

AMENDED ITEM



Item No: 4.10
Title: Warnervale Airport
Department: Corporate Affairs

13 April 2021 Ordinary Council Meeting

Reference: F2021/00035 - D14581045
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Report purpose

To seek approval to Develop a Masterplan for the Central Coast Airport and to commence negotiations with the aviation industry to better utilise the land surrounding the Airport.

Executive Summary

On Tuesday, 16 February 2021, the NSW Parliament voted to repeal the Warnervale Airport Restrictions Act 1996. The full repeal of the Act will be within 3 years from the date of assent of the Act to enable Council to prepare and implement business and operations plans and local planning controls to address the Airport's future operations and any changes proposed for the Airport. The full repeal of the Act will come into effect earlier if the Minister is satisfied that Council has implemented the above measures.

In response to this Ministers Direction it is recommended to commence the process by developing a revised Masterplan and plan of management for the Airport and to commence discussions and negotiations with aviation businesses to better utilise the Central Coast Airport.

Corporate Affairs Recommendation

- 1 *That Council approve the development of a Masterplan and Plan of Management for the Central Coast Airport at Warnervale.*
- 2 *That Council authorise the Chief Executive Officer to publicly exhibit the draft Masterplan and Plan of Management once completed.*
- 3 *That Council authorise the Chief Executive Officer to negotiate and execute agreements that will enhance and promote better utilisation of the Central Coast Airport at Warnervale.*
- 4 *That Council authorise the Chief Executive Officer to hold discussions with the Aviation Industry and affected land owners.*

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- 5 *That Council authorise the Chief Executive Officer to explore inclusion of 4 and 10 Warren Road, Warnervale and 140 Sparks Road, Warnervale into the draft Airport Masterplan and to suspend the sales of these land parcels until the Airport Masterplan is finalised*
- 6 *That Council authorise the Chief Executive Officer to immediately suspend the development of the Warnervale conservation agreement and any agreement with the NSW biodiversity Conservation Trust to permanently protect the Porters Creek Wetland until the Airport Masterplan, plan of Management and a subdivision plan is registered that subdivides the Wetland and surrounding E2 land from the employment land in Warnervale.*
- 7 *That Council acknowledge and thank the support of the Parliamentary Secretary for the Central Coast and Member for Terrigal Adam Crouch, the Minister for Planning Rob Stokes and the reviewers that included the planning expert Abigail Goldberg and aviation specialist Peter Fiegehen for conducting the review and resolving the future of the Central Coast Airport.*

Background

On 27 November 2017, Council officers recommended the following;

- 1 *That Council publicly exhibit the draft Central Coast Aviation Hub Concept Plan (Attachment 1 to this report) and supporting document (Attachments 2 – 15 to this report) until 28 February 2018 for public comment.*
- 2 *That Council request that the Chief Executive Officer report back to the Council on the results of the public exhibition of the draft Central Coast Aviation Hub Concept Plan to an ordinary meeting of Council in March 2018.*

In response to that recommendation Council resolved:

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| 756/17 | <i>That Council fully support the Warnervale Airport Restrictions Act (WAR Act) (1996).</i> |
| 757/17 | <i>That Council not approve any development at the Warnervale Airport which is not consistent with the WAR Act (1996).</i> |
| 758/17 | <i>That Council not immediately extend or remove the current 1196 metre runway.</i> |
| 759/17 | <i>That Council not alter the position, length, width, thickness or strength of the current runway.</i> |
| 760/17 | <i>That Council immediately suspend all works, land acquisitions and expenditure on the Central Coast Airport, except where those works are required by law or the suspension of those works would put Council in breach</i> |

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of existing contractual obligations and/or expose Council to claims for damages or variation under any such contract.

- 761/17 *That Council reallocate the Budget for the Airport of \$6 million to employment generating projects across the former Wyong Shire with staff to prepare a strategy and report to council by the 12th February meeting for approval of the strategy.*
- 762/17 *That Council maintain the current site zoning, unaltered and not approve rezoning to SP2.*
- 763/17 *That Council permanently protect all of the Porters Creek wetland owned by Council and south of the current runway, from development for biodiversity, emergency drinking water supply and protection of the water quality into the Tuggerah Lakes Estuary.*
- 764/17 *That Council staff prepare a report to protect the Porters Creek Wetland, as per item 8, and the report be brought back to council for approval on the 26th February meeting*

At the Ordinary Meeting on 25 November 2019, Council resolved a Notice of Motion for the Protection of Porters Creek Wetland:

- 1213/19 *That Council request the Chief Executive Officer to define the area to be protected as those areas identified as Coastal Wetland and Coastal Wetland proximity areas in accordance with the State Environmental Planning Policy (SEPP) Coastal Management (2018) and any other adjacent associated native vegetation communities located on land owned by Central Coast Council (generally located on and defined by the E2 or E3 zoned land), excluding;*
- *The current airport runway of 1,196m in length, which is within the maximum length of 1,200m as per Cl. 8(1) of the Warnervale Airport (Restrictions) Act 1996. This includes the current width including flyover areas.*
 - *The area currently zoned as the education precinct and industrial/business zone*
 - *The minimum width of road reserve to provide for the future construction of the proposed Link Road*
 - *Easements to allow for planned water and sewer infrastructure, roadworks, utilities and future stormwater to service the Wyong Employment Zone and Warnervale Education and Business Precinct need to be considered when applying any Conservation Agreement over land within Porters Creek Wetland. These should be designed to have the least impact on the environmental values of Porters Creek Wetland.*

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- 1214/19 *That Council request the Chief Executive Officer to seek a conservation agreement on the area identified in recommendation*
- 1217/19 *and acknowledge that future parcels of Porters Creek Wetland that are acquired for conservation purposes will be included in other Conservation Agreements (as per the Biodiversity Conservation Act).*
- 1215/19 *That Council request the Chief Executive Officer to include management of the Porters Creek Wetland as part of the Conservation Agreement and consider options in terms of the OLS (Obstacle Limitation Surface) that have the least impact on vegetation.*
- 1216/19 *Note that Council can also seek future Biodiversity Stewardship Agreements on land included in the Conservation Agreement*
- 1217/19 *That Council request the Chief Executive Officer proceed with the minimum number of subdivisions required to achieve recommendation*
- 1218/19 *That Council request the Chief Executive Officer prioritise the actions required to implement this resolution including allocating resources, as identified in resolution 844/19, to ensure completion by end of March 2020.*
- 1219/19 *That Council request the Chief Executive Officer keep the Coasts and Catchments Committee Tuggerah Lakes informed of the progress.*

In response to that Notice of Motion Council staff prepared a report for the Ordinary Council meeting on 27 April 2020 outlining the complexity, indicative timeframes and resources required to complete the work included in the Notice of Motion. At that meeting Council resolved:

- 333/20 *That Council note the report of Council highlighting the complexity of the process in protecting Porters Creek wetland, the level of consultation required, delays due to the diversion of staff resources to significant events facing our community and the need for consideration of other resolutions of Council.*
- 334/20 *That Council note the expected impact of the COVID-19 will have a significant impact on unemployment and the economy of the Central Coast.*
- 335/20 *That Council form a working group to;*
- a* *Oversee the activities to permanently protect Porters Creek wetland in keeping with the resolutions of 25 November 2019 (Resolutions 1213/19, 1214/19, 1215/19, 1216/19, 1217/19, 1219/19)*
 - b* *Progress the development of cleared land currently available and zoned Industrial or Business in the Warnervale area as an employment*

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precinct focused around the following sectors: health, manufacturing, food production, renewable energy and/or waste.

c Engage the following;

a a Project Manager with a proven track record, for an initial period of 18 months, to oversee the development of the employment lands

b a consultant to progress the activities required to put in place a Conservation Agreement on Porters Creek Wetland

336/20 That Council appoint the following as members of the working group;

- Mayor*
- Deputy Mayor*
- Wyong Ward Councillors*
- CEO, Gary Murphy*
- Invited representatives from relevant State agencies and focus sectors, as appropriate*
- Support Staff as follows: Administration support, Governance staff member and Legal Counsel*

337/20 As per resolution 844/19, reserve the balance of funds from savings from the Emergency Services Levy increase for the implementation of actions to protect Porters Creek Wetland including;

- Funds adjusted to a project budget (24866) to progress the conservation agreement (\$100,000).*
- Porters Creek Wetland and Catchment Restoration and Monitoring Planning Project is being scoped (delivery by June 2019) to also be funded from these savings.*
- \$345,000 for the establishment of a Conservation Agreement. 338/20 That Council in keeping with resolution 761/17, that Council reserve funds to progress employment generating projects.*

339/20 That Council note that the Working Group initially meet on a fortnightly basis for 3 months to progress these initiatives.

340/20 That Council provide a further report to Council no later than the first Ordinary Council meeting in September 2020.

Porters creek wetland and the surrounding E2 land in Warnervale has an appropriate zone and a range of ecological constraints and flooding which restrict any development on the land. The report put before Council on 27 April 2020 recommended and was resolved by council 335/20 c. a. *To engage a Project Manager with a proven track record, for an initial period of 18 months, to oversee the development of the employment lands.*

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The purpose of the project manager was to manage a number of subdivisions to subdivide the employment lands in Warnervale from the land which is identified as having high ecological value. Due to Council's financial situation the Project Manager was never engaged, and the subdivision plans along with the ecological studies were never completed. The Biodiversity conservation agreement was prepared in isolation and currently includes land which was previously included in the draft aviation hub Masterplan prepared in 2017 and will cause future adverse impacts to the land zoned for employment in Warnervale.

On Tuesday, 16 February 2021 the NSW Parliament voted to repeal the Warnervale Airport Restrictions Act 1996. The review report made three recommendations:

- 1 The Act should be repealed as soon as possible, but if there was a delay, the airport flight restrictions should be removed immediately;
- 2 Central Coast Council should develop and adopt a clear framework to govern the airport's future management;
- 3 Central Coast Council undertake works to reduce the height of trees to the north of the runway that are causing safety concerns.

The NSW Parliament's adoption of the Bill has set in motion the following actions to repeal the Act:

- The immediate lifting of flight restrictions
- Full repeal of the Act within three years after the date of the assent of the Act to enable Central Coast Council to prepare and implement business and operations plans and local planning controls to address the airport's future operations and any changes proposed for the airport. The full repeal of the Act will come into effect earlier if the Minister is satisfied that council has implemented the above measures

Current Status

The Central Coast is recognised as the 9th largest region in Australia yet it remains the only major population centre without a recognised and supported airport. NSW State Government forecasts indicate that the regional population will continue to grow substantially over the next 10 years increasing towards 400,000 by 2031. Without access to local aviation services the capacity for local trade and tourism to grow and compete with other major regional centres will be constrained.

The development of the Central Coast Airport is a landmark project for Central Coast Council with the potential to provide significant economic and social benefits to the Central Coast Region. The Central Coast of NSW is recognised as a major growth corridor and it is imperative that residents and businesses in the region be serviced by adequate infrastructure and transport links, including aviation.

Airports form an integral part of the Australian economic infrastructure and are critical to connecting communities and enhancing the broader economic performance of its regions.

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Airports directly contribute to economic growth and are major employment centres in their own right, while supporting flow-on benefits to almost all other sectors of the economy.

With the repeal of the Warnervale Airport Restrictions Act, the Central Coast Airport now requires a plan for the future vision and plan to manage this critical asset for the community moving forward. This report seeks the approval to commence the development of a Masterplan and a Plan to manage the Airport.

Report

The 16 February 2021, NSW Parliamentary Repeal of the Warnervale Airport Restrictions Act 1996, has provided the Central Coast community with a clear direction and certainty for the Central Coast Airport. The flight restrictions have been lifted and works are underway to reduce the intrusion into the Obstacle Limitation surface at the Northern end of the Runway. Council needs to develop a Masterplan for the development of the Central Coast Airport so that it supports general Aviation for the Sydney Basin. With the development of the Western Sydney Aerotropolis and the expansion of Newcastle Airport, general aviation will be constrained within both Sydney and Newcastle making the Central Coast Airport at Warnervale the ideal location for light aircraft, aircraft manufacturing, flight training, electric aircraft, repairs and servicing and the development of drone aircraft and technology. The precinct will create new and specialised employment for the region along with new education and employment pathways for our local youth and community.

In addition to the development of the Masterplan for the future vision of the Airport a plan of management will also be developed so that current and future users of the Airport will have certainty.

Consultation

In February 2013 the former Wyong Shire Council commissioned an independent survey of the views of the broader Wyong Shire Community on the concept of having a regional airport for the Central Coast located in Wyong Shire. The Micromex study was a random telephone survey of 400 residents over the age of 18. The survey was weighted by age to reflect the 2011 Census data, with 25% of respondents in the age group 18-34; 26% aged 35-49; 24% aged 50-64 and 25% aged 65 or older. Forty-seven per cent were male, 53% female. A sample size of 400 was chosen because it was known to provide results that are 95% reliable.

Broadly: 67% of the 400 residents surveyed indicated they were either 'very supportive' or 'supportive' of the airport concept, and 84% were at least 'somewhat supportive.' All the younger respondents between the age of 18 and 34 were uniformly supportive, while many of those who were not supportive were over age 50 or older.

The former Wyong Shire Council again tested support for a regional airport again as part of the 2015 Wyong Shire Council Residents Survey where 56% of residents and 84% of businesses supported the proposal for a regional airport on the Central Coast.

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In 2018 during the development of the Central Coast Economic Development Strategy, a public consultation process was undertaken with the Airport and Aviation being ranked as the top industry sector best suited to the future of the Central Coast region with a clear 62% lead over manufacturing in second place at 30% and information technology at 28%.

An independent review of the Warnervale Airport Restrictions Act 1996 was conducted from late December 2019 to late March 2020. The stakeholder consultation process received 939 submissions with 75% of the submission in favor of the repeal of the act.

Following the development of the draft Airport masterplan and plan of management Council will publicly exhibit both plans for community input.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

Council has five million dollars in restricted development funds which it will utilise for the development of the initial stages of the Airport Masterplan.

Link to Community Strategic Plan

Theme 2: Smart

Goal C: A growing and competitive region

S-C1: Target economic development in growth areas and major centres and provide incentives to attract businesses to the Central Coast.

Goal C: A growing and competitive region

S-C3: Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents.

Goal H: Delivering essential infrastructure

R-H4: Plan for adequate and sustainable infrastructure to meet future demand for transport, energy, telecommunications and a secure supply of drinking water.

Goal I: Balanced and sustainable development

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R-13: Ensure land use planning and development is sustainable and environmentally sound and considers the importance of local habitat, green corridors, energy efficiency and stormwater management.

Goal J: Reliable public transport and connections

L-J4: Design long-term, innovative and sustainable transport management options for population growth and expansion.

Risk Management

If Council continues with the current Warnervale Conservation Agreement with the NSW Biodiversity Conservation Trust to permanently protect the Porters Creek Wetland and surrounding E2 land without confirmation of the Airport Masterplan and Warnervale employment and business land that is clearly identified by a subdivision plan which is registered and subdivides the Wetland and surrounding E2 land from the employment land in Warnervale, council stands to cause catastrophic and irreversible sanitisation of its primary aviation, education and employment lands.

By passing this resolution Council will be able to methodically plan and implement a balanced and harmonised approach that equally contemplates the important surrounding ecology and employment land within Warnervale.

Options

- 1 Prepare an Airport Masterplan and plan of management for the Central Coast Airport and suspend the development of the Warnervale conservation agreement and any agreement with the NSW biodiversity Conservation Trust to permanently protect the Porters Creek Wetland until the Airport Masterplan, plan of Management and a subdivision plan is registered that subdivides the Wetland and surrounding E2 land from the employment land in Warnervale (**recommended**).

Or

- 2 Council does nothing (not recommended).

Critical Dates or Timeframes

Full repeal of the Act will be within three years after the date of the assent of the Act to enable Council to prepare and implement business and operations plans and local planning controls to address the airport's future operations and any changes proposed for the airport.

Full repeal of the Act will come into effect earlier if the Minister is satisfied that council has implemented measures that address the future operations of the Airport.

4.10 Warnervale Airport (contd)

It is recommended that Council immediately commence planning and engagement with the community about the future of the Central Coast Airport.

Attachments

Nil.