2 under amendments to the Greater Taree Local Environmental Plan 2010.
4. The rezoning of:
  - The transferred lands to E1 (national parks) for formal reservation.
  - Part Lot 63 and part Lot 81 to E2 (environmental conservation) for rehabilitation.
  - The retained lands to E4 (environmental living) for management.
5. As per the Planning Agreement, the inclusion of:
  - Buffers to Conservation Lands adjacent to perimeter roads and
  - Any un-needed infrastructure corridors adjacent to the Transgrid power line and railway easements

in the lands to be transferred to the Minister once engineering studies and master planning is completed.

6. The replanting of *Eucalyptus seeana* in appropriate rehabilitation areas within the Conservation Lands and as streetscapes within the Biodiversity Certification Area.
7. The adoption by the Minister for Planning of the previously exhibited Planning Proposal as shown in Annexure 1 under section 55 of the *Environmental Planning and Assessment Act 1979* subject to the amendments above which results in revisions to Map Sheet LZN\_014A in the Greater Taree Local Environmental Plan 2010.

Note: Management of retained lands may be subject to an application for a BioBanking Agreement once master planning is completed.

Subject to Ministerial approval, transfer of part Lot 63 into national park estate may be possible at a later date following rehabilitation.

There are additional lands shown in purple in Schedule 2 to be transferred to the Minister under the Planning Agreement that relate to a separate development consent that does not form part of this Biodiversity Certification Order.<sup>1</sup>

### **Requirements as to the timing of the implementation of the proposed conservation measures**

1. The transfer of lands including those subject to completion of engineering studies and master plans to the Minister shall be in accordance with the terms of the Planning Agreement.
2. The timing for management and funding of the transferred lands shall be in accordance with the agreed Statement of Works under the Planning Agreement.
3. The Planning Agreement does not commence until the amendments to the Local Environment Plan are made and Biodiversity Certification is conferred.
4. The revised Planning Proposal must be forwarded to the Minister for Planning to be made within 12 months of the date this Order takes effect unless otherwise agreed with the applicant.
5. The replanting of *Eucalyptus seeana* within the Conservation Lands but outside the transferred lands shall be in accordance with timeframes imposed by the Greater Taree City Council in accordance with any development consent.

Zones

-  Site Boundary
-  R1 General Residential
-  R5 Large Lot Residential
-  B4 Mixed Use
-  RU4 Primary Production Small Lots
-  IN1 General Industrial
-  E1 National Parks and Nature Reserves
-  E2 Environmental Conservation
-  E4 Environmental Living
-  SP2 Infrastructure

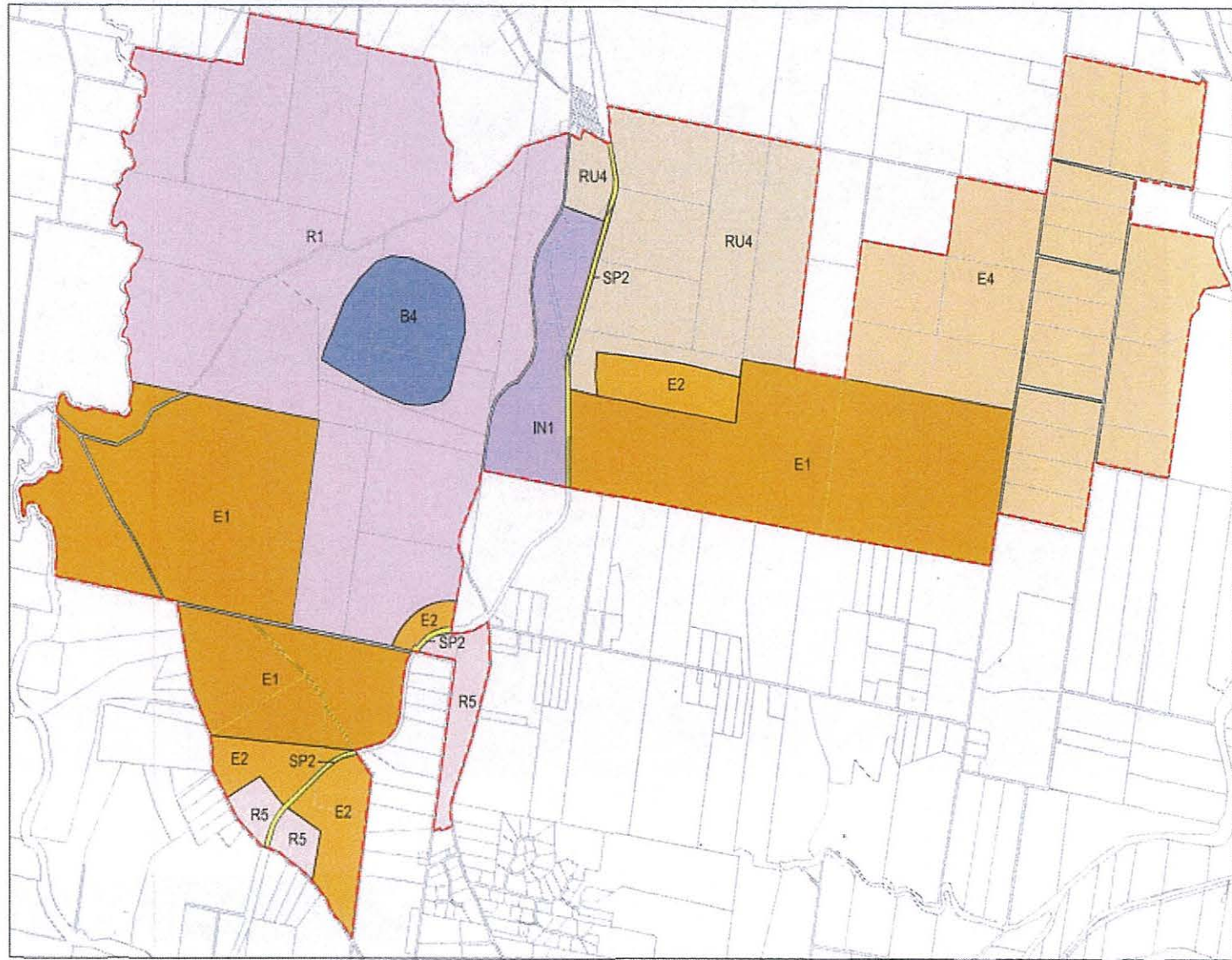


Figure 7. Proposed Land Zoning Map

