

## SOUTHERN REGIONAL PLANNING PANEL

### ASSESSMENT REPORT SUMMARY AND RECOMMENDATION COVER SHEET

SRPP No	2018STH028
DA Number	0523/2018
Local Government Area	Shellharbour City Council
Proposed Development	Two stage development consisting of the construction of a new passenger terminal building and upgrade of the short term and long term carparks (Passenger Transport Facility)
Location	Lot 10, DP 1157377, Airport Road, Albion Park Rail (Illawarra Regional Airport)
Applicant	Shellharbour City Council
Owner	Shellharbour City Council
Number of Submissions	Nil
List all documents submitted with this report for the panel's consideration	Attachment 1 – Recommended Conditions Attachment 2 – Architectural Plans Attachment 3 – SEPP 64 Compliance table Attachment 4 – Shellharbour Development Control Plan 2013 Compliance Table Attachment 5 – Heritage Items Table Attachment 6 - GHD (April 2017) Fire and Rescue NSW - Albion Park Training Facility Environmental Site Assessment – PFAS. (2016 ESA) Ref No. 21/25583.
Recommendation	Approval subject to conditions
Report prepared by	Madeline Cartwright, Senior Development Assessment Officer
Signature	
Report endorsed by	Grant Meredith, Group Manager City Development
Signature	
Report endorsed by	Melissa Boxall, Director Community and Customers
Signature	
Date of report	22 May 2019

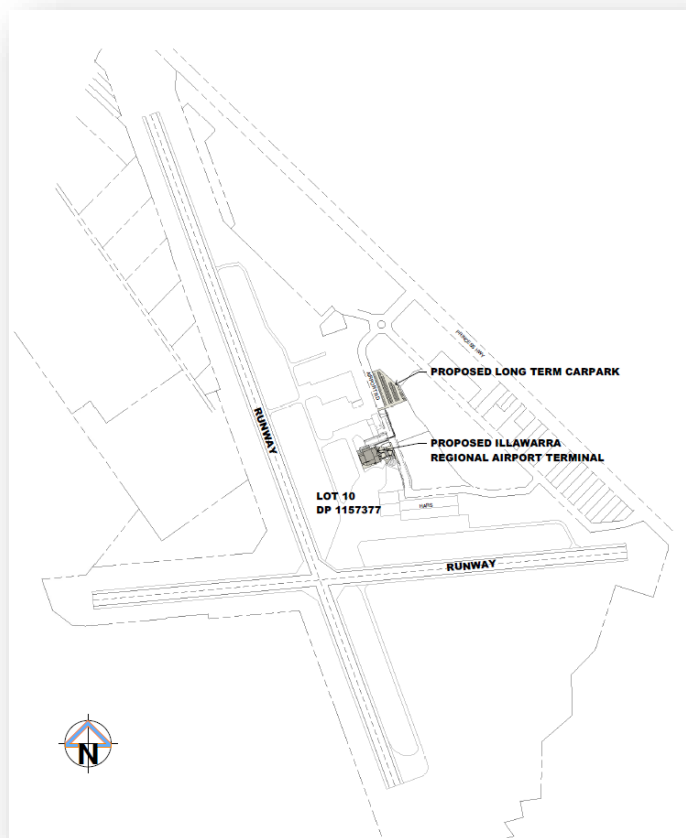
## 1. Purpose Of This Report

The purpose of this report is to seek Southern Regional Planning Panel's (SRPP hereafter) determination of a development application to construct a building to be used for the purpose of an airport passenger terminal with associated long term and short term parking areas.

The proposal is being referred to the SRPP as the proposal has a capital investment value of \$10,000,000 and is on land owned by Council. Accordingly, the development is classified as Regionally Significant Development. Under Part 4, Division 4.2, Section 4.5(b) of the *Environmental Planning and Assessment Act 1979* the SRPP is the Determining Authority.

## 2. Site Description

The Illawarra Regional Airport is an established local airport located on Airport Road to the west of the Princes Highway in Albion Park Rail, in the Shellharbour Local Government Area. The proposed passenger terminal (referred as the terminal hereafter) will be sited to the east of the main runway on the western side of Airport Road. See **Figure 1** below for location plan.



**Figure 1 - Location Plan**

The existing temporary terminal building is located to the south of the development site, to the north are existing hangar buildings which accommodate various aircraft related uses. To the south is the Historical Aircraft Restoration Society (HARS) Museum including the Boeing 747 Airplane and is a permanent tourist attraction for the Airport.

The existing temporary terminal will be removed from the site and the area rehabilitated with the ultimate surface treatment of turf.

### 3. Background to Development Site

The Illawarra Regional Airport was originally constructed as a Royal Australian Air Force pilot training facility during World War II. Prior to this the area was farmland. In the 1960's Council was granted occupancy of the site from the Commonwealth Government. Part of the Council's responsibilities is to operate and maintain the airport in compliance with the Civil Aviation Authority (CASA) standards and that the airport is to remain open to public use and permit open, unrestricted and non-discriminatory access by airline and aircraft operators. Various charter and Regular Passenger Transport flight services as well as training and maintenance facilities have operated at the airport from the 1970's. The National Safety Council and later NSW Health Department operated helicopter rescue from the airport. The Commonwealth Government withdrew from the local ownership plan in 1990 and since that time Council has had sole responsibility for developing, operating and maintaining the air facility.

In 1993 Council opened a two storey terminal building which included full catering amenities. The location of this previous terminal was on the same site as the proposed terminal, however, the proposed Terminal will have a larger footprint and will be single storey.

Figure 2 below is an aerial photo from 1995 which shows the old terminal building highlighted.



**Figure 2 - Aerial photo from 1995 - Old Terminal Building**

The interior of the old terminal building was destroyed in a fire in 2013 and the building was demolished due to the damage caused by this fire. The site has been vacant since this time.

In 2017 a temporary passenger terminal building was constructed to the south of the application site to facilitate the recommencement of passenger services at the airport. This

temporary building will be removed from site within three months of the issue of an Occupation Certificate for the permanent terminal and the land will be then returned to turf. This has been secured by recommended condition included in **Attachment 1** of this report.

#### **4. Description of Development**

The Development Application (DA) seeks approval for the construction of a single storey passenger terminal building with associated parking areas.

The building will be a stand alone structure with a floor area of approximately 1,609 m<sup>2</sup>. The building will be developed in two stages as follows:

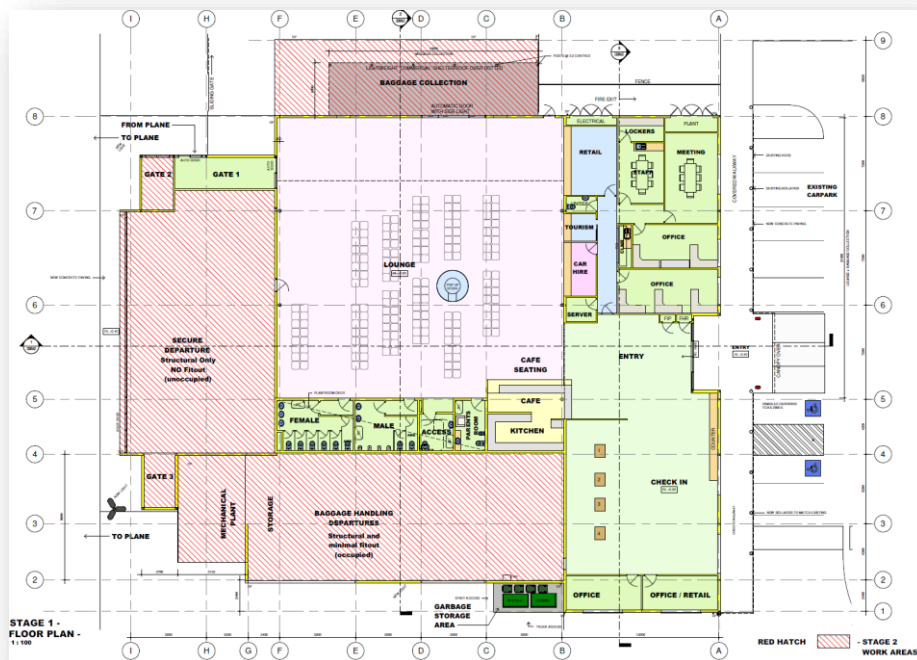
##### Stage 1

- Entry hall
- Four check in counters
- Lounge area with seating for approximately 176 people and pop up retail space
- Temporary light-weight awning for baggage collection
- Structural elements and external claddings of departure area and three gates (fit out included in stage 2)
- Café area with associated seating
- Structural elements and roofing for open air baggage handling departure lounge, storage room and mechanical plant.
- Amenities' for passengers and staff
- Expanded office facilities including two office rooms, staff room and one meeting room.
- Car hire counter
- One retail shop
- Tourism counter
- Additional office/retail space
- Passenger pick up and drop off facilities
- Storage areas
- Landscaping
- All car parking areas

## Stage 2

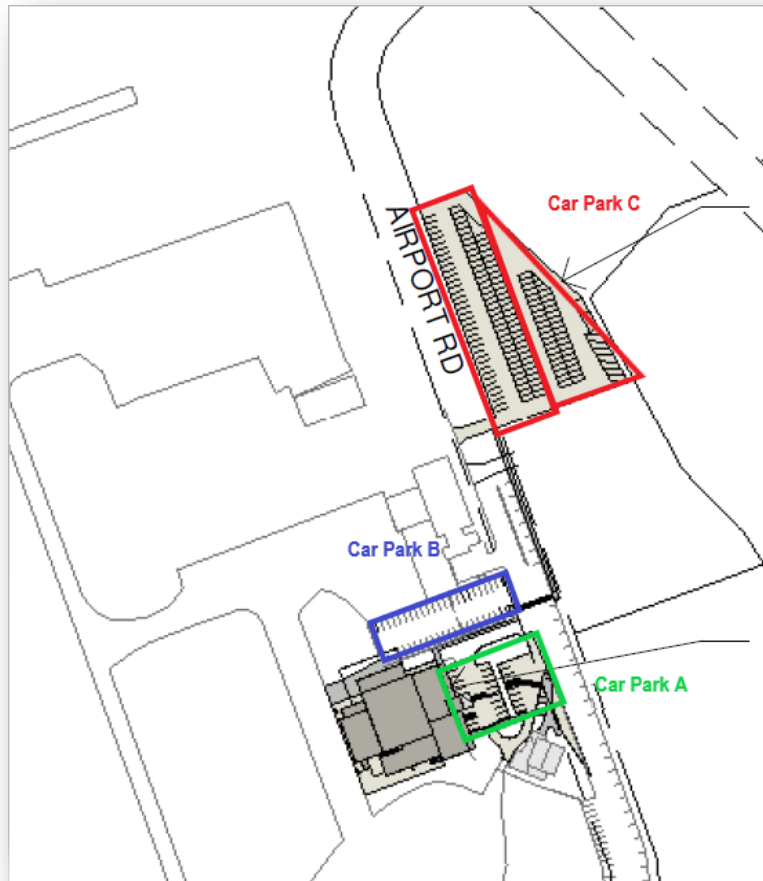
- Full fit out of the secure departures lounge and three gates for use
- Upgrade of the arrival and departures baggage handling areas including baggage carousels

Figure 3 below shows the proposed floor plan of the terminal. The areas shown in red hatching indicate the areas that will be fitted out as part of Stage 2.



**Figure 3 - proposed floor plan**

The parking areas proposed as part of this development are divided into three separate areas: **Figure 4** below shows the location of these car parks.



**Figure 4 - Car Park Locations**

- The terminal facility would include a total of 203 car parking spaces with 5 of these spaces accessible.
- Car Park A – Drop-off and pickup area – located directly to the east of the terminal building. This parking area will have 24 spaces including two accessible parking spaces. The car park will include landscaped areas and pedestrian walkway. A new road would be constructed off Airport Road to turn into the drop off and pick up area.
- Car Park B – Short term car park – existing parking area located to the north of the terminal building. This parking area will have 36 spaces and alterations proposed as part of this development include re-surfacing and a modified fence line with boom gates and lighting.
- Car Park C – Long term car park – located approximately 130 metres to the north of the terminal building on the eastern side of Airport Road. The long term parking area will have 136 spaces (including 3 accessible spaces). The development includes a new perimeter fence around the car park and a boom gate and pay station at the entrance.

Proposed operating hours for the terminal and associated car parks are between 5.30am and 9.00pm. This is as existing for the temporary terminal. An operating hours condition has been

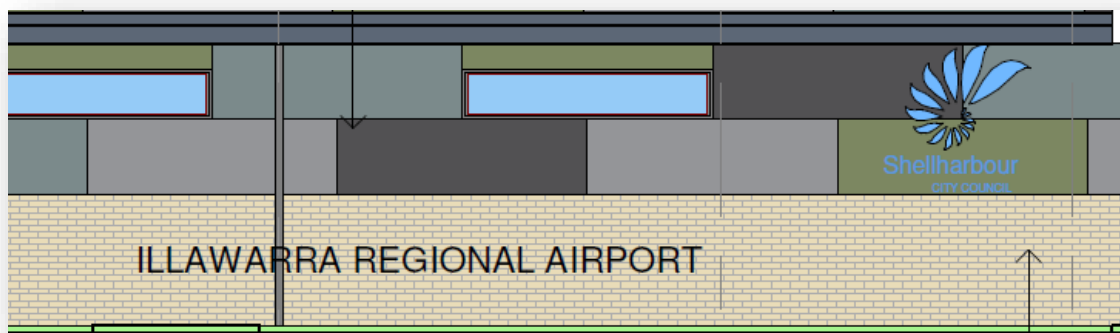


included in the recommended conditions (**Attachment 1**) the operating hours recommended have been extended to 10.00 pm to allow for flight delays.

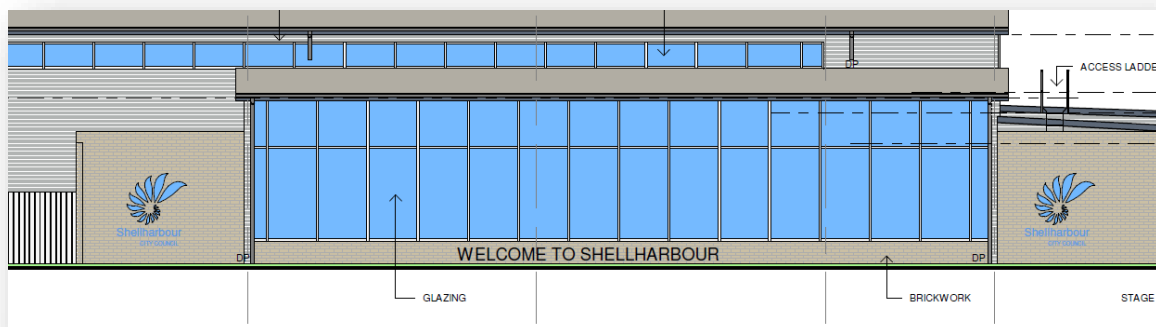
### Signage Proposed

- Three Shellharbour City Council logos. One on the front (eastern) elevation of the terminal fronting the short term car park and two on the airside (western) elevation of the terminal fronting the runway. Each logo will have Shellharbour City Council written underneath. The dimensions of each sign including the writing will be approximately 1.8 metres by 1.7 metres.
- One written sign is proposed on the front (eastern) elevation dimensions approximately 6.7 metres wide by 0.3 metres high.
- One written sign is proposed on the airside (western) elevation. Dimensions approximately 6.4 metres wide by 0.3 metres high.
- None of the signs proposed are illuminated.

Figures 5 and 6 below detail the signage proposed.



**Figure 5 - Proposed Signage Eastern Elevation**



**Figure 6 - Proposed Signage Western Elevation**

## 5. Recommendation

It is recommended that DA No. 0532/2018 (SRPP Ref No. 2018STH028) for a two stage development consisting of the construction of a new passenger terminal building and upgrade of the short term and long term carparks (passenger transport facility) be approved subject to the schedule of conditions included as **Attachment 1** of this report.

## 6. Public Notice Of Application

The DA was publicly notified for a period of 21 days commencing 18 October 2018 and closing 7 November 2018. The notification included a DA notification sign on the land, letters to property owners/occupiers within 50m of the site and an advertisement notice in the local newspaper seeking representations regarding the proposal to be submitted for Council's consideration within the 21 day period. No submissions were received.

## 7. Section 4.15 Environmental Planning & Assessment Act 1979

In determining a development application, a consent authority is to take into consideration matters referred to in section 4.15(1) of the Act as are of relevance to the development the subject of the application:

### 8. Section 4.15(1)(a)(i) - Environmental Planning Instruments

#### 8.1. State Environmental Planning Policy (State and Regional Development) 2011

The Capital Investment Value for this development is \$10,000,000. Schedule 7 Regionally significant development (3) Council related development over \$5 million as follows:

*Development that has a capital investment value of more than \$5 million if:*

*A Council for the area in which the development is to be carried out is the applicant for development consent, or*

*The Council is the owner of any land on which the development is to be carried out, or*

*The development is to be carried out by the council, or*

*The council is a party to any agreement or arrangement relating to the development (other than any agreement or arrangement entered into under the Act or for the purpose of the payment or contributions by a person other than the council).*

The development is on land owned by Council. The development is classed as Regionally Significant Development. Under Part 4, Division 4.2, Section 4.5 (b) of the Act the Regional Planning Panel for the area (Southern) is designated as the Determining Authority.

#### 8.2 State Environmental Planning Policy Coastal Management 2018

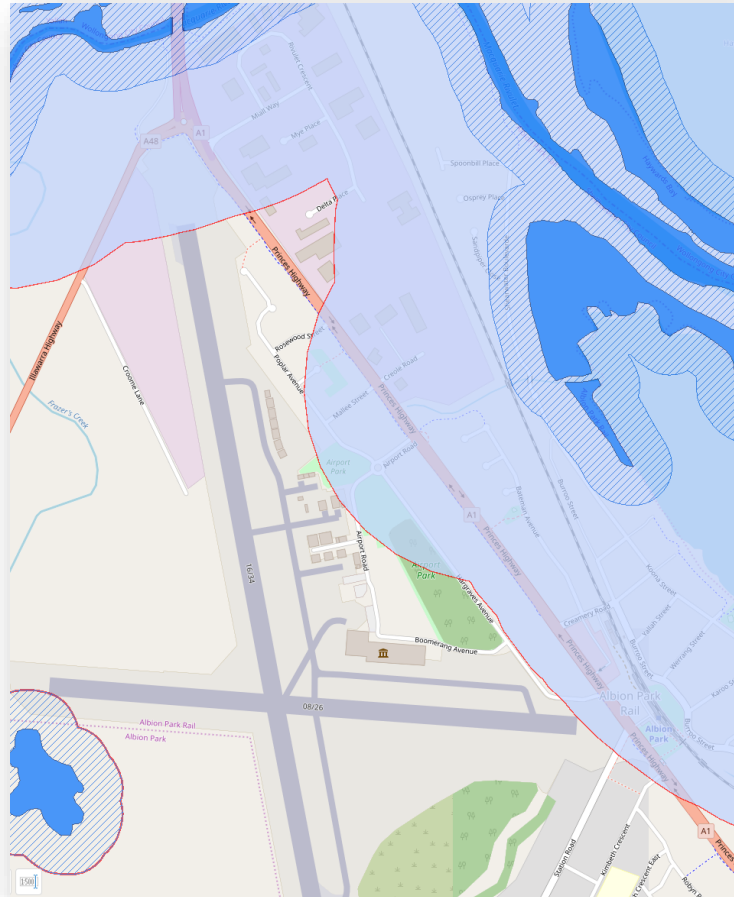
State Environmental Planning Policy (Coastal Management) 2018 (Coastal Management SEPP) applies to land and development within the coastal zone as defined by the *Coastal Management Act 2016*. The Coastal Management SEPP aims to promote an integrated and coordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the *Coastal Management Act 2016*.

In doing so, the legislation requires development to be assessed under a range of considerations (for example, the aims of the policy in Clause 3, Clause 13 and Division 5 of Part 2). The relevant aspects of these matters include considerations such as the suitability of the development and site, visual impacts, impacts on water quality, impacts on Aboriginal

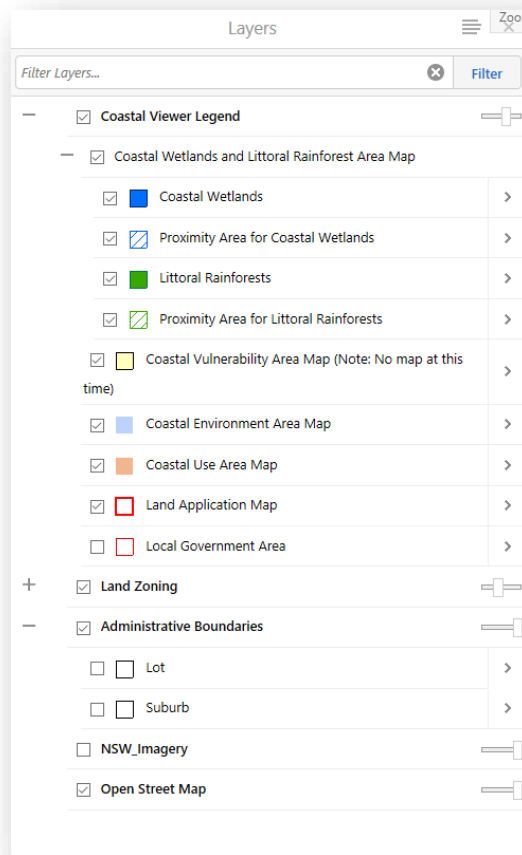


cultural heritage, practices and places and the cumulative impacts of the proposed development.

The subject site is located within the coastal environment area **Figure 7** below is the extract from Coastal Management SEPP Map.



**Figure 7 - Coastal Use Area Map**



**Figure 8 - Legend To Accompany Figure 7**

The matters for consideration pursuant to the Coastal Management SEPP have been considered. The site is not a waterfront property, being approximately 600m from the foreshore of Lake Illawarra. Stormwater has been adequately addressed and suitably conditioned. The proposed development is not likely to cause increased risk of coastal hazards on that land or other land. Given the separation of the site from the coast and the conditions recommended it is unlikely that the development would have an effect on coastal hazards.

### 8.3 State Environmental Planning Policy No. 55 – Remediation of Land

The land on which the terminal building is to be located has been an airport since World War II. Before this, the use was mainly farmland. The site of the long term car park (car park C) is directly adjacent to the Rural Fire Service training site, which is currently under investigation for Per and Poly Fluoroulyl Substances (PFAS) contamination.

A preliminary site investigation was requested and submitted as the level of risk to human health of the development had to be characterised. The preliminary report (*Douglas Partners, Project 78505.03 March 2019*) recommended more intrusive investigations be carried out throughout the development site due to the previous development of the site as a former airport terminal and progressive development of site as identified in the conceptual site model as firefighting foams and unrestricive fill.

Two detailed site investigations were submitted by Douglas Partners for the proposed airport terminal and long term carpark respectively Douglas Partners, Project 78505.04 May 2019. In relation to the proposed airport terminal the detailed site investigation concluded that from a contamination standpoint the site is appropriate for this development, with an unexpected finds protocol to be included in the Construction Environmental Management Plan (CEMP) as required by condition.

The car park C site is within the area of a previous investigation into PFAS contamination carried out by GHD (2017) for the NSW Rural Fire Service, this report has been included as **Attachment 6**. GHD (2017) had two soil test pits and one groundwater test pit within the site of car park C. The groundwater PFAS levels were found to be above the nominated drinking and marine screening levels. The two soil tests however, did find PFAS contamination above the nominated health guidelines for 'residential' zoning, and below those developments of a commercial/industrial nature. GHD concluded that these PFAS exceedances were the result of surface water migration.

In response to this, further detailed site investigations were undertaken by Douglas Partners to ascertain if any future contamination impacts could occur as a result of the activities of the RFS who were using the PFAS attribute chemical. The investigation concluded that future firefighting activities from the NSW RFS do not pose further risk of contamination, and the proposed land use as a car park does not present risk of exposure. The site is appropriate for the proposed use (car park) with no requirement for remediation. Suitable mitigation measures to avoid impacts during construction have been recommended by condition.

Council is satisfied with the conclusions reached by the Douglas Partners 2019 reports, however it is considered necessary to condition Work Health and Safety (WH&S) measures to be taken during construction of the carpark, and that any fill material excavated that is proposed to be taken off site must be tested and classified before disposal, including testing for PFAS contamination. These measures have been suitably conditioned under a CEMP.

#### 8.4 State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64)

The proposed signage is visible from a public place and therefore requires assessment under SEPP 64. **Figures 5** and **6** of this report include the signage proposed.

Pursuant to clause 8 a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- a. *That the signage is consistent with the objectives of this Policy as set out in clause 3(1)(a), and*
- b. *That the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.*

Clause 3 (1) (a) is addressed as follows:

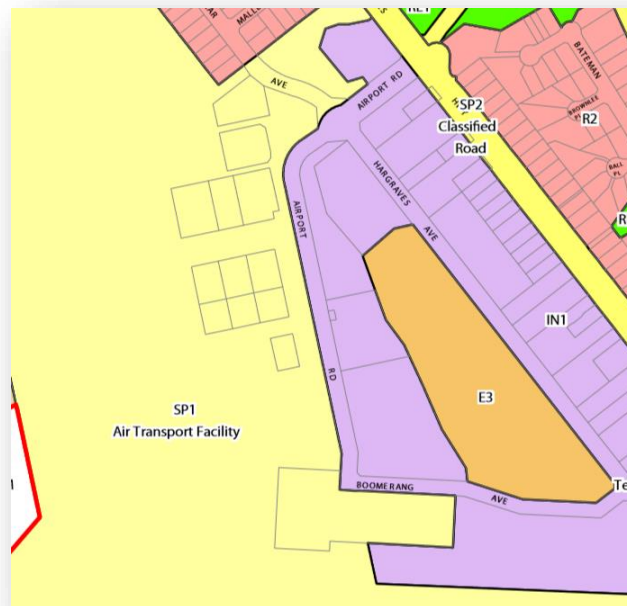
The proposed signage is wall mounted and therefore is wholly contained within the building footprint. The signage is simple and modern and is considered to be compatible with the desired amenity and visual character of the Illawarra Regional Airport. The signage will be used to highlight entrances to the building and will be sited adjacent to these areas and therefore is considered to provide effective communication in suitable locations. The details of the signage provided is considered to be of high quality design and finish.

The proposed signage satisfies the assessment criteria specified in Schedule 1. **Attachment 3** details the assessment criteria and discusses compliance.

## 8.5 Shellharbour Local Environmental Plan 2013 (SLEP 2013)

### 8.5.1 Clause 2.1 and 2.2– Land Use Zones

Under SLEP2013, the land is zoned SP1 – Special Activities (Air Transport Facility) and IN1 – General Industrial. **Figure 9** shows the land zone map.



**Figure 9 - Land Zone Map**

### 8.5.2 Clause 2.3 – Zone Objectives

The SP1 zone objectives as provided in the SLEP2013 are:

- To provide for special land uses that are not provided for in other zones.
- To provide for sites with special natural characteristics that are not provided for in other zones.
- To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.

The special characteristics of the site are an air transport facility.

The IN1 zone objectives as provided in the SLEP2013 are:

To provide a wide range of industrial and warehouse land uses.

- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To encourage the development of industries and to diversify the industrial base of Shellharbour in a manner compatible with the use of the adjacent Illawarra Regional Airport.

Pursuant to the Dictionary of SLEP 2013, the proposal is characterised as a passenger transport facility. The Dictionary defines a passenger transport facility as:

*'a building or place used for the assembly or dispersal of passengers by any form of transport, including facilities required for parking, manoeuvring, storage or routine servicing of any vehicle that uses the building or place'.*

Clause 2.3 (2) of SLEP 2013, states that the Consent Authority must have regard to the objectives for development in the zone. The proposed passenger transport facility is consistent with the objectives of the SP1 zone in that this development will facilitate development that is in keeping with the intended special use as an air transport facility. The development to be contained within the IN1 zone is not inconsistent with the objectives of this zone. Further discussion regarding permissibility has been included in section 8.5.3 of this report.

#### 8.5.3 Land Use Table

The proposed development is required to continue and develop the provision of Regular Passenger Transport (RPT) to and from the Illawarra Regional Airport. The proposed passenger transport facility is considered to be ancillary to the special characteristics of the site as specified in the Land Zoning Map which is an Air Transport Facility. Therefore the development is permitted with consent.

The proposed long term car park (car park C) will be sited within zone IN1 – General Industrial. A car park is noted as a prohibited use within this zone. However, clause 5.12 of the SLEP 2013 states as follows:

Clause 5.12 – Infrastructure development and use of existing buildings of the Crown  
*This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under State Environmental Planning Policy (Infrastructure) 2007.*

Clause 23 of the State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) relates to air transport facilities, this clause states:

*Development for any of the following purposes may be carried out with consent on land within the boundaries of an existing air transport facility if the development is ancillary to the air transport facility:*

- a. *passenger transport facilities,*
- b. *facilities for the receipt, forwarding or storage of freight,*
- c. *hangars for aircraft storage or maintenance,*
- d. *commercial premises,*
- e. *industries,*

- f. *recreation areas, recreation facilities (indoor) or recreation facilities (outdoor),*
- g. *residential accommodation,*
- h. *tourist and visitor accommodation.*

As noted above the definition of a passenger transport facility typically includes associated parking and therefore the proposed long term carpark to be located within the IN1 zone is permissible under the Infrastructure SEPP. As noted above the development is not inconsistent with the zone objectives.

#### 8.5.4 Clause 4.3 – Height of Buildings

The height of buildings map referred to in this clause gives a maximum height of 11 metres. The proposed terminal will be 7.1 maximum height and therefore complies with this clause.

#### 8.5.5 Clause 4.4 – Floor Space Ratio (FSR)

The floor area of the terminal building is 1609 m<sup>2</sup>. The site area is 95.4160 hectares. Therefore the FSR for the proposed building will be less than 1% of the site area. An FSR of less than 1:1 is achieved.

#### 8.5.6 Clause 5.10 - Heritage Conservation

The airport is identified as a locally significant Heritage Item No. I338 due to the part it played during World War II, protecting Port Kembla and for Royal Australian Air Force training. The proposed development is considered to acceptable from a Heritage perspective as the proposed building, carparks and use are compatible with the Heritage Item and are unlikely to have a negative impact on the Heritage Significance.

The applicant has specified that there are no listed Aboriginal sites within the site area and the site area has been previously and repeatedly disturbed by air facility development. The excavation proposed is minor. A suitable unexpected finds condition has been recommended.

With regards non-indigenous heritage the applicant has provided a search to identify the presence of listed sites that are likely to be impacted by the proposal. **Attachment 5** includes the table submitted by the applicant which details the heritage items within proximity of the application site.

In any instance, it is recommended to include a condition that relates to an un-expected finds protocol condition in the event any item is uncovered. This approach is recommended in accordance with the advice received from Councils Heritage Officer.

#### 8.5.7 Clause 6.1 - Acid Sulphate Soils

The subject site is mapped under the Office of Environment and Heritage's predictive classification scheme as an area containing class 4 acid sulfate soils. Class 4 acid sulfate soils (ASS) are likely to be encountered 2 metres below natural ground surface. According to the plans submitted, the depth of the slab and footings will not exceed 1.5 metres. Therefore, no further ASS investigation is required.

Should works beyond 2 metres below natural ground surface or which may lower the water table be expected to occur; the completion of a preliminary acid sulfate soils investigation will be required. Therefore an unexpected finds protocol condition has been recommended in accordance with the referral advice from Council Environment Officers.



#### 8.5.8 Clause 6.3 – Flood Planning

The site is captured by the adopted Council Macquarie Rivulet Flood Study dated February 2017. No flood affectation issues anticipated. A relevant condition has been recommended in accordance with the referral response from Council Flood Engineers relating to structural soundness of the development and storage of materials.

The objectives of this clause can be satisfied subject to conditions to being imposed on the development consent.

#### 8.5.9 Clause 6.4 - Stormwater Management

A conceptual drainage design was provided and is capable of meeting the objectives of the clause and Council's *Development Control Plan* subject to a detailed drainage design submitted as part of the Construction Certificate application. Relevant conditions form part of the recommended condition of consent.

Clause 6.4 (3) of the SLEP 2013 states:

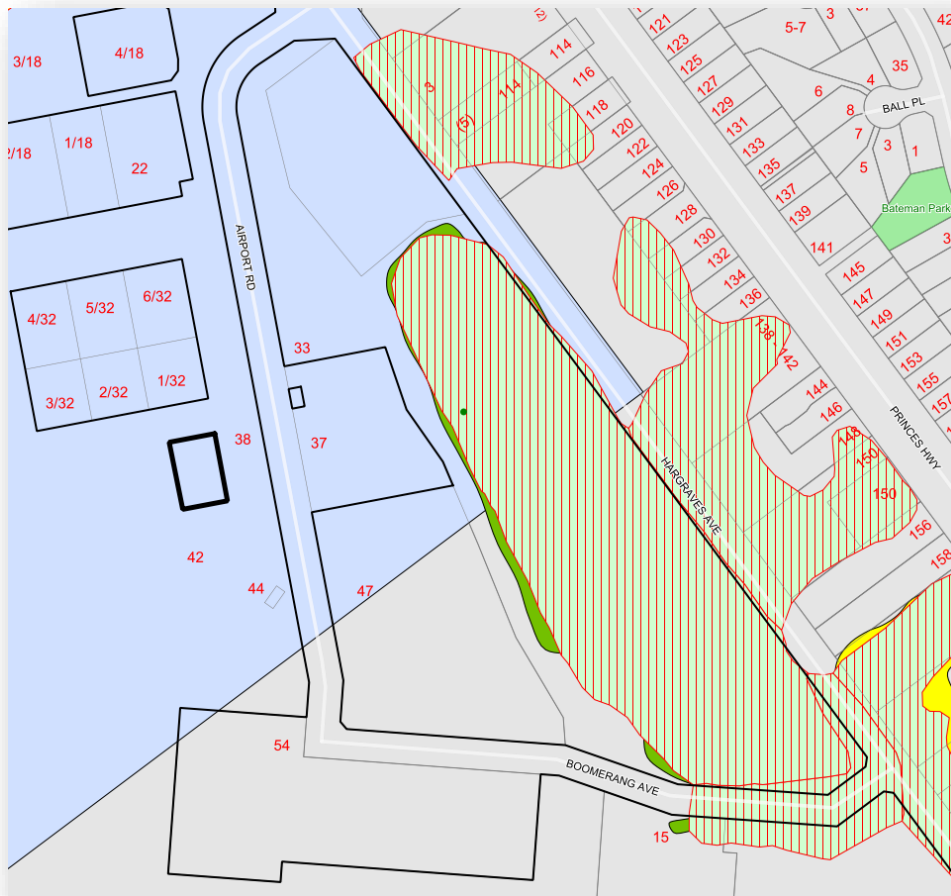
Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:

- a. Is designed to maximise the use of water permeable surfaces on the land having regard to soil characteristics affecting on-site infiltration of water, and
- b. Includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river waters, and
- c. Avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or is that impact cannot be reasonably avoided, minimises and mitigates the impact.

The proposal will not compromise the objectives of this clause. Council is satisfied that the matters listed in sub-clause 3 are suitably addressed.

#### 8.5.10 Clause 6.5 – Terrestrial Biodiversity

The site of the proposed development is within close proximity to a Threatened Ecological Community (Illawarra Lowland Grassy Woodlands). **Figure 10** shows the woodland location.



**Figure 10 - Illawarra Lowland Grassy Woodland (Green/Red Hatching)**

The development does not involve the removal of any of this community and will not encroach near to this area. Therefore Council is satisfied the proposed development will not impact this Endangered Ecological Community. The requirement for protective fencing to be erected prior to any construction works has been included as part of a Construction Environmental Management Plan (CEMP) has been recommended.

#### 8.5.11 Clause 6.7 Airspace Operations

The proposed development will not penetrate the Limitation or Operations Surface for the Illawarra Regional Airport. Suitable conditions relating to plant height, lighting and materials have been recommended in accordance with advice received from the Council's Airport Compliance and Operations Co-ordinator.

#### 8.5.12 Clause 6.8 - Development in areas subject to aircraft noise

The development site is located on land that is within the Illawarra Regional Airport and is in an Australia Noise Exposure Forecast (ANEF) contour of 20 or greater. The site is within an ANEF contour of 20. Council considers that the terminal is likely to be adversely affected by aircraft noise due to its close proximity to the runway. The potential noise exposure for workers and passengers at the terminal has been considered. Relevant conditions have been recommended to ensure that the construction of the building complies with the relevant Australian Standard.

#### 8.5.13 Clause 6.9 Essential Services

Council is satisfied that the essential services included in this clause are currently provided or can be suitably conditioned to be provided.

### 9. Section 4.15(1)(a)(iii) – and Development Control Plan

The proposed development has been assessed under the relevant provisions of the *Shellharbour Development Control Plan 2013* (as amended) (SDCP2013). **Attachment 4** of this report contains a compliance assessment table. The proposed terminal building and associated car parks will comply with the relevant sections of the SDCP.

### 10. Section 4.15 (1) (a)(iv) – The Regulations (To The Extent That They Prescribe Matters For The Purposes Of This Paragraph)

*Environmental Planning and Assessment Regulation 2000*, Division 8A Prescribed conditions of development consent.

### 11. Section 4.15 (1) (a)(v) – (Repealed)

### 12. Section 4.15 (1)(b)- The Likely Impacts Of The Development, Including Environmental Impacts On Both The Natural And Built Environments, And Social And Economic Impacts On The Locality

The proposal has the potential to result in adverse impacts as follows:

#### 12.1 Traffic

A Traffic and Parking Assessment has been prepared to support this application by GHD Traffic and Parking Assessment dated September 2018. This report breaks down the impact on traffic into construction traffic and operation traffic. The recommendations reached by the report regarding construction traffic are that impacts on surrounding road network will be negligible and no road improvements are considered necessary.

With regards to operational traffic, the terminal building will not result in an immediate increase in flights to and from the airport and therefore is not considered to increase the number of trips generated by the airport. Therefore the impact on the surrounding road network will not be any further affected.

It would be reasonable to expect that the improved terminal facility would bring additional passengers to the airport and eventually result in increased flights and routes from the airport. A section of the Princes Highway within the study area has been shown as unsatisfactory and the submitted report has commented that the Albion Park Bypass works currently underway by Roads and Maritime Services would reduce traffic volumes on the Princes Highway at this location. Therefore there are no road improvements recommended. The submitted report has been included in the documentation assessed by Council Traffic Engineers and the recommendations of the report have been supported within the advice provided.

#### 12.2 Parking

Table 13.1 of the SDCP stipulates that the minimum parking requirement that a development must provide. The proposed use is not included in this table and therefore in accordance with advice 13.1.3 parking requirement has been assessed on the merits of the application and has been supported by a parking and traffic impact and needs study.

The submitted GHD Traffic and Parking Assessment dated September 2018 estimates a maximum parking demand of 178 parking spaces. This number assumes all vehicles are single occupancy and all flights are at capacity. The total number of parking spaces proposed as part of the development is 203 spaces. This ensures staff parking is available and includes a total of five accessible spaces. The number, dimensions and layout of the parking provided as part of this development is considered acceptable for the scale of operation at the terminal (including future proofing for additional flights and/or routes when applicable).

### 12.3 Noise and Vibration

#### During Construction:

A detailed construction noise assessment has been provided by the applicant and recommends standard hours for construction works. This has been recommended as a standard condition in **Appendix 1**.

#### During Operation:

As detailed in section 8.5.12 of this report the issue of noise has been considered regarding the impact on workers at the terminal and passengers. Relevant conditions have been recommended to ensure that the construction of the building complies with the relevant Australian Standard.

### 12.4 Flora and Fauna

The development will not result in the loss of any trees or vegetation. The adjoining Endangered Ecological Community (Illawarra Coastal Grassy Woodland) will not be affected and suitable conditions have been recommended to erect protection fences around the section of woodland closest to the long term car park during construction.

### 12.5 Impact On Amenities

The proposed building will be sited within the airport complex, the nearest buildings are commercial use related to the airport. The site is located approximately 290 metres from the nearest residential dwelling. The design, scale and location of the proposed building results in a development which does not impact on the surrounding buildings in terms of solar access or privacy. The proposed terminal will be sited approximately 37 metres from Airport Road and the proposed design and materials are considered to enhance the streetscape within the airport environment.

### 12.6 Airport

The proposed terminal will continue and improve the passenger transport service to and from the airport. During assessment of this DA referral advice was sought from the Civil Aviation Safety Authority (CASA). CASA recommended that the following issues needed to be addressed:

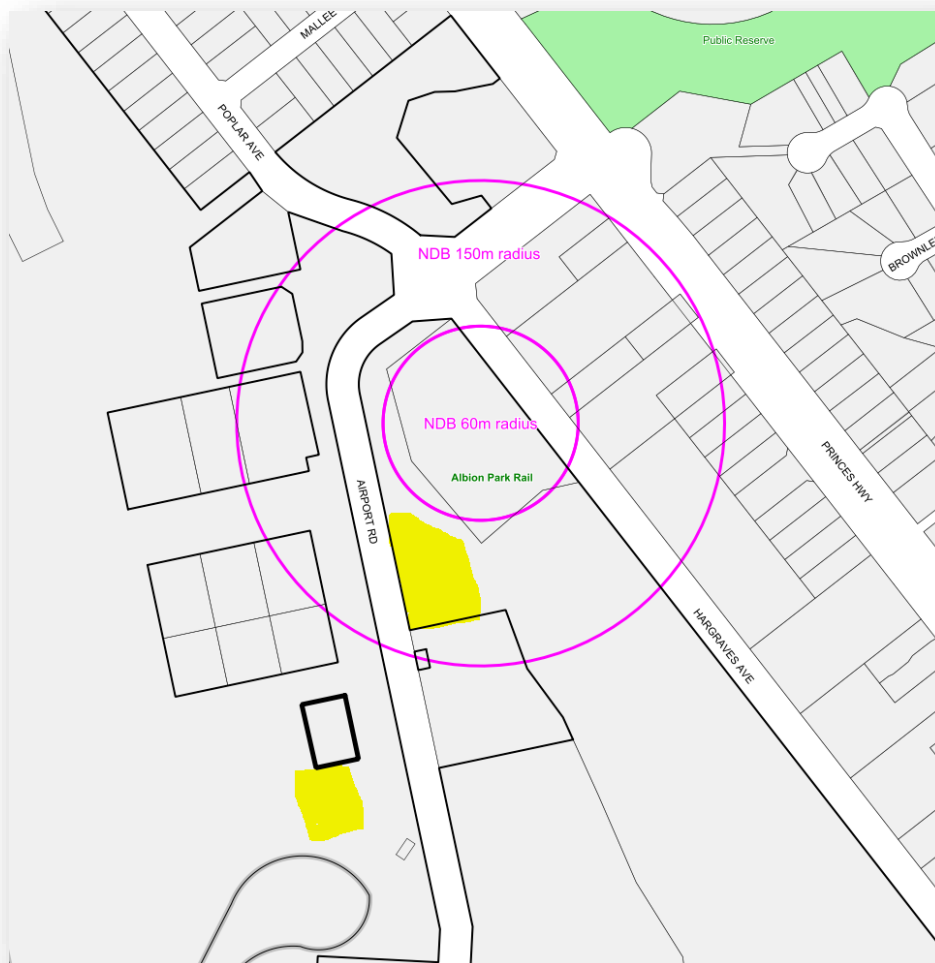
1. *The potential for the development to introduce bird and wildlife hazards that may affect aviation safety should be considered; and*
2. *The integrity and performance of facilities such as the Wind Direction Indicator, and the Bureau Of Meteorology equipment are to be checked when determining the location and construction of nearby structures.*

In response to these issues:

1. Council has considered the potential for the increase in landscaping to introduce bird and wildlife hazards and has recommended mature height maximum condition for trees and vegetation and can confirm that suitable species and locations have been proposed for the landscaping areas.
2. The Airport Manager is currently in discussion with the Bureau Of Meteorology to ensure that all equipment is re-located as appropriate. A suitable condition has been included in **Attachment 1** to require verification that this equipment has been relocated prior to issue of a Construction Certificate.

CASA further recommended that Council ensures that the National Airports Safeguarding Framework guidelines are used when assessing development on and in the vicinity of airports. Council's SLEP 2013 and SDCP 2013 policies relating to the airport were created based on this framework and suitable assessment has been included in this report.

The development site includes land within the Non Directional Beacon (NDB) zone. This is a navigational aid for aircraft flying via instruments. **Figure 11** below details the NDB zone.



**Figure 11 - Non Directional Beacon Zone (Development Site Highlighted)**

**Figure 11** shows that the terminal building is not included in the NDB zone, the long term car park (Car park C) is within 150 metre radius of the NDB and is therefore within the zone. The proposed development within the NDB has been assessed against the recommendations for development in this area as provided by Air services and will not have any impact on the NDB.

### **13. Section 4.15 (1)(c) - The Suitability Of The Site For Development**

The site is considered suitable for the development for the reasons as follows:

- i. The special activity zone within which the site is located is specified under the Land Use Map as Air Transport Facility, the proposed air passenger facility and associated car parks will facilitate this special activity;
- ii. The terminal building is of an appropriate scale and design within the airport facility;
- iii. The use responds to a need for this type of premises within the airport facility;
- iv. There are no major contamination issues that would preclude the development of the terminal or associated car parking spaces on this site;
- v. The proposal is consistent with the provisions of the Shellharbour Local Environmental Plan 2013 and the Shellharbour Development Control Plan.

The development site is appropriately zoned and will be located within an area of air facility uses. The development site is located away from the residential areas of Albion Park Rail. For these reasons the site is considered suitable for the development.

### **14. Section 4.15 (1)(d) - Any Submissions Made In Accordance With The Act Or The Regulations**

The application was advertised for the period of 1 February 2018 – 7 March 2018 in accordance with the requirements of Chapter 2.2 of the Shellharbour Development Control Plan. No submissions were made to Council.

### **15. Section 4.15 (1)(e) - The Public Interest**

The proposal is consistent with the relevant State and Local legislation. The impacts of the development have been assessed and are considered to be acceptable and mitigated by condition where necessary. The proposed terminal will provide a RPT service for the residents and visitors to the Illawarra and will provide employment opportunities within the area either during construction and operation.

As such, development consent of this proposal will not undermine the public interest subject to appropriate conditions being imposed on any development consent.

### **16. Conclusion**

Having regard to *Environmental Planning & Assessment Act 1979* the proposal is consistent with relevant state and local statutory planning policies and controls. In this regard, it is recommended that DA No. 523/2018 (SRPP Ref 2018STH028) for the construction of a passenger transport facility with associated car parks should be approved subject to the schedule of conditions in **Attachment 1**.