

**JOINT REGIONAL PLANNING PANEL
(Northern Region)**

JRPP No	JRPP Reference Number 2011NTH029
DA Number	DA 2011/0438
Local Government Area	Port Macquarie-Hastings
Proposed Development	Upgrade of Port Macquarie Airport
Street Address	Boundary Street, Port Macquarie
Applicant/Owner	Port Macquarie-Hastings Council/Port Macquarie-Hastings Council
Number of Submissions	Eleven (11)
Recommendation	Approval with Conditions
Report by	Clinton Tink, Development Assessment Planner

Assessment Report and Recommendation

PROPERTY: DA 2011/0438 - LOT 25 DP 1123026, LOT 657 DP 45949, LOT 1 DP 242345 & LOT 2 DP 547484, BOUNDARY STREET PORT MACQUARIE
APPLICANT: PORT MACQUARIE HASTINGS COUNCIL
OWNER: PORT MACQUARIE HASTINGS COUNCIL
PROPOSAL: UPGRADE OF PORT MACQUARIE AIRPORT
APPLICATION DATE: 09/08/2011
DATE FORMAL: 22/11//2011
ESTIMATED COST: \$6,000,000
LOCATION: PORT MACQUARIE
REPORT BY: CT
FILE NO: DA 2011/0438
PARCEL NO: 54723, 29289, 29343 & 28534

PRECIS

This report considers a development application for upgrades to the Port Macquarie Airport at Lot 25 DP 1123026, Lot 657 DP 45949, Lot 1 DP 242345 & Lot 2 DP 547484, Boundary Street, Port Macquarie.

The application is being reported to the Joint Regional Planning Panel as it is classified as 'regional development' pursuant to SEPP (Major Development) 2005. In accordance with clause 13B(2) being a Council application with a capital investment value of more than \$5 million.

It should be noted that the subject Clause was repealed during the processing of this application and has been replaced with State Environmental Planning Policy (State and Regional Development) 2011. Under the new SEPP, the development is still classified as regional development under Part 4, being a Council related development with a capital investment value of more than \$5 million.

Following public exhibition of the proposal eleven (11) submissions were received, ten (10) objecting to and one (1) supporting the proposal.

RECOMMENDATION

That DA 2011/0438 for the upgrade of the Port Macquarie Airport at at Lot 25 DP 1123026, Lot 657 DP 45949, Lot 1 DP 242345 & Lot 2 DP 547484, Boundary Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

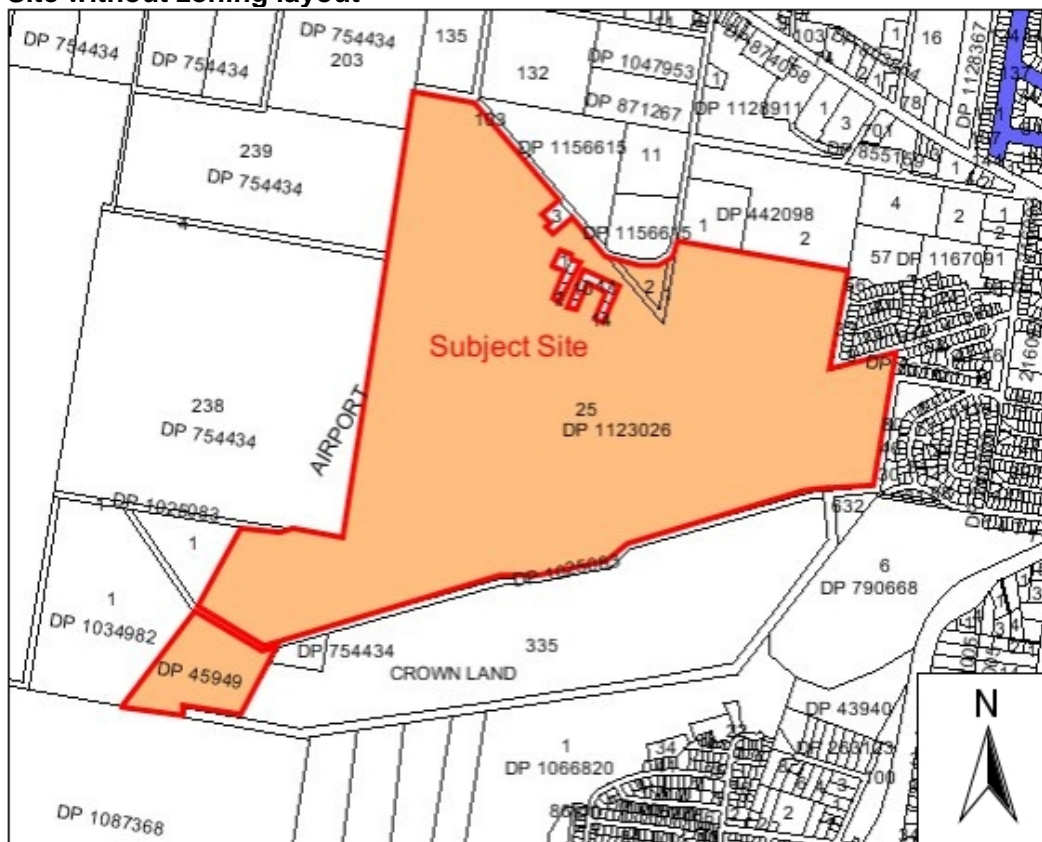
1. BACKGROUND

Existing sites features and surrounding development

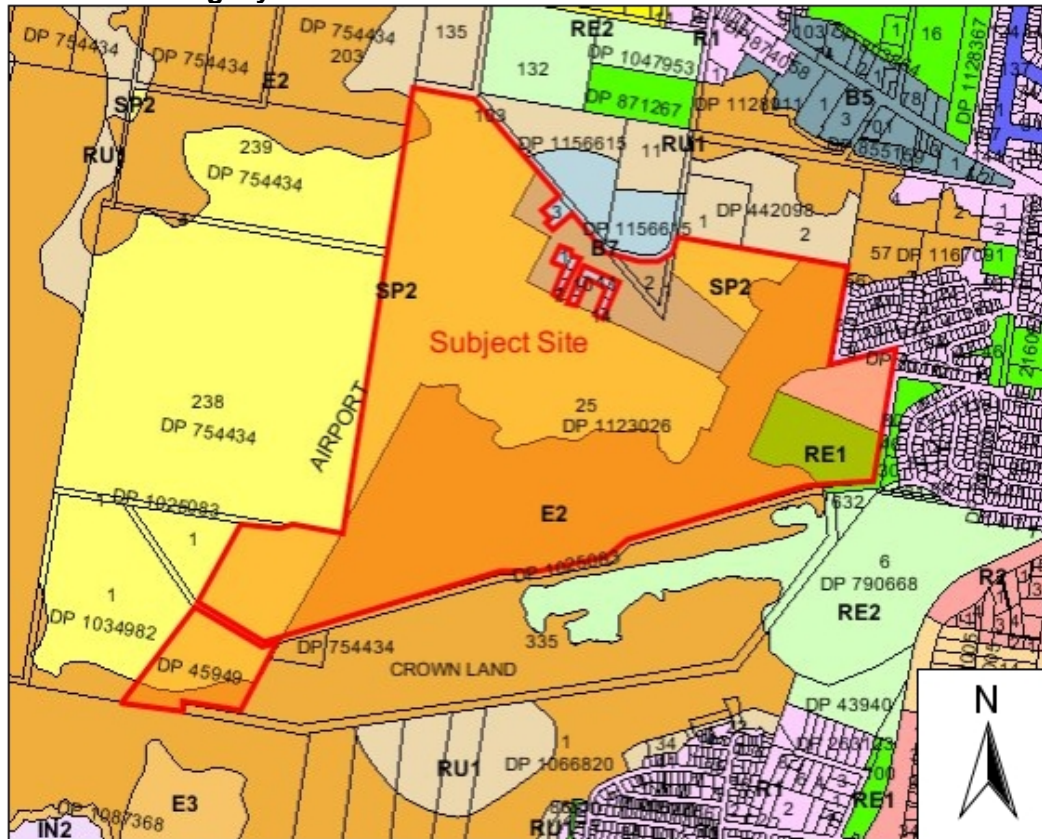
The site has a combined area of 188ha.

The site is zoned SP2 Infrastructure, B7 Business Park and E2 Environmental Conservation in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011 as shown in the following maps:

Site without zoning layout



Site with zoning layer



The existing subdivision pattern and location of existing development within the immediate locality is shown in the following aerial photo. It should be noted that the airport runway is not contained completely with the nominated subject site area (ie mid to lower section of runway is on another lot). This will be explained later in the report, but essentially the airport upgrade is divided up into work to be completed without development consent under the State Environmental Planning Policy (Infrastructure) 2007 via a Review of Environmental Factors (REF) and work that falls outside the SEPP requiring a development application.



2. DESCRIPTION OF DEVELOPMENT

The application proposes the following:

- Works not covered by State Environmental Planning Policy (Infrastructure) 2007 being works in the B7 and E2 zones, 2520m² of clearway and runway at the southern end and 50% of the Regular Public Transport (RPT) apron located in the northern B7 zone. Other minor works in the B7 zone include fencing, lighting, access and a temporary asphalt plant.
- Expansion of the passenger terminal and parking facilities.
- An additional 50 traffic movements per day during construction.
- Construction traffic will occur between 7am to 5pm with 1-2 deliveries at night over an approximate 7 month period.
- RPT movements will increase from 16 per day, 6000 per annum to 20 per day and 7500 per annum, which will be less than the 10,000 per annum that occurred during the mid to late 90's.

For context purposes, the following works have been included in an REF in accordance with State Environmental Planning Policy (Infrastructure) 2007, works permitted without consent:

- Upgrade, extend and widen the main runway (excluding those areas located in B7 and E 2 zones – see above).
- New clearway and runway end safety area (RESA) at the northern end.

- Minor earthworks to the runway.
- Expansion of existing RPT apron to allow for Code 4C aircraft with new taxi way construction.
- Closure of existing east/west grass runway 10/28 to provide for relocated helicopter landing and parking area for general aviation parking.
- Ancillary construction works, fencing, drainage and minor vegetation removal.
- Closure of Tuffins Lane.

The REF for the above works concluded there would be no adverse impact subject to mitigation measures.

For further detail on what is proposed under this DA and what is proposed under the REF – refer to the plans “Areas Assessed by REF” and “Areas Assessed by SEE”, Figure 05A & 03A, Job No 22-15696, Revision B prepared by GHD and dated Oct 2011. A copy of the plan is attached at the end of this report.

In addition, the above works are considered to comprise Stage 1 of the Airport Upgrade. Additional stages have been identified and will proceed subject to the need being warranted and further approval being obtained. The additional stages are not the subject of this report, but focus on further re-development of the terminal.

Attachments - site plans and elevations

Refer to attachments at the end of this report.

Application Chronology

- 23 November 2007 – DA 2007/557 approved upgrades to the terminal.
- 21 December 2007 – DA 2007/616 approved upgrades to the runway to cater for larger jet planes to use the airport.
- 23 September 2008 – Additions to airport terminal.
- 24 February 2010 – DA 2008/184 and DA 2008/466 approved tree cropping associated with a change to the OLS as a result of DA 2007/616 being approved and also to cater for ongoing maintenance.
- 8 June 2010 – Modification to DA 2008/184.
- 23 June 2010 – Council adopted the Airport Master Plan 2010
- 1 June 2011 – Modifications to DA 2008/184 and DA 2008/466 lodged with Council for additional tree cropping associated with the upgrades proposed under this DA. The applications remain on hold pending additional information and the determination of this DA.
- 13 July 2011 – REF Assessment
- 9 August 2011 - Application lodged
- 30 August 2011 – Application was registered with the Joint Regional Planning Panel.
- 5 September 2012 – Additional information letter requesting detail on staging, works proposed under REF, plans to scale, noise impact assessment, details on the asphalt plant, justification on why the development was not designated, details on location of SEPP 14 area to the south, number of helicopter landing areas and consideration of any potential contamination onsite.
- 7 September 2011 – External referrals were done.
- 10 August 2011 – In accordance with Council’s Conflict of Interest Policy it was determined that the application could be assessed by internal staff. It is considered that the JRPP being the

determining body, provides the level of independence needed in the assessment process to negate any conflict from a Council perspective.

16 to 30 September 2011 – Notification period for application. This included an advertisement in the local paper and adjoining property owners being notified.

26 September 2011 – Applicant responded to the request for additional information.

29 September 2011 – In response to the applicant's revised detail, the assessing officer requested additional information on the height of the asphalt plant, further detail on works proposed under REF, details on the SEPP 14 wetland to the south and further justification on why the development did not trigger designated development.

10 October 2011 – Applicant provided response to continuation issue.

9 November 2011 – JRPP Panel Secretariat was advised that the initial determination date of 30 November 2011 was unlikely to be achieved. The application was on hold pending additional information.

22 November 2011 – Applicant responded to the additional information letter dated 29 September 2011.

29 November 2011 – The additional information was circulated to relevant internal and external bodies.

21 December 2012 – Referrals received.

3. STATUTORY ASSESSMENT

Section 79C Matters for Consideration

In determining the application, Council is required to take into consideration the following matters as are relevant to the development that apply to the land to which the development application relates:

(a) The provisions (where applicable) of:

(i) any Environmental Planning Instrument:

State Environmental Planning Policy No. 14 – Coastal Wetlands

The southern end of the runway is proposed to extend into a “mapped” area of SEPP 14 wetland. A previous inspection of the area and aerial photos showed that the area in question did not appear to comprise a typical SEPP 14 wetland. The applicant subsequently had their qualified ecologist investigate the area. The investigation revealed that the mapped SEPP 14 area did not correlate with the actual SEPP 14 area onsite and that there were no works proposed in the SEPP 14 area.

It should be noted that a dividing fence is proposed through the SEPP 14 area, but pursuant to Clause 7(4)(d) such works do not constitute clearing under the SEPP.

State Environmental Planning Policy No. 44 – Koala Habitat Protection

In accordance with clauses 6 and 7, the subject land has an area of more than 1 hectare in size and therefore the provisions of SEPP must be considered.

The Department of Planning and Infrastructure's Circular No. B35, Section 1.5 states that "In relation to affected DAs it is the intention of the policy that investigations for 'potential' and 'core' koala habitats be limited to those areas in which it is proposed to disturb habitat”.

The application has demonstrated that no koala habitat will be removed or modified and therefore, no further investigations are required.

A Koala Plan of Management (KPOM) does apply to the site having been triggered by clearing works to the Obstacle Limitation Surface (OLS) by DA 2008/184 & DA 2008/466. The KPOM is more applicable to lands to the south of the runway, which except for a boundary fence (see SEPP 14 comments above) will not be touched by this application.

The applicant has lodged a s96 modification to DA 2008/184 and DA 2008/466 to make changes to the OLS, but these will be subject to a separate assessment.

The requirements of this SEPP are therefore satisfied.

SEPP 55 – Remediation of Land

In accordance with clause 7, following an inspection of the site and a search of Council records, the subject land is not identified as being potentially contaminated and is suitable for the intended use of the land in this regard.

In particular, the area where excavation will occur around the terminal, parking apron and parking areas do not contain any known contamination. Works back in 2008 to the area also did not reveal any contamination.

The works at the southern end of the runway have been historically cleared and used as a safety area for the runway (ie no uses).

No works are proposed near existing fuel tank installations onsite.

Further to the above, conditions will be imposed to manage contamination in the unlikely event contamination is discovered during works.

In terms of construction and operation of the airport, potential exists for the contamination of the land from hydrocarbon and other chemical spills. Good housekeeping practices and operational procedures and safety precautions will limit these impacts.

The requirements of this SEPP are therefore satisfied.

State Environmental Planning Policy No. 62 – Sustainable Aquaculture

In accordance with clause 15C, the development is approximately 800m from the Hastings River and will incorporate stormwater controls that will limit any adverse impacts on any existing aquaculture industries.

SEPP 64 – Advertising & Signage

The application does not contain any signage other than general directional signage in the car park.

In this regard, the subject SEPP does not apply.

SEPP 71 – Coastal Protection and Clause 5.5 of Port Macquarie-Hastings Local Environmental Plan 2011

The site is located within a coastal zone as defined in accordance with clause 4.

Having regard to clauses 8 and 12 to 16 inclusive, the proposed development will not result in any of the following:

- any restricted access (or opportunities for access) to the coastal foreshore;
- any identifiable adverse amenity impacts along the coastal foreshore and on the scenic qualities of the coast;

- any identifiable adverse impacts on any known flora and fauna (or their natural environment);
- subject to any identifiable adverse coastal processes or hazards;
- any identifiable conflict between water and land based users of the area;
- any identifiable adverse impacts on any items of archaeological/heritage; and
- reduce the quality of the natural water bodies in the locality.

In particular, the site is predominately cleared and located within an area already identified and used as an airport.

The requirements of this SEPP are therefore satisfied.

SEPP (Infrastructure) 2007

In accordance with Part 3 Division 1 certain Air Transport Facility aspects can be done with consent and without consent. A listing of works covered by this DA is included in the "Development Description" heading above in this report. Works to be done without approval under the SEPP and covered by a REF are also listed in the "Development Description" heading above in this report. The main reason for the split in works to be covered by a DA and REF is that the site contains several zonings. The B7 and E2 zonings are not listed as prescribed zones. This negates the whole of the runway being considered under the REF.

In accordance with Clause 104 of the SEPP, the upgrade is considered to be a traffic generating development and required referral to the Roads and Traffic Authority (RTA). The RTA raised no objection to the proposal. The RTA provided the following comments for Council's consideration:

- The modifications to the carpark and regulatory facilities will require consultation with Council's Traffic Advisory Committee prior to implementation.
- Any future access improvements to the intersection of Boundary Street and Hastings River Drive (ie signalised lights) will require approval from the RTA and endorsement by Council's Traffic Advisory Committee.

Council's Engineering Section will consult with the Traffic Committee on the regulatory aspects of the proposed parking area. In terms of the Boundary Street and Hastings River Drive intersection, this has been the subject of previous discussions with Council and the RTA and will continue to be a situation that is monitored/upgraded in due course.

SEPP (Major Development) 2005/State Environmental Planning Policy (State & Regional Development) 2011

The application is being reported to the Joint Regional Planning Panel as it is classified as 'regional development' pursuant to SEPP (Major Development) 2005. In accordance with clause 13B(2) being a Council application with a capital investment value of more than \$5 million.

It should be noted that the subject Clause was repealed during the processing of this application and has been replaced with State Environmental Planning Policy (State and Regional Development) 2011. Under the new SEPP, the development is still classified as regional development under Part 4, being a Council related development with a capital investment value of more than \$5 million.

SEPP (Rural Lands) 2008

The site adjoins a small pocket of residue rural land to the north. In terms of conflicts or loss of agricultural land, the proposed airport upgrade will occur within the existing designated airport,

area and will create no new or adverse impact to that which would already occur. Furthermore, the residue rural land is not of scale that would allow any significant rural use and acts more as a buffer to the residential and tourist uses that front Hastings River Drive further to the north. In this regard, the proposed development is consistent with the objectives of the SEPP and will create no adverse conflicts between rural/airport uses to that which already occurs at present.

Port Macquarie-Hastings Local Environmental Plan 2011

In accordance with Clause 2.2, the subject site is zoned SP2 Infrastructure, B7 Business Park and E2 Environmental Conservation in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011.

In accordance with Clause 2.3(1) and the subject zone land use tables, the proposed development for an upgrade to the existing airport is a permissible land use with consent in the SP2 zone. In terms of permissibility in the other zones, the development relies on a combination of the SEPP (Infrastructure) 2007 and existing use rights. In particular, the extension of the runway to the south into the E2 zone has historically been used as a maintained airport area, while the B7 zoned area already contains the turning apron for the airport.

In addition to the above, a temporary asphalt plant will be established on B7 zoned land and will form an ancillary component to allow the overall construction of the upgrade.

The objectives of the zones are as follows:

SP2 zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

E2 zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To protect coastal wetlands and littoral rainforests.
- To protect land affected by coastal processes and environmentally sensitive land.
- To prevent development that adversely affects, or would be adversely affected by, coastal processes.
- To enable development of public works and environmental facilities where such development would not have an overall detrimental impact on ecological, scientific, cultural or aesthetic values.

B7 zone

- To provide a range of office and light industrial uses.
- To encourage employment opportunities.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To ensure that development does not conflict with the hierarchy of business and retail centres in the Port Macquarie-Hastings region and the role of the Greater Port Macquarie Central Business District as the focal point for subregional functions and service delivery.

In accordance with Clause 2.3(2), the proposal is consistent with the zone objectives having regard to the following:

- the proposal is a permissible landuse;
- the proposal will not adversely impact on any environmental area;
- the proposal is to occur in already disturbed areas;
- the proposal will not impact on any business opportunities in the B7 zone; and
- The proposal will encourage employment opportunities.

In accordance with Clause 2.6AA, demolition requires consent as it does not fit within the provisions of SEPP (Exempt and Complying) 2008. Conditions will be imposed to ensure the demolition occurs in accordance with the relevant Australian Standards and creates limited impacts on the environment.

In accordance with Clause 4.3, there is no maximum overall height limit applicable to the site.

In accordance with Clause 4.4, the floor space ratio for the B7 zoned land is 0.65:1.0. However, there are no permanent buildings proposed in the B7 zone.

In accordance with Clause 5.9, there are no listed trees in Development Control Plan 2011 that are proposed to be removed. Minor boundary fence clearing will be required – refer to comments on SEPP 14 above in this report. A Vegetation Management Plan will be conditioned to cover any adverse losses.

In accordance with Clause 5.10, there are known sites in the vicinity of the airport. However, the site does not contain or adjoin any known heritage items or sites of significance that are likely to be disturbed via the proposed works. The majority of works are proposed to already disturbed areas.

In accordance with Clause 7.1, the site has class 5 potential acid sulfate soils. Council's Acid Sulfate Soils Officer has assessed the application and associated works and raised no objection, subject to the imposition of conditions to manage acid sulfate soils if unearthed.

In accordance with Clause 7.2, the following comments are provided with regard to the likely earthworks proposed to be undertaken as part of the proposal:

- the works will be unlikely to lead to any significant identifiable adverse effects upon existing drainage patterns, soil stability of the site or adjoining/adjacent sites, any nearby water course or known environmental sensitive area within the immediate locality;
- the works will be unlikely to adversely affect potential additional future landuses on the site;
- the existing soil quality and structure will not present an identifiable constraint to the construction of the proposal on the site;
- the likely change in levels associated with the proposed development will not have any identifiable adverse effect on the amenity of adjoining/adjacent properties to the site;
- the site does not contain any known items of aboriginal or other cultural significance that would be affected by the works.

In accordance with Clause 7.3, the site is land within a mapped "flood planning area". The application was forwarded to Council's Flood Engineer who provided the following comments:

"The site is partially affected by the 1:100 year flood. The Hastings River Flood Study (2006) identifies the affected areas of the site as having the following flood characteristics:

ARI	Flood level (m AHD)	
	North end runway	South end runway
50	2.8	3
100	3.2	3.4

We note that GHD have adopted a 1:100 year flood level of 3.4m AHD for the development, which is adequate.

The terminal buildings and carpark areas are flood free for events up to the 1:100 year flood, and are not located within the Flood Planning Area.

Upgrade of the runway will require some filling. The majority of this fill is to be placed above the 1:100 year flood level. Some filling is required below the 1:100 year flood level however this fill depth is considered minor and is within the flood fringe area, and therefore acceptable.

The northern end of the runway is designed at minimum RL 4.51m AHD. For 2% crossfall and 45m runway width the runway edge elevation is 4.06m AHD. The northern end of the runway as designed is therefore flood free for events up to the 100 year ARI.

The southern end of the runway is designed at minimum RL 3.75m AHD. For 2% crossfall and 45m runway width the runway edge elevation is 3.3m AHD. The southern end of the runway as designed is therefore inundated by up to 100mm of water at the edges for the 100 year ARI. For the 1:50 year flood event, the runway edges will be flood free.

Note that these flood events do not account for climate change or any freeboard. If we allow for climate change for the 1:50 year flood, levels are predicted to increase by 400mm. Therefore, for the 1:50 year flood the southern end of the runway as designed will be inundated by up to 100mm of water at the runway edges.

I do not have any consent conditions to submit for this development application. The above comments should be noted on file and the applicant made aware of the risk of flooding to the proposed runway extension/upgrade at the southern end."

Based on the above, the development is acceptable on flooding grounds.

In accordance with Clause 7.5, the area to be developed under this application does not contain any identified Koala Habitat.

In accordance with Clause 7.7, the purpose of the subject clause is to ensure the effective ongoing operation of the Port Macquarie Airport. The clause is focused on works not penetrating the Obstacle Limitation Surface (OLS). The only major changes to height of structures onsite will occur to the terminal and the temporary asphalt plant.

The changes to the terminal do not result in any new part of the building extending above the height of the existing building within a corresponding OLS level. Where the height of the terminal is proposed to increase (ie to the east), it is located further away from the runway and will connect to and match the existing building to the west. In particular, the height of the new section of terminal building will be 4.3m. The ground level in the vicinity of the extension is 5.5m AHD. Therefore, the overall height will be 9.8m. The OLS in the area is between 10m and 25m AHD. In this regard, the terminal is not likely to penetrate the OLS.

The temporary asphalt plant will be located on the same site approved under a 2007 development application. While the specifics of the plant are not known at this stage, it is

anticipated to not exceed 16.5metres, which with a ground level of 5.5m AHD results in a maximum height of 22m AHD. The OLS for the area is between 35m and 47m AHD and corresponds with the grass runway that is to be closed. In this regard, the asphalt plant is not likely to penetrate the OLS.

The change to the runway is to essentially allow a different array of aircraft to use the facility which will result in a change to the OLS levels. The OLS will result in additional tree cropping to the north and south of the runway, which is being progressed via a separate s96 modification to DA 2008/186 and DA 2008/466 (previous approvals to allow tree trimming to accommodate the OLS). The modifications are yet to be determined.

It should be noted that CASA were sent a copy of the application out of courtesy, but did not respond within the statutory timeframe. CASA have the ability to provide feedback in relation to the management of the airport. It will be up to Council's Airport Manager to have these discussions.

In accordance with Clause 7.8, the purpose of the subject clause is to ensure there is no added increase in dwellings or people exposed to adverse aircraft noise exposure. While there is proposed to be an increase in the size of aircraft using the airport, the number of aircraft using the airport is proposed to decrease from that of the mid to late 90's. Based on statistics, the Airport Masterplan (produced in 2010) suggests that by 2030, the Australian Noise Exposure Forecast (ANEF) is expected to be less than the 2003 data and is not expected to be too dissimilar from current levels and thereby create minimal impact. Further information on noise is addressed later in this report.

In accordance with Clause 7.13, satisfactory arrangements are in place for provision of essential public utility infrastructure including stormwater, water and on-site sewage management/sewer infrastructure to service the development. Provision of electricity and telecommunications will be subject to obtaining satisfactory arrangements before occupation, which are achievable.

Designated Development

There are two (2) types of designated development that could have potentially been triggered by the proposed development.

The first type is:

2 Aircraft facilities

Aircraft facilities (including terminals, buildings for the parking, servicing or maintenance of aircraft, installations or movement areas) for the landing, taking-off or parking of aeroplanes, seaplanes or helicopters:

(a) in the case of seaplane or aeroplane facilities:

- (i) that cause a significant environmental impact or significantly increase the environmental impacts as a result of the number of flight movements (including taking-off or landing) or the maximum take-off weight of aircraft capable of using the facilities, and*
- (ii) that are located so that the whole or part of a residential zone, a school or hospital is within the 20 ANEF contour map approved by the Civil Aviation Authority of Australia, or within 5 kilometres of the facilities if no ANEF contour map has been approved, or*

(b) in the case of helicopter facilities (other than facilities used exclusively for emergency aeromedical evacuation, retrieval or rescue):

- (i) that have an intended use of more than 7 helicopter flight movements per week (including taking-off or landing), and*
- (ii) that are located within 1 kilometre of a dwelling not associated with the facilities, or*

(c) *in any case, that are located:*

- (i) so as to disturb more than 20 hectares of native vegetation by clearing, or*
- (ii) within 40 metres of an environmentally sensitive area, or*
- (iii) within 40 metres of a natural waterbody (if other than seaplane or helicopter facilities).*

In response to the above, point (a)(i) refers to aeroplane facilities that cause a significant environmental impact as a result of the number of planes and take off weight. As is discussed throughout this report, the proposed upgrade is unlikely to result in an additional or increased environmental impact. While the development will result in the ability for larger planes to use the facility, the overall number of flights is expected to decrease from the mid to late 90's. The flights will increase from current numbers incrementally up to the year 2030 as Port Macquarie grows, but this could occur without the upgrade.

In response to point (a)(ii), there are already residential developments etc within the existing 20 ANEF contour, which is not expected to significantly change. It is considered that this clause is more relevant to a new airport or whereby an airport extends into a new residential area. Furthermore, point (ii) only applies if point (i) applies, which it does not as per comments above.

In response to point (b), the helicopter facilities are not increasing other than being relocated to the south approximately 300m. This will result in the helicopter landing area being located further away from the nearest residential receiver.

In response to point (c), the development is located within 40m of a watercourse and also an environmentally sensitive area (SEPP 14 wetland). However, Part 2 of Schedule 3 states the following:

Part 2 Are alterations or additions designated development?

35 Is there a significant increase in the environmental impacts of the total development?

Development involving alterations or additions to development (whether existing or approved) is not designated development if, in the opinion of the consent authority, the alterations or additions do not significantly increase the environmental impacts of the total development (that is the development together with the additions or alterations) compared with the existing or approved development.

Note. *Development referred to in this clause is not designated development for the purposes of section 77A of the Act. This means that section 98 of the Act (Appeal by an objector) will not extend to any such development even if it is State significant development.*

36 Factors to be taken into consideration

In forming its opinion as to whether or not development is designated development, a consent authority is to consider:

- (a) the impact of the existing development having regard to factors including:*
 - (i) previous environmental management performance, including compliance with the conditions of any consents, licences, leases or authorisations by a public authority and compliance with any relevant codes of practice, and*
 - (ii) rehabilitation or restoration of any disturbed land, and*
 - (iii) the number and nature of all past changes and their cumulative effects, and*
- (b) the likely impact of the proposed alterations or additions having regard to factors including:*
 - (i) the scale, character or nature of the proposal in relation to the development, and*

(ii) the existing vegetation, air, noise and water quality, scenic character and special features of the land on which the development is or is to be carried out and the surrounding locality, and

(iii) the degree to which the potential environmental impacts can be predicted with adequate certainty, and

(iv) the capacity of the receiving environment to accommodate changes in environmental impacts, and

(c) any proposals:

(i) to mitigate the environmental impacts and manage any residual risk, and

(ii) to facilitate compliance with relevant standards, codes of practice or guidelines published by the Department or other public authorities.

It is considered that there is scope to utilise Part 2 in this instance. In particular, the development contains the following aspects:

- This assessment shows that the upgrade will have limited impact on the environment in terms of adverse traffic, noise, habitat disturbance etc.
- There have been a number of changes to the airport over the past five (5) years, which have also illustrated limited impact. This assessment has factored in the cumulative impact of these applications, along with further potential changes listed in the Airport Masterplan.
- There are limited environmentally sensitive areas to be disturbed as confirmed in the ecological assessments accompanying the application. Where vegetation has been approved to be removed in the past, a KPOM has been put in place to address rehabilitation.
- There is limited history of the airport not complying with relevant legislation, codes etc.
- The upgrade will double the size of the terminal and parking areas. This could be seen as an significant increase in scale. However, when viewed in context with the outcomes such as limited increase in flights, noise, impact on environment etc, the scale is considered more a perceived visual appearance change.
- Environmental impacts can be predicted in this case.
- The airport has existed onsite for over twenty (20) years with the receiving environment already established.
- Conditions can be imposed to further reinforce/limit the impact of the upgrade.
- The impact of SEPP (Infrastructure) 2007 also needs to be considered. In particular, much of the upgrade is occurring under the SEPP, which does not require consent to even be obtained. The zonings (B7 and E2) that trigger parts of the application to require consent could be seen as anomalies with the system. As described above, the SEPP 14 mapped area does not correlate with what is on the ground and the same applies to the B7 zone.

Based on the above, the proposed upgrade does not trigger the "Aircraft Facilities" designated development.

The second type of designated development is:

5 Bitumen pre-mix and hot-mix industries

(1) Bitumen premix or hot-mix industries (being industries in which crushed or ground rock is mixed with bituminous materials):

(a) that have an intended production capacity of more than 150 tonnes per day or 30,000 tonnes per year, or

(b) that are located:

(i) within 100 metres of a natural waterbody or wetland, or

(ii) within 250 metres of a residential zone or dwelling not associated with the development.

(2) This clause does not apply to bitumen plants located on or adjacent to a construction site and exclusively providing material to the development being carried out on that site:

(a) for a period of less than 12 months, or

(b) for which the environmental impacts were previously assessed in an environmental impact statement prepared for the development.

As per point (2), the clause does not apply to plants located on construction sites and providing exclusive material to development being carried out onsite for a period of less than 12 months or where the impacts have been considered as part of another EIS. The plant will be used exclusively for the airport upgrade and will be conditioned to only be onsite for 12 months. In this regard, the development does not trigger the designated development provisions for bitumen industries.

Integrated Development

There are works proposed within 40m of a drainage line onsite. However, pursuant to Clause 39A of the Water Management Regulations, Council's are exempt from Section 91 of the Water Management Act. In this regard, an integrated approval is not required in this case.

Existing Use Rights

As discussed previously in this report, the application relies on existing use rights to enable expansion work within the B7 and E2 zoned areas of the relevant lots/land on which the airport currently occupies. Aerial photos and maps for the area show that the airport has been located on the subject lots/land to be developed since at least the mid 80's and was the subject of an expansion in 2007 under DA 2007/616 (ie the DA approved expansion into the lots that contain the E2 and B7 zoned land). In addition, the REF allows for further expansion, which enables existing use rights to be utilised to expand the development into B7 and E2 zoned areas of the property.

Any draft instruments on applies or on exhibition pursuant to Section 47(b) or 66(1)(b):

No draft instruments apply.

(iii) any Development Control Plan in force under Section 72:

Port Macquarie-Hastings DCP 2011

The development complies with the subject DCP – refer to the assessment table at the end of this report.

(iiia) any planning agreement that has been entered into under Section 93f or any draft planning agreement that a developer has offered to enter into under Section 93f:

No planning agreement has been offered or entered into relating to the site.

iv) any matters prescribed by the Regulations:

NSW Coastal Policy 1997

The proposed development is consistent with the objectives and strategic actions of this policy.

Demolition of buildings AS 2601 – Cl. 66 (b)

Demolition of the existing buildings on the site is capable of compliance with this Australian Standard - condition recommended.

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments and the social and economic impacts in the locality:

Context & Setting

Adjoining the site to the north is additional airport lands, rural residential land and sporting ovals. Beyond that is a mixture of residential, tourist and commercial uses.

Adjoining the site to the east, south and west is airport lands. Beyond that is vegetated rural and environmental land and further residential to the east. Further south is Area 13, which is designated to be developed for urban purposes over the coming years.

The proposal will be unlikely to have any adverse impacts to existing adjoining properties and satisfactorily addresses the public domain.

Access, Transport & Traffic

Roads

Access to the Port Macquarie airport is primarily provided through Tuffins Lane and Boundary Street in Port Macquarie

Tuffins Lane is currently a two-lane two-way sealed road under the care and control of Council. Tuffins Lane is primarily used as access road to the Panther's sporting fields and gated access to the airside of the airport. With the proposed upgrade, a portion of Tuffins Lane is intended to be closed to the public facilitate additional airside space required with upgrade. The area of closure is defined as Lot 103, DP 1127168, and is supported with a Council REF, and will be facilitated through the Roads Act, 1993. Plans have been included showing proposed cul-de-sac terminations to enable vehicles to turn around in a forward manner on either side of the closure. Large bus vehicle access and turn around will be accommodated through the existing Panther's sporting field carpark, and bus traffic shall be restricted south of the Panther's sporting field carpark.

Boundary Street is currently a two-lane two-way sealed road under the care and control of Council. Boundary Street serves as the primary access to the Port Macquarie Airport, and is supplemented by Tuffins Lane. Due to the nature of the airport, Boundary Street sees routine times of congestion associated with arrivals and departures.

The Boundary Street & Hasting River Drive intersection is currently a two-way stop controlled intersection with Boundary Street traffic yielding to Hastings River Drive. This configuration is planned to be upgraded to traffic signals, and will be required with future works.

Traffic

It is anticipated that the proposed changes increasing in scale and size of the airport terminal and parking facilities (catering to larger airplanes) will increase vehicle traffic impacts in the immediate and surrounding areas of the airport.

The applicant engaged TTM Group to conduct a traffic study evaluating future intersection improvement alternatives at the Hastings River Drive & Boundary Street. As part of this study, traffic impacts associated with the future airport upgrade were included. Findings of this study determined that:

- The existing giveway/yield (two-way) intersection will experience significant delays and operational problems within approximately 3 years, requiring some form of intersection control such as a roundabout or traffic signals.
- A roundabout would have an operating life of approximately 10 years compared with an operating life for signals exceeding 15 years. However, in the case of a roundabout, within approximately 5 years there would be significant delays and queuing in the west Hastings River Drive approach due to the strong growth in right turn traffic movements from the Boundary Road approach to the Hastings River Drive east approach.
- Intersection and other access operation along Hastings River Drive and the road network in general would benefit from intersection controls made up of a mixture of roundabouts and signals. In this arrangement signals would perform the role of generating traffic platoons and gaps which provide opportunities for traffic to enter the traffic stream at downstream locations from side streets and driveways. This includes providing benefits to the operation of roundabouts due to the generation of platoons and gaps from signals into downstream roundabout circulating lanes.
- Roads and Maritime (formerly RTA) warrants for signalisation are currently not satisfied. However, traffic survey data indicates that warrants will be satisfied within several years.

Overall, the study determined and recommend that planning and design should commence with the objective to signalise the intersection within the next three years.

As need for signalization and intersection improvements are primarily associated with and directly contributed to vehicle movements associated with future airport growth. Pending the findings above, the Port Macquarie-Hastings Council Airport shall be conditioned to support funding for future intersection improvements at the Hastings River Drive & Boundary Street intersection.

Access

Primary passenger access to the airport is currently provided through Boundary Street, with secondary access from Tuffins Lane.

With the proposal it is intended that all construction traffic would utilize Tuffins Lane during the construction period. This would include construction vehicles and trucks carrying aggregates for earthworks and asphalt production. Most movements will occur between 7:00AM and 5:00PM with occasional night deliveries of bitumen (1 or 2 per night).

Limited use of Boundary Street for deliveries are proposed. When proposed these deliveries will occur under specially arranged pre-planned conditions. Specific events may include the decommissioning of the asphalt manufacturing plant and demobilisation of the contractors over a 2 to 3 day period at the beginning and end of the proposed works.

Toward the end of the proposed works, Tuffins Lane is to be proposed to be closed to the public. PMHC is committed to the closure to enable construction of a compliant RESA and clearway at the northern end of the runway. Intersection improvements including potential signalisation at the Hastings River Drive & Boundary Street intersection are to be constructed prior to the closure of Tuffins Lane in an effort to address additional traffic demands on the intersection associated with the closure.

Parking

The application proposes significant changes to the on-site carpark facility associated with the passenger terminal. Carpark facilities will be approximately doubled in size to cater to additional passenger arrivals and departures associated with larger plane departures and arrivals. Changes include isolating the passenger parking facilities with the circulation routes for passenger drop-off and pick-up patterns. Carpark facilities shall comply with Australian Standards (AS2890.1, 2890.2, & 2890.6).

The original design of the carpark had safety concerns around the egress of the carpark and the carpark layout adjacent to the carpark egress. Additional information and design alternatives provided by the applicant have addressed carpark design concerns.

Manoeuvring

Improvements to the carpark propose primarily a one-way circulation pattern and separates carpark manoeuvring from passenger drop-off/pick-up facilities. Appropriate signage is to be installed to facilitate vehicle guidance through the area. Manoeuvring shall comply with Australian Standards (AS2890.1, 2890.2, & 2890.6). Additional information and design alternatives provided by the applicant have addressed previous maneuvering concerns.

Pedestrians

Pedestrian facilities are provided between the carpark and the terminal building. Specifically a raised pedestrian crossing is proposed across circulating lanes of traffic. Pedestrian facilities shall comply with Australian Standards (AS 2890 and AS 1428), as appropriate.

Utilities

Telecommunications and electricity are available. Necessary modifications shall be addressed with the service provider to facilitate increased demands on utilities. In addition, any telecommunication or electricity infrastructure within the area to be closed by Tuffins Lane shall be relocated or placed in easements with the closure of Tuffins Lane.

Stormwater

The proposal contains sufficient area to enable compliance with Councils water quality specifications (AUSPEC D7). Detailed design and modelling is required to be undertaken and submitted with the Construction Certificate plans.

Water

Council records indicate that this site has numerous water meters with the Airport terminal Building having a 40mm metered water services from a 150mm PVC lead in water main from Boundary Street.

The airport zone is to be metered with a 150mm combination meter located in Oliver Drive just west of Keena Place.

Final water service sizing will need to be determined by a hydraulic consultant to suit the domestic, commercial and industrial components of the development, as well as requirements for fire service coverage and backflow protection.

Should road construction (other than surface resheeting) take place over PVC or AC water mains then these are to be replaced in ductile iron. Note that the water main plans provided with the application are not acceptable in their present form.

Sewer

Reticulated sewer is not available to the site. The application was referred to Council's Onsite Waste Management Officer who has raised no objection to the development. The site contains sufficient area to cater for any upgrade and conditions will be imposed to cover changes to the existing onsite waste management system.

Soils

Minor earthworks are required with the application. Conditions will be included to ensure adequate erosion and sedimentation measures are implemented prior to commencing works and maintained until the site has stabilized.

Acid sulfate soils are addressed previously in this report.

Flora & Fauna

Construction of the proposed development will not require any removal/clearing of any significant vegetation and therefore will be unlikely to have any significant adverse impacts on biodiversity or threatened species of flora and fauna. Refer to comments on SEPP 14 and SEPP 44 provided previously in this report for further context. Section 5A of the Act is considered to be satisfied.

Waste

Satisfactory arrangements are in place for proposed storage and collection of waste and recyclables. No adverse impacts anticipated.

Air and Microclimate

Construction phase: potential exists for dust to be generated onsite. The Statement of Environmental Effects (SoEE) indicates that given the location of the adjoining residences some 300m away, dust is unlikely to impact on adjoining residents but dust mitigation measures have been recommended by the SoEE and will be conditioned accordingly.

Odour emissions from the temporary asphalt plant are expected to impact mostly on the residents located to the east of the project site which are located outside the Victorian EPA's recommended 500m buffer (considered best practice), so odour impacts are expected to be minimal.

The SoEE indicates vehicle emissions impact is expected to be minimal given the intermittent activity, low traffic volumes and relatively good dispersal conditions.

Noise & Vibration

The application was considered by Council's Environmental Health Officer who provided the following comments in relation to noise:

Construction: The SoEE uses the 2007 GHD Noise Impact Assessment (NIA) report to assess noise impacts in relation to this current proposal as the consultant has considered the works to be similar in scope and scale but notes this proposal moves works 110m to the north, closer to the residences on the northern side of the airport.

The 2007 NIA indicates the 40dB(A)LA₁₀ (15 min) criteria was likely to be exceeded at the residences immediately to the north of the airport. The SoEE indicates that works will be undertaken during the daytime and of short duration, and are expected to have marginal impact on daytime ambient noise levels. Noise mitigation measures have been proposed to minimise impact and are listed in Table 1 Environmental Management Actions on p.14 of the SoEE. While the NIA considers the night-time asphaltting work, the SoEE doesn't appear to acknowledge the proposed night-time asphaltting of the runway.

The Review of Environmental Factors (REF) indicates the noise environment will be dominated by the asphalt plant which is not part of this assessment but that the 2007 GHD NIA indicated the noise levels from the asphalt plant alone were likely to comply with the then adopted noise criteria and that noise levels from work on the southern end of the runway would not exceed the requirements. It should be noted that the 2007 NIA uses the pre-existing construction noise criteria relevant at that time. The NIA, SoEE & REF all list construction phase noise mitigation measures which will need to be adopted.

Furthermore, the 2007 NIA uses the pre-existing construction noise criteria relevant at that time. The DECCW "Interim Construction Noise Guidelines" is the current reference document and makes reference to Quantitative and Qualitative assessment methods.

For Qualitative assessment, the night-time (10pm to 7am) recommended internal noise level for residences is 35dB(A), which equates to an external noise level of 45dB(A).

The other relevant criteria are as follows:

Daytime: Noise Affected = RBL + 10dB
Highly Noise Affected = 75dB(A).

Outside recommended standard hours: Noise Affected = RBL + 5dB.

Classrooms: Internal noise level = 45dB(A)
Active recreational areas: External noise level = 65dB(A).

The Interim Construction Guidelines advise that where construction works are planned to extend over more than two consecutive nights, and a quantitative assessment method is used, the analysis should cover the maximum noise level and the extent and the number of times that the maximum noise level exceeds the RBL. Guidance regarding the potential for sleep disturbance is provided in the Environmental Criteria for Road Traffic Noise (ECRTN) which has since been replaced by the NSW Road Noise Policy.

The ECRTN (Environment Protection Authority NSW 1999) discussed a guideline aimed at limiting the level of sleep disturbance due to environmental noise, that the LAF₁, 1 minute level of any noise should not exceed the ambient LAF₉₀ noise level by more than 15 dB. This guideline takes into account the emergence of noise events, but does not directly limit the number of such events or their highest level, which are also found to affect sleep disturbance.

The NIA has the LA90 listed for Receiver 5 and 8 as 29dB(A) for Night which is deemed to be 30dB(A). Therefore the LAF1 cannot exceed 45dB(A), however the LAF1 criteria is not detailed in the NIA and so this criteria cannot be assessed.

Alternatively, the NIA does include worst case scenario noise footprints showing noise contours for the progression of asphaltting works. Scenario 1 – construction works located to the north of the terminal building is the worst-case scenario shows that with the exception of residence number three, i.e. R3, located at the northern end of the runway, the noise level at the other receivers will be below the 45dB(A) limit however this was modelled without any noise mitigation measures and so it is expected the night-time noise criterion of 45dB(A) external can be met at R3.

The Guidelines goes on to indicate that where predicted or measured LAeq15 noise levels is greater than the noise affected level, the proponent should apply all feasible and reasonable work practice to meet the noise affected level (Table 2 p.12 Interim Construction Noise Guidelines). As the NIA, SoEE & REF all propose noise mitigation measures, it is expected these mitigation measures would fulfil this requirement for the application of all practical and feasible measures.

Construction noise levels are expected to satisfy relevant noise criteria.

Operation

The Master Plan 2010 states on p32 under section 12.1 Aircraft Noise that in November 2009 PMHC commissioned a noise study to monitor actual levels of aircraft noise exposure recorded at a number of locations in the vicinity of the airport and the approaches. The Master Plan further advises that these actual noise levels were to be used to supplement the noise modelling charts (i.e. ANEF & ANEI) presented in the Master Plan and provide a benchmark for future monitoring of aircraft noise at the airport. It is assumed that the actual monitored noise levels will also be submitted to Airservices Australia along with the noise modelling charts for certification but please note that these actual monitored noise levels have not been sighted for this assessment.

The Master Plan 2010 advised that within the 20 ANEF and 25 ANEF land use authorities may require the incorporation of noise control features in the construction of new residential and educational facilities.

The Master Plan 2010 also advises that for existing communities already living near major airports, the Australian Government has given an undertaking in its *National Aviation Policy White Paper* to develop a framework for an industry-funded noise insulation program to protect existing areas from the impacts of aircraft noise. The program will be consistent with approaches taken at Sydney and Adelaide where insulation measures have been provided for public buildings in the 25 ANEI, for houses in the 30 ANEI and for voluntary acquisition above the 40 ANEI.

From viewing the 2009 aerial photograph there are no existing residences in the 30 ANEF. It is unknown whether the Port Macquarie Airport is defined as a major airport but this criterion can be used for guidance.

The SoEE indicates the operational noise levels between existing (2009) and future (2030) noise levels will increase marginally but considers the overall noise impact unlikely to be significant given the noise levels are within typically accepted limits, there's only a marginal increase and impacts are expected to be of short duration and low frequency.

From the ANEF charts, the educational facilities located adjacent to the airport are located in the <20ANEF which is deemed 'acceptable' for schools etc.

The residences located to the north are located in the 25ANEF which is deemed 'conditionally acceptable' and it is expected that Airservices Australia will address any noise impact related issues when considering the noise modelling charts submitted for certification.

Natural Hazards

The site is identified as being both bushfire and flood prone. Flooding has been addressed earlier in this report. In terms of bushfire, the actual hazard is over 250m from the terminal and unlikely to create any adverse impact. Suitable cleared separation exists onsite to also manage any threat.

Safety, Security & Crime Prevention

The application was referred to Council's Crime Prevention Officer who provided the following comments in light of Crime Prevention Through Environmental Design (CPTED) principles:

*The design appears to be well set out with clearly defined movement encouraged through clear definition of space and movement of passengers both inbound and departing. The amenities are well placed within easy view of natural guardians and other passengers.
Natural surveillance is also good with clear lines of sight throughout a majority of the complex.*

Based on the above comments, it is considered that the proposed development will be unlikely to create any concealment/entrapment areas or crime spots that would result in a loss of safety or security in the area.

Social Impact in the Locality

A Social Impact Statement (SIS) was submitted with the application and concluded that an overall positive social and economic impact would occur to the area. This occurs as a result of the employment, improved air services to the area and flow on impacts (ie increased expenditure) associated with the upgrade. This report considers there will be limited adverse social impacts, with the majority already occurring (ie noise from aircraft) with no significant increase proposed.

Economic Impact in the Locality

The development will have an overall positive economic impact on the area. This occurs as a result of the employment, improved air services to the area and flow on impacts (ie increased expenditure) associated with the upgrade.

The applicant has also advised that the development will have no impact on Council's general fund or the level of rates paid by ratepayers.

Site Design and Internal Design

The proposed development design satisfactorily responds to the site attributes and will fit into the locality. Council's Community Development Officer Aged & Disability has also reviewed the application and was accepting of the proposal subject to conditions being imposed to assist people with a disability use the facility. The conditions have been incorporated into the consent.

Construction

No potential adverse impacts identified to neighbouring properties with the construction of the proposal. Conditions will be imposed to control construction noise.

Cumulative Impacts

The proposed development is not expected to have any adverse cumulative impacts on the natural or built environment or the social and economic attributes of the locality.

(c) The suitability of the site for the development:

The proposal will fit into the locality and the site attributes are conducive to the proposed development.

(d) Any submissions made in accordance with this Act or the Regulations:

Eleven (11) written submissions were received following completion of the required public exhibition of the application, comprising ten (10) objecting and one (1) supporting the proposal.

A list of names and addresses of members of the public who have lodged submissions is provided as an attachment to this report.

Issues raised in the submissions received and comments in response to these issues are provided as follows:

Submission Issue/Summary	Planning Comment/Response
How is the development to be funded. What happens if there is a cost blowout etc.	From an assessment point of view, the source of funding for a project and the viability of such funding/the project are not a matter for consideration. Such a submission is a matter for the Council from an operational/ownership aspect.
The closure of the east/west runway 10/28 should not be closed as this will impact on the use of the airport by smaller/general aircraft and loss of safety via a reduction in a backup airstrip.	The closure of the 10/28 runway is an operational decision and forms part of the REF – not part of this application. Such a submission or concern is a matter for Council from an operational/ownership aspect.
Closure of Tuffins Lane will impact on safety and create traffic congestion. Another access should be provided for emergency purposes.	The closure of Tuffins Lane forms part of the REF and is not part of this application. However, it should be noted that the impacts of closing Tuffins Lane have been considered in the Access, Transport and Traffic section of this report. In particular, the assessment has shown that the development, including closure of Tuffins Lane, will still perform at an acceptable level, subject to the imposition of conditions.
The notification period was insufficient.	The development was notified in accordance with Council's DCP 2011.
The upgrade is not necessary. Virgin has ceased jet aircraft flights, turbo prop aircraft are more fuel efficient/popular, the runway can already cater for longer flight destinations (ie Melbourne).	The decision to proceed with the upgrade has been made by the applicant. The commercial viability of the decision is not a matter for consideration in this assessment. Such a submission or concern is a matter for Council from an operational/ownership aspect.
The boom gates to the carpark create a traffic issue.	The carpark layout has been accepted by Council's Engineers. Refer to comments on Access, Transport and Traffic in the main body of this assessment.
Support upgrade including carpark extension. Forms a critical piece of infrastructure for the area.	Comments noted.
The upgrade should be done properly rather than incremental patches/smaller upgrades.	The decision to proceed with the upgrade has been made by the applicant. The commercial viability of the decision is not a matter for consideration in this assessment.
A number of submissions suggested options for the upgrade. For example, 2 storey terminal, additional runway to the west of the existing main runway, keep runway 10/28, sewer should be extended to the site, smoking areas should be provided onsite with adequate ventilation or not at all etc.	The assessment is for the consideration of the proposal as submitted. Council can only require changes if there is an issue of non compliance. As this report is accepting of the proposal, the suggested design changes should be directed to the owner/manager of the land.
Does not meet CASA requirements.	CASA were sent a copy of the application out of courtesy, but did not respond within the

	statutory timeframe. CASA have the ability to provide feedback in relation to the management of the airport. It will be up to Council's Airport Manager to have these discussions.
Will the development increase noise to the Tudor Grove area.	Refer to comments on Noise in the main body of this assessment report. Indications suggest there will be limited adverse noise impact. The closure of runway 10/28 may reduce noise impacts as flights are forced to take a north/south flight path rather than the east west flight path offered by runway 10/28, towards Tudor Grove.
The location of the proposed fence will funnel kangaroos and other wildlife into the car park.	The development will not significantly change the entrance to the car park to that which exists onsite at present.
There is existing infrastructure located in areas to be upgraded.	The applicant will be responsible for the relocation of any infrastructure or services onsite and any associated cost.
Boundary Street should be fixed up.	Refer to comments on Access, Transport and Traffic in the main body of this assessment. There are plans to upgrade sections of Boundary Street and the intersection with Hastings River Drive.

(e) The Public Interest:

Issues of concern raised in submissions received following public exhibition of the proposal have been addressed earlier in this report.

The proposed development satisfies relevant planning controls and is not expected to impact on the wider public interest.

Upgrading of the airport is considered to be of significant economic and social benefit.

Council Policies

Development Applications - Conflict of Interest

Being a development application on Council land, the application was referred to the Director of Development & Environment under the policy to determine whether the application could be assessed by Council staff or whether an external consultant should be used. The Director confirmed that the application could be assessed by existing staff.

During the notification period, eleven (11) submissions were received. The subject policy further requires that when a Council Development Application receives submissions, the Director of Development & Environment is to advise the General Manager, who is then to determine whether to continue to use internal staff to assess the application or use external staff. In this case, the decision has been made to continue using internal staff to assess the application on the basis that the JRPP will be the determining authority and provides a level of independence to the assessment and aids in removing any conflict of interest.

Based on the above, the development is compliant with the subject policy.

Airport Masterplan 2010

The proposed development is in line with the direction of the Airport Masterplan 2010, which was established to cater for upgrades such as proposed.

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

The proposal relates to a Council development application and contributions are therefore not applicable..

5. CONCLUSION

The application has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

Issues raised during assessment and public exhibition of the application have been considered in the assessment of the application. Where relevant, conditions have been recommended to manage the impacts attributed to these issues.

The site is suitable for the proposed development, is not contrary to the public's interest and will not have a significant adverse social, environmental or economic impact. Consequently, it is recommended that the application be approved, subject to the recommended conditions of consent provided in the attachment section of this report.

ATTACHMENTS

Recommended Conditions Assessments Tables

Port Macquarie Hastings Development Control Plan 2011

DCP 2011 Requirement	Proposed	Complies
Signage		
DP1.1 Signage complies with SEPP 64	None proposed.	N/A
DP 2.1 Signs identifying products or services are not acceptable. Council may allow 1/3 of sign to contain product or service advertising but must relate to what is undertaken onsite.	None proposed.	N/A
DP 2.2 Artificial illuminated signs within residential areas must cease at 9pm.	None proposed.	N/A
DP 2.3 Reflective, luminous and flashing signs not permitted as with	None proposed.	N/A

signs in trees and signs made of canvas/calico.		
DP 2.4 Signage not permitted outside of property boundaries, except where mounted upon buildings and clear of pedestrians/traffic.	None proposed.	N/A
DP 2.5 On premise chalkboard signs allowed when no larger than 1.5m ² and contain heading of premises.	None proposed.	N/A
DP 2.6 On premise signs not to project above or to the side of building facades.	None proposed.	N/A
DP 3.1 Restrictions on signage on the Pacific Highway	None proposed.	N/A
DP 3.2 Tourism signs on Bago Rd, Beechwood Rd, Hastings River Dr, Houston Mitchell Dr, Kew Rd, Ocean Dr & John Oxley Way must be 500m apart.	None proposed.	N/A
DP 3.3 Tourism signs shall indicate location of the facility.	None proposed.	N/A
DP 4.1 Tourism signs no greater than 6m long x 3m high (ie 18m ²)	None proposed.	N/A
DP 4.2 Tourism signs may require lower 0.5-0.6m be used for a local tourism slogan.	None proposed.	N/A
DP 4.3 Council may permit the use of both sides of a sign.	None proposed.	N/A
Notification/Advertising		
Development has been notified in accordance with DCP 2011	The development has been notified in accordance with the DCP.	Yes
DP 6.1 Social Impact Assessment required	A Social Impact Statement was submitted as requested by Council's Social Planner.	Yes
Crime Prevention		
DP 1.1 CPTED principles	Refer to comments on	Yes

considered.	Safety Security and Crime Prevention in the main body of the assessment report.	
Environmental Management		
DP 1.1-3.1 Heritage considerations	Refer to comments on heritage in the main body of the assessment report under the Port Macquarie Hastings LEP 2011.	Yes
DP 4.1-7.4 Cut & Fill & Retaining Wall requirements	None proposed.	Yes
DP 10.1 Habitat offset requirements where vegetation removed. VMP required for any environmental land.	No vegetation proposed to be removed, except that detailed in the SEPP 14 comments in the main body of the assessment report (ie boundary fence construction). VMP can be conditioned to cover such minor work.	Yes
DP 11.1- 12.5 Hollow Bearing Tree Requirements & Offsets	As per above comment.	Yes
Tree Management		
DP 1.1-3.9 Management of trees and associated removal.	As per comment on 10.1 above.	Yes
Hazards Management		
DP 3.1-4.1 Development within Clause 7.7 LEP area not to be bird attracting, dust etc emission producing.	Development is not bird attracting.	Yes
DP 5.1 Lighting requirements within Clause 7.7 LEP area	To be conditioned. Council's Airport Manager co-ordinating the upgrade would be aware of these requirements.	Yes
DP6.1 – Development to comply with Planning for Bushfire Protection Guidelines 2006	Refer to comments on Natural Hazards in the main body of the assessment report.	Yes
DP 7.1 APZ's outside environmental zones and contained within private property.	Refer to comments on Natural Hazards in the main body of the assessment report.	Yes
DP 7.2-7.3 Perimeter roads to all urban areas	Refer to comments on Natural Hazards in the	Yes

adjoining environmental zones and design requirements	main body of the assessment report.	
DP 10.1 Development complies with LEP flood clauses and Floodplain Management Plan.	Refer to comments on Natural Hazards in the main body of the assessment report.	Yes
DP 12.1 Stormwater complies with Auspec	To be conditioned.	Yes
Transport, Traffic Management, Access and Car Parking		
DP 1.1-1.3 New roads are designed in accordance adopted specifications.	Refer to comments on Access, Transport & Traffic in the main body of the assessment report, which accept the changes proposed to roads, driveways, parking in the area, subject to conditions.	Yes
DP 2.1-2.3 New direct access to arterial or distributor road not permitted and existing accesses rationalised where possible.	Refer to comments on Access, Transport & Traffic in the main body of the assessment report, which accept the changes proposed to roads, driveways, parking in the area, subject to conditions.	Yes
DP 3.1-3.3 Off street parking is provided in accordance with Table 2. Where a use does not fall within a listed definition a parking demand study will be required. Credit can be provided as per DP 4.1 and 5.1.	There is not set rate for an airport terminal. However, the existing car park contains approximately 175 spaces and accommodates a current peak period of 300 passengers (150 arriving and 150 departing). The upgrade will provide a revised car park containing 300+ spaces, while the peak period is expected to rise to 450 passengers (225 arriving and 225 departing). The current 175 spaces represents 58% of passenger numbers, while the proposed 300+ spaces will represent a minimum 66% of passenger numbers. In this regard, the number of parking	Yes

	spaces per passenger will be improved with the upgrade and is deemed acceptable. Being a Council facility on Council land, there is further area available onsite to expand the car park should it later be required.	
DP 7.1-9.3 Visitor parking must be: <ul style="list-style-type: none"> • Identifiable from the street. • Line marked. • Behind the building line unless stacked in driveway (or as per DP 7.5), results in improved open space or screened by minimum 3m landscape. • Designed in accordance with AS 2890 1&2 and AS 1428 (disabled) • Include bicycle & motorcycle parking. 	Refer to comments on Access, Transport & Traffic in the main body of the assessment report, which accept the changes proposed to roads, driveways, parking in the area, subject to conditions. In addition, the car park is suitably located onsite and landscaped according to the intended use.	Yes
DP 10.1 Heritage item incentives	Do not apply in this case.	N/A
DP 11.1 Contributions for parking	Do not apply in this case.	N/A
DP 12.1-12.5 Landscaping of parking areas should: <ul style="list-style-type: none"> • Include tiered landscaping design. • Provided throughout the car park and perimeter. • Provide shade. • Provide screening. • Not affect sight lines, especially near entry/exit points. 	The site layout contains sufficient area to establish suitable landscaping onsite in accordance with the DCP and having regard for the nature and use of the site (ie isolated car park associated with an airport). A detailed landscape plan will be conditioned.	Yes
DP 13.1-13.2 Landscaping requirements on Council	None proposed.	N/A

land.		
DP 14.1-14.2 Car parking seal requirements.	To be conditioned.	Yes
DP 15.1-15.2 Driveway grades for the 6m shall not exceed 1 in 20 (5%) with transitions being minimum 2m long.	Refer to comments on Access, Transport & Traffic in the main body of the assessment report, which accept the changes proposed to roads, driveways, parking in the area, subject to conditions.	Yes
DP 17.1 & 18.1 Parking areas should avoid concentrated runoff and be drained to swales, rain gardens etc..	Refer to comments on Access, Transport & Traffic and Stormwater in the main body of the assessment report, which accept the changes proposed to roads, driveways, parking in the area, subject to conditions.	Yes
DP 17.2 Vehicle washing facilities are provided on permeable or grassed areas. Where there is risk of runoff/pollution a roofed and bunded wash bay will be required.	None proposed.	N/A
DP 19.2-20.3 Loading bays: <ul style="list-style-type: none"> • Min 3.5m wide x 6m long & 5m high. • Separate from visitor parking. • Limited number of employee parking may be utilised. • Must allow vehicles to stand onsite and not impact on surrounding area. • Must ultimately be designed to suit the vehicles intended to use them. • External bays require 1 bay for 500m² floor space or 1 bay for 1000m² site area. 	There are minor commercial components within the terminal (ie kiosk & car hire), which at times will require loading facilities. In this regard, a loading bay is included in the revised carpark layout.	Yes

<ul style="list-style-type: none"> Commercial <500m² do not require bay. Commercial 1 bay for first 1000m² floor space and 1 bay for every 2000m² after. Integrate into the design and be setback/screened. 		
DP 21.1-21.3 Detailed plans of turning areas are to be provided to show that the site can accommodate the vehicles that use it	Refer to comments on Access, Transport & Traffic in the main body of the assessment report, which accept the changes proposed to roads, driveways, parking in the area, subject to conditions.	Yes
DP 21.4-21.5 Driveways 6m from tangent point of kerb radius, 1.5m from another lot and not in intersection.	Refer to comments on Access, Transport & Traffic in the main body of the assessment report, which accept the changes proposed to roads, driveways, parking in the area, subject to conditions.	Yes

Submission List