

Statement of Environmental Effects Commercial Development Astra Aerolab, Williamtown

Prepared by Barr Planning

for Greater Newcastle Aerotropolis Pty Ltd

October 2022



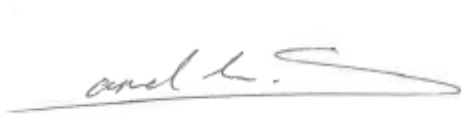
Document Control

Title: GNAPL Commercial Development Astra Aerolab Williamtown
Address: Lot 106 and 107 Aerospace Avenue, Williamtown
Job No. 22NEW00141
Client: Greater Newcastle Aerotropolis Pty Ltd

Document Issue:

Issue	Date	Prepared by	Reviewed by
Draft 1	30/09/2022	Samuel Liu Katrina Walker	Rebecca Johnston
Client Issue	6/10/2022		GNAPL
Final	13/10/2022	Samuel Liu	Rebecca Johnston

Signed



Name Samuel Liu
Position Project Planner
Qualifications Bcomm, MPlanning,
PIA (Assoc.)



Name Rebecca Johnston
Position Director, Planning Manager
Qualifications BTP (Hons),
Cert IV Project Management
MBA, Registered Planner + EIA - PIA

For queries about this report please contact

Samuel Liu
0402 768 552
sliu@barrplanning.com.au

BARR PROPERTY AND PLANNING PTY LTD
TRADING AS BARR PLANNING
ABN 57 604 341 302

92 YOUNG STREET CARRINGTON NSW 2294
PO BOX 96 CARRINGTON NSW 2294
(02) 4037 2451
BARRPLANNING.COM.AU

Contents

1	Introduction	6
1.1	Purpose of this Statement of Environmental Effects	6
1.2	Ownership.....	6
1.3	Consent Authority.....	6
1.4	Pre-Lodgement Consultation.....	6
1.5	Supporting Documentation	6
2	Site and Context	8
2.1	The Site	8
2.2	Background	11
2.2.1	Development Consent DA 16-2009-324-1(3)	11
2.2.2	4.55(1A) Modification to DA 16-2009-324-1	11
2.2.3	Other Development	12
3	Proposed Development.....	13
3.1	Summary	13
3.1.1	Building Uses.....	13
3.1.2	Building Design	14
3.2	Access and Parking.....	15
3.3	Landscaping	15
3.4	Stormwater and Drainage.....	16
3.5	Building Operations	16
3.6	Waste Management	16
4	Strategic Context.....	18
4.1	Hunter Regional Plan 2036	18
4.2	Draft Hunter Regional Plan 2041	18
4.3	Greater Newcastle Metropolitan Plan 2036.....	18
4.4	Port Stephens Local Strategic Planning Statement	18
5	Statutory Assessment.....	19
5.1	Environmental Planning and Assessment Act 1979	19
5.2	Objects of the Act	19
5.3	Integrated Development	20

5.4	Environmental Planning and Assessment Regulations 2021	20
5.5	State Environmental Planning Policies	20
5.5.1	State Environmental Planning Policy (Planning Systems) 2021.....	20
5.5.2	State Environmental Planning Policy (Precincts—Regional) 2021.	21
5.5.3	State Environmental Planning Policy (Resilience and Hazards) 2021.....	22
5.5.4	State Environmental Planning Policy (Transport and Infrastructure) 2021.....	23
5.5.5	State Environmental Planning Policy (Industry and Employment) 2021.....	24
5.5.6	State Environmental Planning Policy (Sustainable Buildings) 2022.....	24
5.6	Port Stephens Local Environmental Plan 2013.....	24
5.6.1	Zone Objectives and Land Use Table	25
5.6.2	Height of Buildings	27
5.6.3	Floor Space Ratio	27
5.6.4	Miscellaneous Permissible Uses	27
5.6.5	Flood Planning	27
5.6.6	Acid Sulphate Soils	27
5.6.7	Earthworks.....	27
5.6.8	Airspace Operations.....	28
5.6.9	Development in Areas Subject to Aircraft Noise	28
5.6.10	Essential Services	29
5.6.11	Drinking Water Catchments	29
5.6.12	Wetlands.....	30
5.7	Proposed Environmental Planning Instruments.....	31
5.8	Port Stephens Development Control Plan 2014.....	31
5.8.1	Variations to the DCP	44
5.9	Development Contributions	47
6	Likely Impacts of the Development.....	48
6.1	Environmental Impacts.....	48
6.1.1	Bushfire	48
6.1.2	Height and Visual Impact.....	50
6.1.3	Traffic and Transport	53
6.1.4	Building Code of Australia Compliance.....	54
6.1.5	Construction Impacts.....	55

6.1.6	Operational Impacts	55
6.2	Social Impacts	55
6.2.1	CPTED Principles	57
6.3	Economic Impacts	57
7	Suitability of the Site	58
8	Submissions	58
9	Public Interest	59
10	Conclusion	59

Figures

Figure 1	Site Locality – Lot 11, DP 1036510 (in black). Approved Subdivision Lots 106 and 107 (in red). Source: Near Maps (July 2022)	8
Figure 2	Looking south east across the proposed Lot 106 from Jeffries Circuit. Source: Author May 2022	10
Figure 3	Looking south along proposed Lot 106 western boundary along Jeffries Circuit. Source: Author May 2022	11
Figure 4	Extract of Site Plan (Dwg No. A-DA-1002) Source: Cox Architects September 2022	12
Figure 5	South West Elevation Façade Render. Source: Cox Architecture August 2022	14
Figure 6	Western Elevation Façade Render. Source: Cox Architecture August 2022	15
Figure 7	Land Zoning Map. Source: ePlanning Spatial Viewer	26
Figure 8	Indicative Common User Car Park Layout (Working drawing, dated 05/10/2022)	45
Figure 9	Slope and Hazard Assessment - (Source BTA - AEP September 2022)	49
Figure 10	Draft WSAP Structure Plan (Source: DPE April 2022)	51
Figure 11	Proposed WSAP Land Zoning (Source: Introduction to WSAP - DPE April 2022)	53

Tables

Table 1	Proposed Development Floor Area	13
Table 2	Projected Waste Streams and Volumes	17
Table 3	Assessment of Relevant Sections of the PSDCP 2014	31
Table 4	Car Parking required under the PSDCP	44

1 Introduction

1.1 Purpose of this Statement of Environmental Effects

This Statement of Environmental Effects (Statement) has been prepared by Barr Planning on behalf of Greater Newcastle Aerotropolis Pty Ltd ('GNAPL'). It accompanies a Development Application lodged to Port Stephens Council pursuant to Section 4.12 of the Environmental Planning and Assessment Act 1979 (the EP&A Act) for a new office premises with ground floor neighbourhood shops and café.

1.2 Ownership

The site is owned by Greater Newcastle Aerotropolis Pty Ltd.

1.3 Consent Authority

Pursuant to Section 4.5 of the EP&A Act, the consent authority is the Hunter and Central Coast Regional Planning Panel as the proposal is regionally significant development.

1.4 Pre-Lodgement Consultation

A Pre-Lodgement Meeting was held with Port Stephens Council Development Assessment officers on 27 September and a Pre-Lodgement Meeting with the Port Stephens Council Urban Design Panel was held on 13 October 2022.

1.5 Supporting Documentation

This Statement has been prepared on the basis of the following:

Document	Author	Date	Rev
Site Analysis Plan	Cox Architecture	21/07/2022	A
Site Plan	Cox Architecture	16/08/2022	A
Floor Plan - Ground Floor	Cox Architecture	2/09/2022	A
Floor Plan - Level 01	Cox Architecture	2/09/2022	A
Floor Plan - Level 02	Cox Architecture	6/09/2022	A
Floor Plans - Typical Level	Cox Architecture	2/09/2022	A
Roof Terrace	Cox Architecture	12/08/2022	A
Roof Plan	Cox Architecture	21/07/2022	A
North Elevation	Cox Architecture	12/08/2022	A
South Elevation	Cox Architecture	21/07/2022	A
East Elevation	Cox Architecture	21/07/2022	A
West Elevation	Cox Architecture	21/07/2022	A
Section 01	Cox Architecture	21/07/2022	A
Section 02	Cox Architecture	12/08/2022	A

Document	Author	Date	Rev
GFA Schedule	Cox Architecture	16/09/2022	A
Shadow Diagrams	Cox Architecture	14/09/2022	A
3D Views	Cox Architecture	16/09/2022	A
Landscape Plan	Context Landscape Architecture	20/09/2022	A
Stormwater Management Plan, Flood Assessment and Erosion and Sediment Control Plan	Northrop	29/09/2022	B
Accessibility Report	Purely Access	20/09/2022	3
Acoustic Assessment Report	Renzon Tonin and Associates	19/09/2022	2
Building Code of Australia Compliance Assessment	Philip Chun Building Compliance	19/09/2022	-
BCA Section J Report	WSP	6/10/2022	1
Bushfire Threat Assessment	Anderson Environmental and Planning	5/10/2022	2
Preliminary Geotechnical Report	Douglas Partners	16/09/2022	0
Preliminary Site Investigation	Douglas Partners	05/10/2022	0
Traffic Impact Assessment	JMT Consulting	6/10/2022	B
Visual Impact Assessment	COX Architecture	September 2022	A
Waste Management Plan	Northrop	23/09/2022	B
Quantity Surveyors Report	Fadrel Pty Ltd	15/08/2022	-

The above supporting documentation has been submitted to the NSW Planning Portal to accompany this Statement of Environmental Effects.

2 Site and Context

2.1 The Site

The subject site is located at proposed Lots 106 and 107 ('the site') within Lot 11, DP 1036501 ('Lot 11'), otherwise known as 38 Cabbage Tree Road, Williamtown, shown in Figure 1.

The site is located within a broader 395-hectare precinct area identified as the Williamtown Special Activation Precinct (WSAP). The WSAP includes Newcastle Airport, the Williamtown Royal Australian Air Force (RAAF) base and Astra Aerolab. The subject site is zoned B7 Business Park under the Port Stephens Local Environmental Plan 2013 (PSLEP 2013).

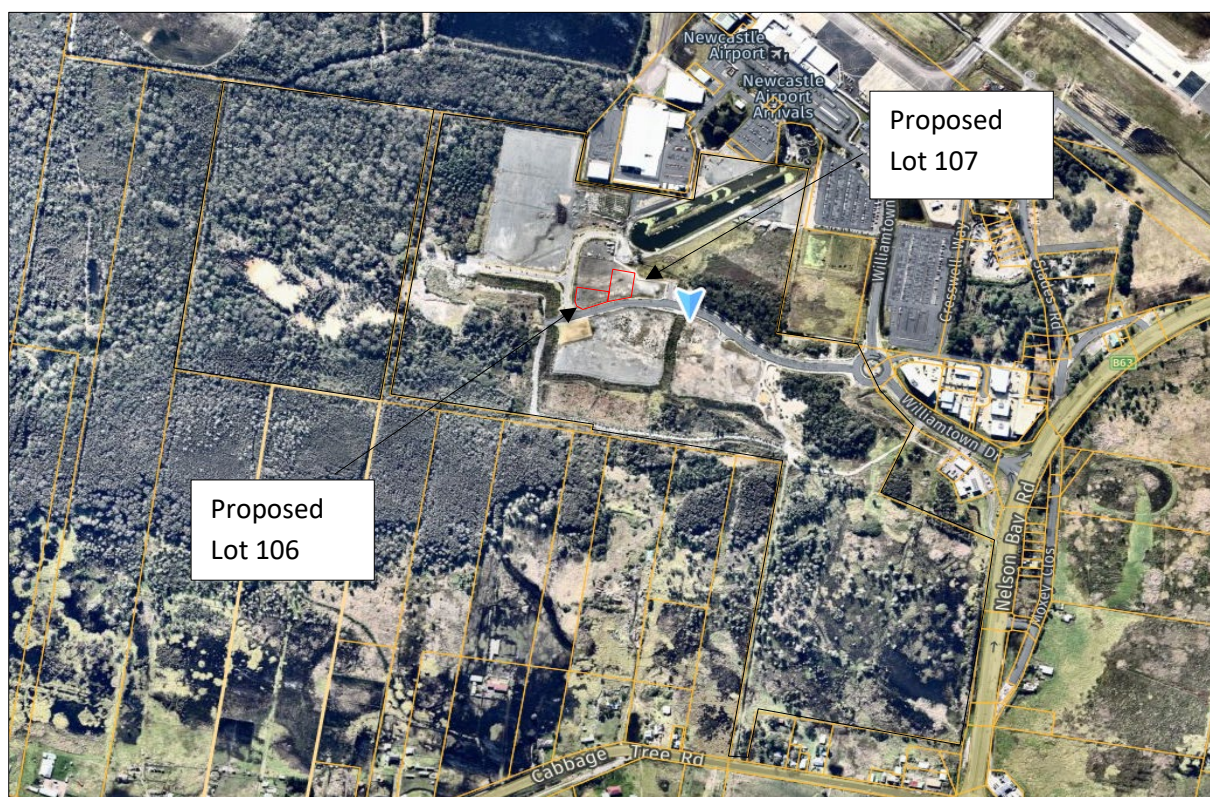


Figure 1 Site Locality – Lot 11, DP 1036501 (in black). Approved Subdivision Lots 106 and 107 (in red). Source: Near Maps (July 2022)

Lot 11 has frontage to Nelson Bay Road, a state classified arterial road, which connects the site to Nelson Bay, Port Stephens and the City of Newcastle. Lot 11 also fronts Williamtown Drive, a part private road which provides access to the Astra Aerolab Development and Newcastle Airport. The lot has a small frontage to Cabbage Tree Road on its southern boundary. The surrounding land uses include Newcastle Airport and a mix of other commercial and rural residential uses including a petrol station, hotel and rural residential dwellings.

Lot 11 and proposed Lots 106 and 107 are subject to a number of environmental considerations. The lots are identified as being located within a Bush Fire Prone Area on the Bushfire Hazard Map on the NSW Planning Portal. Lot 11 is identified as flood prone land with land ranging from being categorised

as 'high hazard flood storage area' land to 'minimal risk flood prone' land. The subject site comprising proposed Lots 106 and 107 is located on land categorised as 'minimal risk flood prone' land and is located outside the flood planning area. As a result of the approved subdivision and subsequent development of the land, the constraints in terms of bushfire risk and flood risk are diminished.

The site is located south of the existing transpiration pond which is part of the adjoining sewerage treatment works. There are no water courses or waterbodies identified to traverse proposed Lots 1076 and 107. Part of Lot 11 is identified under PSLEP Map WET_004 to contain wetlands.

Parts of Lot 11 are noted to be mapped as having biodiversity value, however proposed Lots 106 and 107 are not mapped. Lots 106 and 107 have been cleared of vegetation as part of the construction of the approved subdivision.

Lots 106 is a corner lot, with frontage of approximately 50 metres to Aerospace Avenue to the south and frontage of approximately 45 metres to Jeffries Circuit to the west. Lot 107 has frontage of approximately 40 metres to Aerospace Avenue. Aerospace Avenue is the main road in Astra Aerolab which is to be dedicated as public road, upon registration of the subdivision. Services and utilities, footpaths and landscaping have been installed along Aerospace Avenue. There is no approved development yet within Astra Aerolab.

The subject site is shown in Figure 2 and Figure 3 below.



Figure 2 Looking south east across the proposed Lot 106 from Jeffries Circuit. Source: Author May 2022



Figure 3 Looking south along proposed Lot 106 western boundary along Jeffries Circuit. Source: Author May 2022

2.2 Background

In alignment with the broader Newcastle Airport Master Plan, Greater Newcastle Aerotropolis Pty Ltd (GNAPL) have commenced the development of the Astra Aerolab, a nationally significant defence and aerospace precinct which leverages the strategic proximity to Newcastle Airport and the Williamstown's RAAF Base.

2.2.1 Development Consent DA 16-2009-324-1(3)

Development Consent DA 16-2009-324-1 was issued by Port Stephens Council on 19 January 2011. The approved development subdivided four lots including Lot 11, DP 1036501 into 103 new development lots for defence and airport related development. The consent was subsequently modified by DA 16-2009-324-3 issued on 23 March 2022, to allow for a revised staging plan, amended lot layout and revised road network and stormwater drainage designs.

Construction of Stage 1 of the Astra Aerolab development has been completed. The registration of the subdivision including proposed Lots 106 and 107 is still be completed.

2.2.2 4.55(1A) Modification to DA 16-2009-324-1

In order to accommodate the proposed building footprint and the access driveway at the eastern boundary an adjustment of approved boundary is required.

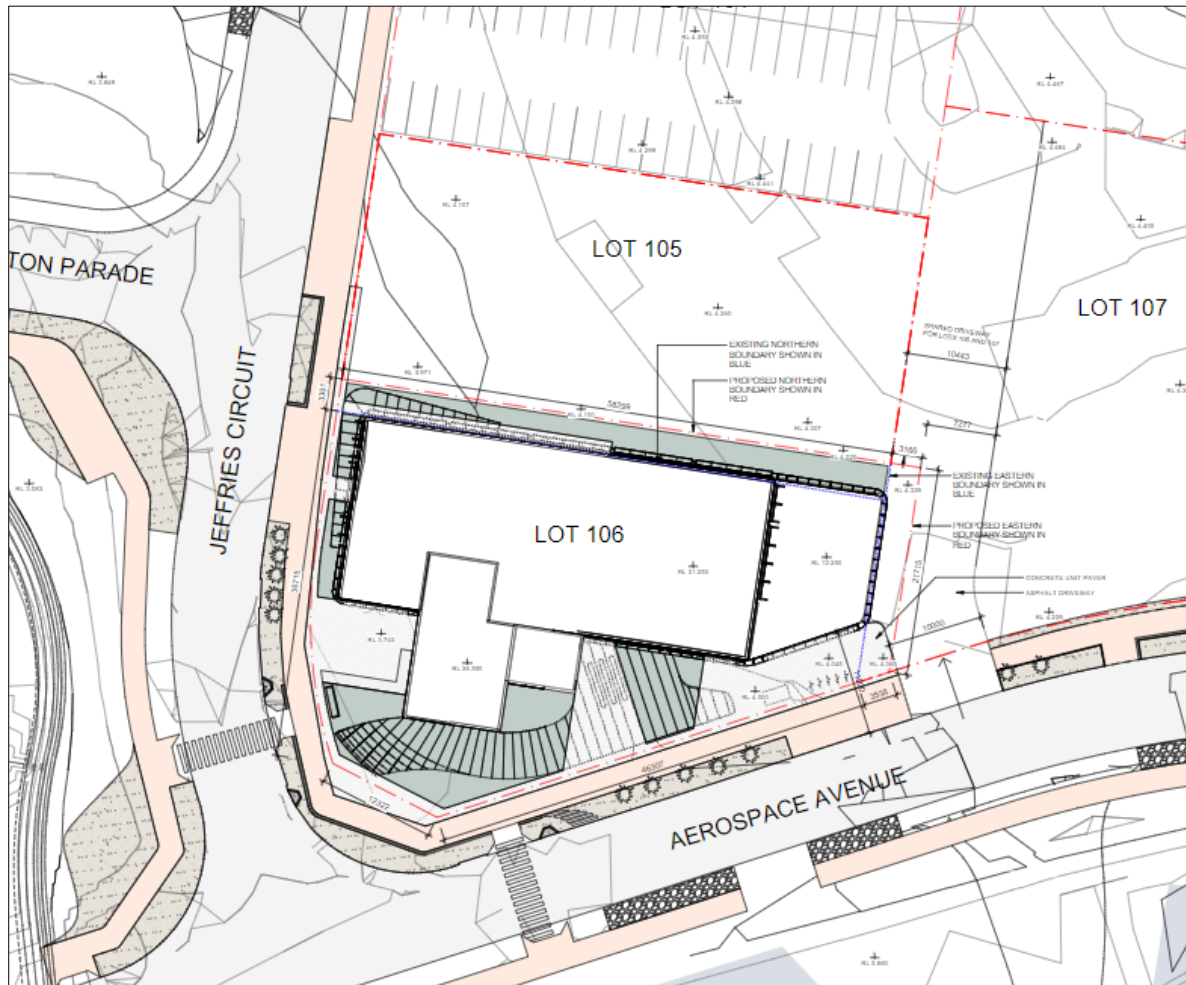


Figure 4 Extract of Site Plan (Dwg No. A-DA-1002) Source: Cox Architects September 2022

The above figure indicates the existing approved boundary and proposed adjusted boundary for Lot 106. This involves an area of approximately 70.39m² being added to Lot 106 and taken away from Lot 107. There will no net loss or gain to the overall development area that is approved. This will be considered a minor boundary adjustment.

2.2.3 Other Development

It is also noted that at the date of this Statement, a development application has been lodged to Port Stephens Council for the development of proposed Lot 109 for the purposes of an industrial and office development. The application is yet to be determined.

3 Proposed Development

3.1 Summary

The proposed development is for the construction of a new eight (8) storey office premises. The capital investment value (CIV) of the project is \$29,068,761.00.

The proposed development will have a maximum height of 32.9 metres to the top of roof. Level 07 provides for mechanical plant rooms lift and stairway access and extends a further 5.5m for a top height of 36.75m for the building overall.

3.1.1 Building Uses

The ground floor will accommodate office premises, leasable tenancies for three (3) small retail spaces and provision for a restaurant or large café, end of trip (EOT) facilities and a loading dock for service vehicle building access and deliveries. The fit out and operation of the restaurant or café will be subject to a future DA.

The first floor will provide 17 carparking spaces including one (1) accessible parking space, EOT facilities and storage facilities for tenants. The remaining second to the sixth floors will comprise of leasable floor area for office premises. Office fit-outs will be the responsibility of future tenancies. Each level will contain a kitchenette, toilet amenities, double lift access and stair access. A mechanical plant room is located on the roof terrace. Also located on the roof is provision for solar panels. Access to the podium and roof terraces will be for maintenance only.

The development will have a gross floor area (GFA) of 5,705m² and will include the key proposed uses breakdown as shown in the table below. It is noted that the roof terrace will not be classified as contributing to gross floor area in accordance with the GFA definition detailed in the Port Stephens Local Environmental Plan 2013.

Table 1 Proposed Development Floor Area

Proposed Use	Location	Total Floor (m ²)	Gross Area*
Office Premises (278m ²), Retail (75m ²), Restaurant / Café (170m ²), End of Trip Facilities (loading dock excluded from GFA) (53m ²), Circulation area (235m ²)	Ground Floor	811	
Storage (86m ²) and End of Trip Facilities and circulation (279m ²)	Level 01	365	
Office Premises	Level 02 - 06	923	(each floor)
Building plant, stairs, circulation	Level 07 Roof Terrace	0	
Total		5,705	

*Gross Floor Area (GFA) is defined under the Port Stephens LEP 2013 and excludes things like stair and lift circulation, building services, car parking and terraces with outer walls less than 1.4 metres high.

3.1.2 Building Design

The renders in Figures 4 and 5 depict the façade of the building. The external façade will incorporate louvres which will reduce glare and contribute to articulation of the built façade. The building will include covered awnings on the western and southern elevations. The frontage to the corner of Aerospace Avenue and Jeffries Circuit will feature an elevated 'fin' motif with reference to Newcastle Airport and the intended future character of the precinct for aerospace and related industries.



Figure 5 South West Elevation Façade Render. Source: Cox Architecture August 2022



Figure 6 Western Elevation Facade Render. Source: Cox Architecture August 2022

3.2 Access and Parking

The proposed development will provide new access to the site via a 10 metre wide asphalt driveway and shared access road from Aerospace Avenue. This accessway will provide access to the loading dock and first floor car park. Swept paths for vehicles accessing the loading dock and Level 1 carpark have been provided in the Traffic Impact Assessment. The shared access road is also intended to service future development on Lots 104, 105 and 107. Appropriate easements to provide reciprocal rights of access will be implemented prior to operation.

Pedestrian access to the building will be from a proposed footpath along Aerospace Avenue and will serve as the main building entry. Pedestrian access will also be provided from Jeffries Circuit on the western elevation.

The proposed development will provide 17 car parking spaces including one (1) accessible parking space. Bicycle parking facilities, 13 standard parks and one (1) accessible park will be provided in the End of Trip Facilities located on the ground floor. An additional 12 bicycle parking racks are provided in the forecourt of the building, providing a total of 26 bicycle parking racks.

3.3 Landscaping

The development will provide vegetated landscaping to approximately 23 percent of the site and will include a mixture of trees, feature plantings and potted plants. Two (2) trees will be located at the

southwestern corner of the site fronting Aerospace Avenue and Jefferies Circuit featuring a Water Gum and Lemon Scented Myrtle tree. Nine (9) Pin-cushion Hakea trees will be located along the northern boundary of the site.

The remainder of the vegetated landscaping will comprise of a variety of low height grasses, shrubs and native flowering plants which will adjoin pedestrian walkway areas and the base of the built form and will soften the appearance of the development to the street frontage.

Refer to the Landscaping Plan for details of the proposed landscaping for the site.

3.4 Stormwater and Drainage

Stormwater will be managed on the site through passive water sensitive urban design in soft landscaped areas as well as via a piped stormwater drainage system. Roof run off from the building will be directed towards a stormwater reuse tank. Overflow from the tank will be directed to a proposed pit and pipe connecting to the existing stormwater pit in the south west corner of the site. Other overland flows on the site will be directed to inlet pits which will drain to the existing kerb and gutter stormwater network on Aerospace Avenue and Jefferies Circuit. Stormwater will then be discharged into the swale on the western side of Jefferies Circuit and towards the detention basins at the south of the Astra Aerolab subdivision.

Refer to the Stormwater Management Plan for details of the site drainage.

3.5 Building Operations

The building will be owned and managed by GNAPL, and sub-leased to individual tenants.

The Ground Floor will be publicly accessible. Floors 1 – 7 will be accessible via security keyed access. The public opening hours will be 7am – 6pm Monday – Friday.

Building services including cleaning, waste collection etc. may occur outside of these hours. Individual tenants may operate outside of these hours as required.

3.6 Waste Management

No demolition is proposed as the site has no existing structures.

Construction waste will be minimised through the use precast concrete, pre-fabricated fibre cement cladding, aluminium cladding and glazed curtain walls. Construction waste generated will further be minimised through measured and quantified material inputs for the concrete slabs and the first floor parking area. The Site Waste Management and Minimisation Plan included in the supporting documentation provides recommendations for the minimisation of waste during the construction period. The construction site waste management plan nominates the location of stabilised vehicular

site access and waste collection zones. A detailed Construction Management Plan will be prepared by the nominated contractor prior to commencement of construction.

Weekly operational waste generation has been estimated based on *City of Sydney Guidelines for Waste Management in New Developments*. The waste generation rates for commercial offices, restaurants/eating venues and retail premises have been used to estimate operational waste based on the likely future uses of the building. The following operational waste streams and weekly waste quantities are expected to be created by the proposed development:

- General waste: 9,426L/week
- Paper/cardboard recycling: 11,078L/week
- Comingled recycling: 8,005L/week

Based on the above rates of operational waste generation, the following waste collection and disposal strategy is proposed.

Table 2 Projected Waste Streams and Volumes

Waste Stream*	Bin Quantity	Collection Frequency	Waste Collection Capacity
General waste	5 x 1100L bins	2 x weekly	11,000L/week
Paper/cardboard recycling	6 x 1100L bins	2 x weekly	13,200L/week
Comingled recycling	5 x 1100L bins	2 x weekly	11,000L/week

*E-waste and other waste streams are not expected to be generated on an ongoing basis and will be managed by tenants for collection and disposal on a needs basis.

The total quantity of bins proposed will be accommodated in the internal waste storage area located in the ground floor loading dock. Separate general waste and recycling bins will be provided to each tenancy within the building to separate waste according to their stream. Waste from each tenancy will be transferred to the bins in the ground floor waste storage area on a daily basis, or as agreed with the building's waste management team. Bins will be transferred via the paths of travel indicated in the Waste Management Plan and will generally use the lifts to transfer waste from each level to the ground floor loading dock.

Waste will be collected from site by a private contractor at the frequencies nominated in Table 2, with additional collections scheduled by building management as required. Service vehicle access to the site will be via the shared access driveway from Aerospace Avenue. Service vehicles will enter the site in a forward direction, will reverse into the loading dock to collect and dispose of waste and will leave the site in a forward direction. Vehicular driveway access to the site and the loading dock have been designed to accommodate a 8.8m Medium Rigid Vehicle (MRV) for this purpose.

Refer to the Site Waste Management and Minimisation Plan for further details.

4 Strategic Context

4.1 Hunter Regional Plan 2036

The Hunter Regional Plan (HRP) 2036 identifies Newcastle Airport and the surrounding defence and aerospace industries as a strategic employment driver central to the Hunter's diversified economy. The HRP, along with supporting strategic plans such as the Greater Newcastle Metropolitan Plan 2036 (GNMP), Future Transport 2056, Greater Newcastle Future Transport Plan and the NSW Freight and Ports Plan designate Newcastle Airport and the Astra Aerolab precinct as having a key role in future economic growth in the region. The plan envisions this economic growth to occur via new job creation, transport services and freight services. The proposed development provides new office facilities near Newcastle Airport and anchor the commercial hub in the Astra Aerolab precinct, contributing to employment growth and is aligned with the objectives of the HRP.

4.2 Draft Hunter Regional Plan 2041

The Draft Hunter Regional Plan (HRP) 2041 provides the NSW Government's updated land use vision for the Hunter. The vision of the Draft HRP is for the Hunter Region to be the leading regional economy in Australia, connected to and caring for Country, with a vibrant metropolitan city and sustainable 15-minute neighbourhoods at its heart. The plan identifies Williamstown Special Activation Precinct (WSAP) as a region shaping gateway and industry precinct with the strategic imperative of supporting Australia's defence industry and emerging aerospace industry. The proposed development supports the future development of Astra Aerolab Precinct within the WSAP through the provision of high quality office premises and is aligned with the objectives of the Draft Hunter Regional Plan 2041.

4.3 Greater Newcastle Metropolitan Plan 2036

The Greater Newcastle Metropolitan Plan (GNMP) 2036 helps to achieve the visions of the HRP 2036 which is for the Hunter to be the leading regional economy in Australia with a vibrant new metropolitan city at its heart. Strategy 2 of the GNMP 2036 is to grow the airport and aerospace and defence precinct at Williamstown. The proposed development will facilitate future growth and attract investment in the Astra Aerolab precinct and is aligned with the objectives of the GNMP 2036.

4.4 Port Stephens Local Strategic Planning Statement

The Port Stephens Local Strategic Planning Statement (LSPS) identifies the 20-year vision for land use in Port Stephens. It sets out social, economic and environmental planning priorities for the future and identifies when they will be delivered. The LSPS identifies the land use planning actions to achieve the directions in the HRP and the GNMP. Williamstown is identified as the home of Newcastle Airport, the Royal Australian Air Force (RAAF) base and associated aerospace and aviation support services. The expansion of the aerospace precinct around the airport is identified to be a significant economic driver for the region. The proposed development will support aerospace and aviation support services and is aligned with the future operation of Astra Aerolab envisioned by the LSPS.

5 Statutory Assessment

5.1 Environmental Planning and Assessment Act 1979

This Statement assesses the development proposal against the relevant statutory requirements of the EP&A Act, and other relevant legislation, plans and policies as applicable. Section 4.15 of the Act outlines the relevant heads of consideration that must be considered when assessing a development proposal.

The following considerations have been made under section 4.15(1)(a):

- Environmental planning instruments, proposed instruments and development control plans that are relevant to the site or development are considered below;
- There are no known planning agreements applicable to the site; and
- The Environmental Planning and Assessment Regulation 2021 (the Regulation) has been considered below.

The remaining matters for consideration under section 4.15(1)(b), (c), (d) and (e) are considered within this Statement.

5.2 Objects of the Act

The objects of this Act are as follows:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

The proposed development supports the objects of the EP&A Act, in particular objects (c), (g) and (h).

Pursuant to objective (c), the proposed development will promote the orderly and economic use of land through development new office premises which will support the development and use of Astra Aerolab for aerospace and defence industries.

Pursuant to objective (g), the proposed development will promote good design and amenity of the built environment by providing an architecturally designed office premises centrally located within the planned Astra Aerolab precinct. The development will provide a high amenity working environment to occupants of the building with large extents of glazed panels to maximise solar access. Access will be provided to day-to-day goods and services on the ground floor. The building will provide flexible use of commercial lease areas able to be tailored to the needs of prospective tenants.

Pursuant to objective (h), the proposed development will promote the proper construction of buildings including the protection and safety of their occupants by complying with the Building Code of Australia and the relevant building standards.

5.3 Integrated Development

The proposed development is not classified as integrated development.

5.4 Environmental Planning and Assessment Regulations 2021

The proposed development will be assessed in accordance with the relevant requirements of Part 3 of the Regulation, being procedures relating to development applications.

5.5 State Environmental Planning Policies

State Environmental Planning Policies (SEPPs) are environmental planning instruments administered under the EP&A Act. SEPPs deal with issues considered to be of significance for the State and the people of NSW. In the determination of the development application, the consent authority will consider these matters pursuant to section 4.15(a)(i) of the EP&A Act. The SEPPs relevant to the proposed development, and the land on which the development is situated, are considered below.

5.5.1 State Environmental Planning Policy (Planning Systems) 2021

State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP) aims to identify development that is regionally significant. Schedule 6 of the Planning Systems SEPP identifies regionally significant development as including Council related development over \$5 million as follows:

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

(a) a council for the area in which the development is to be carried out is the applicant for development consent, or

The development is being carried out in the Port Stephens Council Local Government Area, however, Port Stephens Council is not the applicant.

(b) the council is the owner of any land on which the development is to be carried out, or

The land on which the development is being carried out is owned by Greater Newcastle Aerotropolis Pty Limited (GNAPL).

(c) the development is to be carried out by the council, or

Port Stephens Council are not carrying out the development.

(d) 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 purposes of the payment of contributions by a person other than the council).

The applicant GNAPL manages the development of Astra Aerolab on behalf of the Greater Newcastle Aerotropolis Partnership. The City of Newcastle and Port Stephens Council hold the rights to their share of the assets and their share of the obligations in the partnership. In this regard it is considered that Port Stephens Council is a party to an arrangement relating to the development.

The capital investment value (CIV) of the project is \$29,068,761.00. Accordingly, the development is considered to be council related development and therefore regionally significant development. The determining authority will therefore be the Hunter and Central Coast Joint Regional Planning Panel.

5.5.2 State Environmental Planning Policy (Precincts—Regional) 2021.

Chapter 3 Activation Precincts of the State Environmental Planning Policy (Precincts—Regional) 2021 seeks to promote economic development, industry investment and innovation through the implementation of Activation Precincts. The site is located in the Williamstown Special Activation Precinct (WSAP). Clause 3.8 of the SEPP states the following:

A consent authority must have regard to the following when determining an application for development consent to carry out development on land within an Activation Precinct—

- (a) the master plan for the Activation Precinct,*
- (b) any delivery plan that applies to the land on which the development is to be carried out,*
- (c) any draft master plan or draft delivery plan that is published on the NSW planning portal.*

The Williamstown Special Activation Precinct (WSAP) has been identified to become Australia's leading national defence, aeronautics and aerospace hub. The Williamstown SAP covers an area of 395 hectare

and will capitalise on Newcastle Airport's growth and expansion plans, the emerging aerospace industry around the Royal Australian Air Force (RAAF) base and the planned Astra Aerolab precinct.

The WSAP presents a significant opportunity to understand the site's broader constraints and opportunities to develop a strategic and holistic approach to land use planning. Benefiting from the Precinct's strategic location adjacent to Newcastle Airport and its proximity to the M1 Pacific Motorway and the Port of Newcastle, the Precinct will leverage new freight and logistics opportunities.

The Williamstown SAP Draft Master Plan public exhibition concluded on 8 June 2022 with submissions currently being reviewed by the Department of Planning and Environment. It is understood that in accordance with Clause 3.8 of the SEPP, Port Stephens Council will have regard to the draft master plan when determining the application.

The site is proposed to be zoned Regional Enterprise Zone, a new zone which will facilitate the development of industrial and employment activity connected with the defence and aerospace industries.

Broadly, the development is consistent with the intent and objectives of the masterplan, the proposed zoning, and uses anticipated by the WSAP Master Plan and will support the orderly and coordinated development of land in the WSAP.

5.5.3 State Environmental Planning Policy (Resilience and Hazards) 2021

The State Environmental Planning Policy (Resilience and Hazards) 2021 specifies provisions related to coastal management, hazardous and offensive development and remediation of land.

Chapter 2 Coastal Management

The site is not mapped under Chapter 2 of the SEPP (Hazard and Resilience) 2021 as containing coastal wetlands or littoral rainforest.

Chapter 4 Remediation of Land

Chapter 4 of the Resilience and Hazards SEPP seeks to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health and the environment. The Chapter applies to the whole of the State. Pursuant to Clause 4.6 of the SEPP:

- (1) A consent authority must not consent to the carrying out of any development on land unless—*
 - (a) it has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Previous site uses included agricultural site use and a sand quarry and as such the site is generally suitable for the proposed commercial / industrial development from a contamination perspective, provided that the potential localised contamination is assessed.

The site has recently been subsequently developed as part of the Astra Aerolab subdivision approved under DA 16-2009-324-3. Development has included the clearing of vegetation, earthworks, and the construction of new roads, drainage and utilities for Stage 1, in which the proposed development is located. It is understood that the subdivision works also included remediation to make the land suitable for commercial and industrial purposes.

To investigate contamination status of the site, Douglas Partners have prepared a Preliminary Site Investigation report (September 2022) to support the development application. The Report recommended that:

appropriate documentation (approved by the regulator) is sought to demonstrate the following:

- Implementation of the RAP as part of subdivision works;
- Remediation/management and validation of identified contamination for the site; and/or
- The absence of contamination within the Lot 106 area.

The validation report should be conducted with reference to NSW EPA contaminated land reporting guidelines (EPA 2020) and include a statement relating to the suitability of the subject site for the intended use with respect to site contamination.

On the basis that the site has been remediated, it is considered that the site is suitable for the intended use for industrial and commercial purposes. It is recommended that the appropriate validation documentation, to confirm the contamination status of the site and the potential for human health impacts for site users and potential ecological impacts be submitted to the consent authority prior to the issue of a construction certificate for the development.

The site is also located within the EPA's PFAS Primary Management Zone which has the significantly higher levels of PFAS and could impact the soil, surface water and groundwater within the greater project area, and therefore soils and groundwater underlying the subject site.

Should the proposed construction activity interact or intercept groundwater, there is the potential for PFAS contamination. Should this occur, soil sampling may be undertaken to identify its presence and concentration in accordance with the EPA's Addendum to the Waste Classification Guidelines (2014) – Part 1: classifying waste and identify lawful reuse, treatment and/or disposal options.

5.5.4 State Environmental Planning Policy (Transport and Infrastructure) 2021

The State Environmental Planning Policy (Transport and Infrastructure) 2021 specifies provisions related to transport and infrastructure including educational establishments, childcare facilities, major

infrastructure corridors and ports. Chapter 2 Infrastructure of the SEPP is relevant to the proposed development and the relevant provisions have been assessed below.

Chapter 2 Infrastructure

Chapter 2 of the Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the state. Clause 2.122 of the SEPP specifies provisions for traffic generating development. The proposed development is not classified as traffic generating development under the Table in Schedule 3 Commercial premises as the development proposes less than 10,000m² in gross floor area. The site is not within 90 metres of a classified road.

5.5.5 State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 of the State Environmental Planning Policy (Industry and Employment) 2021 specifies provisions related to advertising and signage and is relevant to the proposed development. The proposed development does not include any business / building identification signage. Future signage design and location will be subject to assessment under the relevant legislation.

5.5.6 State Environmental Planning Policy (Sustainable Buildings) 2022

The aim of the State Environmental Planning Policy (Sustainable Buildings) 2022 is to encourage the design and delivery of sustainable buildings in order to minimise energy and potable water supply consumption, reduce greenhouse gas emissions and improve the thermal performance of buildings. Chapter 3 details standards which relate to non-residential development.

Pursuant to Section 1. 2, the Policy commences on 1 October 2023. To this extent the provisions of Chapter 3 do not apply to this Development Application. Further assessment is not warranted.

5.6 Port Stephens Local Environmental Plan 2013

The Port Stephens Local Environmental Plan 2013 (PSLEP 2013) is the statutory document which outlines the provisions that apply within the Port Stephens Local Government Area (LGA). Below is an outline and assessment of the applicable provisions.

The proposed development is for office premises with ground floor retail and restaurant or café. The PSLEP 2013 defines these uses as office premises, neighbourhood shops and restaurant or café as follows:

***office premises** means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.*

Note— Office premises are a type of commercial premises—see the definition of that term in this Dictionary.

The proposed eight (8) storey building will be used for the purposes of administrative, clerical, technical or professional activities. Any dealings with members of the public will be ancillary to the main purpose of these activities.

***neighbourhood shop** means premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area, but does not include neighbourhood supermarkets or restricted premises.*

Note—See clause 5.4 for controls relating to the retail floor area of neighbourhood shops. Neighbourhood shops are a type of shop—see the definition of that term in this Dictionary.

The ground floor will include tenancies for three (3) neighbourhood shops which will operate by selling general merchandise to provide for the day-to-day needs of people who work in the local area and will not include neighbourhood supermarkets or restricted premises.

***restaurant or cafe** means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.*

Note—

Restaurants or cafes are a type of food and drink premises—see the definition of that term in this Dictionary.

The ground floor will include a tenancy for a restaurant or café which will prepare and serve, on a retail basis, food and drink to people for consumption on the premises. The fit out and operation of the restaurant or café will be subject to a future DA.

5.6.1 Zone Objectives and Land Use Table

The subject site is zoned B7 Business Park under the PSLEP 2013. The proposed development for the purpose of offices premises, neighbourhood shops, and restaurants or cafes are permitted with development consent within the zone.

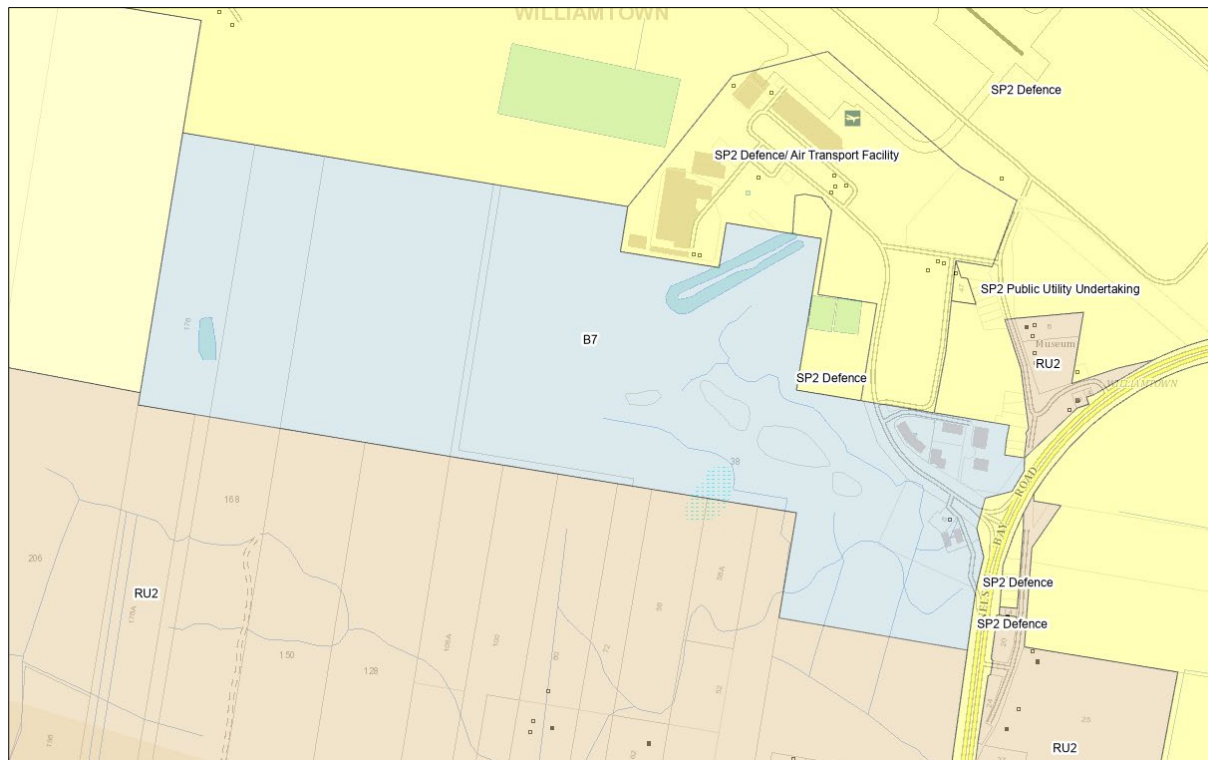


Figure 7 Land Zoning Map. Source: ePlanning Spatial Viewer

The objectives of the B7 zone are noted as follows:

- 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 facilitate the future development of the land as an employment area relating to defence and airport operations to support the continued operation of the RAAF Base Williamtown Airport and the Newcastle Airport.

The proposed development is consistent with the objectives as follows:

In alignment with Objective 1, the proposed development will provide new office premises.

Consistent with Objective 2, the proposed development will encourage new employment opportunities. It is expected that upon completion of the development, 300 permanent jobs will be created by the development.

Consistent with Objective 4, the proposed development will provide new office premises for allied industries to support the defence and aerospace operations of Newcastle Airport, the RAAF and the Astra Aerolab.

5.6.2 Height of Buildings

There is no height of building development standard specified within the PSLEP 2013 for the subject site. The proposed development will have a maximum height of 32.9 metres to top of roof and 36.75m for the building overall.

5.6.3 Floor Space Ratio

There is no floor space ratio development standard specified within the PSLEP 2013 for the subject site.

5.6.4 Miscellaneous Permissible Uses

Clause 5.4 of the PSLEP 2013 specifies controls relating to miscellaneous permissible uses. Subclause (7) specifies provisions for neighbourhood shops and notes that if development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area for each shop must not exceed 100 square metres. The total proposed retail floor area of all three retail spaces is approximately 70m² and does not exceed 100m².

5.6.5 Flood Planning

Clause 5.21(2) of the PSLEP 2013 specifies provisions for land located in the flood planning area. Following review of the Flood Certificate for Lot 11, DP1036501, the subject site is identified as flood prone land, however, is located outside the flood planning area. As such, no further consideration under the PSLEP 2013 is required.

5.6.6 Acid Sulphate Soils

Clause 7.1 of the PSLEP 2013 specifies provisions related to acid sulphate soils. The subject site is located on Class 4 Acid Sulphate Soils. Pursuant to Clause 7.1(2), development consent is required for carrying out works on Class 4 Acid Sulphate Soils for the following works:

- Works more than 2 metres below the natural ground surface.
- Works by which the water table is likely to be lowered more than 2 metres below the natural ground surface.

An Acid Sulphate Soil (ASS) Management Plan was prepared for Stage 1 subdivision works approved under DA 16-2009-324-3. The ASS Management Plan provided a summary of ASS conditions for the site including procedures for the management of ASS during Stage 1 works. The site is mapped within an area of low probability of ASS at depths greater than 3 m below natural ground levels. Any ASS encountered during construction will be managed in accordance with the ASS Management Plan prepared for Stage 1 subdivision works.

5.6.7 Earthworks

Clause 7.2 of the PSLEP 2013 specifies provisions related to earthworks. Pursuant to Clause 7.2(2):

(2) Development consent is required for earthworks unless—

- (a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or*
- (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.*

Proposed development will involve minor earthworks for the preparation of the building's foundation and for construction of the shared driveway. The earthworks are considered to be ancillary to the proposed development, and as such, development consent for the proposed development will be considered to have provided development consent for the ancillary earthworks.

5.6.8 Airspace Operations

Clause 7.4 of the PSLEP 2013 specifies provisions related to airspace operations. Pursuant to Clause 7.4(2):

- (2) If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application.*

The proposed development has a maximum height of 36.75 metres which exceeds the Obstacle Limitation Surface height of 7.5 metres for the subject site. As such, the development will require referral to the relevant Commonwealth body, understood to be the Department of Defence.

5.6.9 Development in Areas Subject to Aircraft Noise

Clause 7.5 of the PSLEP 2013 specifies for development in areas subject to aircraft noise. Pursuant to Clause 7.5(2):

- (2) This clause applies to development that—*
 - (a) is on land that—*
 - (i) is near the RAAF Base Williamtown Airport, and*
 - (ii) is in an ANEF contour of 20 or greater, and*
 - (b) the consent authority considers is likely to be adversely affected by aircraft noise.*

The subject site is located near the RAAF Base Williamtown Airport and is approximately located along the ANEF 30 contour line. The proposed development will be impacted by aircraft noise and as such, an acoustic assessment has been provided. The Acoustic Report (Renzo Tonin, 2022) identifies that the site is 'conditionally acceptable' in accordance AS2021 Table 2.1. The Report nominates design criteria the building is to adhere to in order to ensure noise intrusion is within acceptable tolerance limits to avoid additional people being impacted by aircraft noise. Accordingly, the detailed design of the building can achieve compliance with the implementation of the recommendations of the Report.

The proposed development has been assessed for noise impacts on surrounding sensitive receivers. The Report concludes that the use of the commercial building is unlikely to result in sleep disturbance or noise impacts to residential receivers.

Overall, it is considered that the proposed development will not result in the number of people affected by aircraft noise, the location of the site is suitable for the proposed development and with the implementation of the recommendations of the Report, can achieve compliance for indoor design sound levels. To this extent the proposed development is compliant with Clause 7.5(3) to enable the consent authority to approve the development.

5.6.10 Essential Services

Clause 7.6 of the PSLEP 2013 specifies provisions related to essential services. Pursuant to Clause 7.6(1):

- (1) Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—*
- (a) the supply of water,*
 - (b) the supply of electricity,*
 - (c) the disposal and management of sewage,*
 - (d) stormwater drainage or on-site conservation,*
 - (e) suitable vehicular access.*

Proposed Lots 106 and 107 are yet to be registered. However, suitable connections to the existing services infrastructure including potable water, electricity, stormwater drainage and will provide services for sewage management have been provided and are expected to be acceptable to the relevant utility providers.

A new vehicular access from Aerospace Avenue is proposed to service the rear of the proposed building on Lot 106 and future development of Lot 104, 105 and 107.

5.6.11 Drinking Water Catchments

Clause 7.8 of the PSLEP 2013 specifies provisions related to development within a drinking water catchment. Pursuant to Clause 7.8(3):

- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following—*
- (a) whether or not the development is likely to have any adverse impact on the quality and quantity of water entering the drinking water storage, having regard to the following—*
 - (i) the distance between the development and any waterway that feeds into the drinking water storage,*
 - (ii) the on-site use, storage and disposal of any chemicals on the land,*

- (iii) *the treatment, storage and disposal of waste water and solid waste generated or used by the development,*
 - (b) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Furthermore, pursuant to Clause 7.8(4):

- (4) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—*
 - (a) the development is designed, sited and will be managed to avoid any significant adverse impact on water quality and flows, or*
 - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

The proposed development is not anticipated to result in adverse impact to the water quality of the drinking water catchment.

The stormwater management plan prepared by Northrop demonstrates that stormwater can be suitably managed on site without adverse impacts to the surrounding environment. The stormwater treatment requirements for the overall Astra Aerolab subdivision were addressed by the stormwater design approved under DA 16-2009-324-3 including grassed swales, in-street rain gardens, storage basins and the existing downstream wetland. The stormwater quality treatment requirements can be adequately addressed and managed by the proposed development and existing downstream infrastructure.

To this extent, it is considered that the proposed development is unlikely to result in any substantial adverse impacts that cannot be suitably managed as part of the development.

5.6.12 Wetlands

Part of Lot 11 is identified under PSLEP Map WET_004 to contain wetlands. Pursuant to Clause 7.9(3):

- (3) *Before determining a development application for development on land to which this clause applies, the consent authority must consider—*
 - (a) whether or not the development is likely to have any significant adverse impact on the following—*
 - (i) the condition and significance of the existing native fauna and flora on the land,*
 - (ii) the provision and quality of habitats on the land for indigenous and migratory species,*
 - (iii) the surface and groundwater characteristics of the land, including water quality, natural water flows and salinity, and*
 - (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

It is considered that the Consent Authority has given due regard to the mapped wetlands under DA 16-2009-324-3. To this extent, the impact of the construction of the subdivision on the mapped wetlands has been considered. The land to which proposed Lot 106 and Lot 107 relate to has been cleared of vegetation pursuant to DA 1-2009-324-3. Accordingly, it is considered that the proposed development will have negligible impact on the mapped wetlands.

5.7 Proposed Environmental Planning Instruments

There are no known proposed Environmental Planning Instruments which apply to the site.

5.8 Port Stephens Development Control Plan 2014

The Port Stephens Development Control Plan 2014 (PSDCP 2014) supports the PSLEP 2013. It provides general controls within the LGA that should be considered in the preparation of a development application. The relevant sections of the PSDCP 2014 have been assessed below.

Table 3 Assessment of Relevant Sections of the PSDCP 2014

Clause	Provision	Comment
B3 Environmental Management		
B3.A A Acid Sulphate Soils	Development located on acid sulfate soils (ASS) as identified on the Acid Sulfate Maps of the Local Environmental Plan adheres to the Local Environmental Plan	Refer to assessment of Clause 7.1 of the PSLEP 2013 above.
B3.C Noise	<p>An acoustic report is required for development that has the potential to produce offensive noise, meaning:</p> <ul style="list-style-type: none"> that, by reason of its level, nature, character or quality or the time at which it is made, or any other circumstances: <ul style="list-style-type: none"> - is harmful to (or is likely to be harmful) to a person who is outside the premises from which it is emitted, or - interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted 	The proposed development will operate as a commercial office premises and will not produce offensive noise.

Clause	Provision	Comment
	<ul style="list-style-type: none"> that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations, such as the Environmental Protection Authority. 2000, 'NSW Industrial Noise Policy 	
B3.D Earthworks	<p>B3.4 Development may need to provide a bulk earthworks plan in order to adequately address the above matters when:</p> <ul style="list-style-type: none"> cut exceeds 2m in depth fill has a total area of 100m² or more is within 40m of the top bank of a riparian corridor as defined under the Water Management Act 2000 	Bulk earthworks have previously been undertaken on the site as part of completed Stage 1 subdivision works DA 16-2009-324-3. No further bulk earthworks are required for the development.
	<p>B3.5 Fill must consist of virgin excavated natural material (VENM) as defined under the Protection of Environment Operations Act 1997 or any other waste-derived material the subject of a resource recovery exemption under clause 91 of the Protection of the Environment Operations (Waste) Regulation 2014 that is permitted to be used as fill material.</p>	No fill is proposed. Refer to the above.
B4 Drainage and Water Quality		
B4.A Stormwater drainage plan	Development that applies to this part is to provide a stormwater drainage plan and a written description of the proposed drainage system within the SEE.	A stormwater drainage plan is included in the civil engineering plans prepared by Northrop. Refer to Section 3 of the Statement for the description of the proposed drainage system.
B4.B On-site detention	<p>B4.2 On-site detention / on-site infiltration is required in stormwater requirement areas where:</p> <ul style="list-style-type: none"> the post-development flow rate or volume exceeds the pre-development flow rate or volume; or impervious surfaces exceed the total percentage of site area listed under Figure BC; or 	On-site detention requirements have been considered for the overall Astra Aerolab subdivision in accordance with DA 16-2009-324-3. The Astra Aerolab Stage 1 subdivision Stormwater Management Report (NL152640_Rev B) prepared by Northrop Engineers provided an approved strategy that considered

Clause	Provision	Comment
	<ul style="list-style-type: none"> it is identified under Section D Specific Areas of the DCP. 	the entire subdivision in a fully developed state to achieve the required stormwater detention. This includes grassed swales, in-street rain gardens, storage basins and the existing downstream wetland. In accordance with the provisions of PSCDCP 2014, as the site proposes less than 90 percent impervious area, no further on-site detention is required. Refer to Civil Engineering Report for further detail.
	<p>B4.3 On-site detention / on-site infiltration is to be:</p> <ul style="list-style-type: none"> sized so that the post-development flow rate and volume equals the predevelopment flow rate and volume for all storm events up to and including the 1% annual exceedance probability (AEP) storm event provided by either underground chambers, surface storage or a combination of the two and are generally positioned: <ul style="list-style-type: none"> - under grassed areas for any cellular system (which can be easily maintained) - under hardstand areas such as driveways for any concrete tank structures <p>Note: A neutral or beneficial effect (NorBE) on water quality must be designed for all storm events.</p>	Refer to the above.
	<p>B4.4 Details of the on-site detention / on-site infiltration concept design must be provided in the stormwater drainage plan and the written description and must include information on:</p>	Refer to the above.

Clause	Provision	Comment
	<ul style="list-style-type: none"> the location and type of detention / infiltration system demonstrated flow rate / volume for all design storm events up to the 1% AEP pipes, pits, overland flow and discharge point surface grates and maintenance access points orifice type, location and screening facility slope/gradient of the land post-development flow rate and volume for the site equal to pre-development flow rate and volume for the site 	
B4.C Water quality	<p>B4.5 Development is to provide stormwater quality improvement devices (SQIDs) in accordance with Figure BE: Water quality table, unless:</p> <ul style="list-style-type: none"> a WSUD strategy that applies to the land has been approved by Council and is listed on Council's website for the purposes of this requirement. the development is a dwelling house, semi-detached dwelling, secondary dwelling, and/or ancillary structure to residential development, or; the development is for alterations and additions to a dwelling house, semidetached dwelling, secondary dwelling, and/or ancillary structure to residential development, or; the development is for other minor alterations and additions on a lot of less than 250m². A document listing approved WSUD strategies is available on Council's webpage. 	<p>Stormwater quality and treatment devices have been considered for the overall Astra Aerolab subdivision in accordance with DA 16-2009-324-3. The Astra Aerolab Stage 1 subdivision Stormwater Management Report (NL152640_Rev B) prepared by Northrop Engineers provided an approved strategy that considered the entire subdivision in a fully developed state to achieve the above required pollutant reductions. As such, no further stormwater treatment devices are proposed for the development.</p>

Clause	Provision	Comment
	Where an approved WSUD strategy applies to the land, details are to be provided which demonstrate that any requirements outlined in the list of approved WSUD strategies have been incorporated into the development.	
	B4.6 Stormwater quality improvement devices (SQIDs) are designed to be taken offline from minor and major drainage systems.	Refer to the above.
	B4.7 Development submits the evidence of how the water quality targets have been achieved (e.g. SSSQM Certificate, MUSIC or MUSIC-Link report).	As mentioned above, stormwater quality targets for the overall Astra Aerolab precinct were considered in the approved subdivision under DA 16-2009-324-3. No further MUSIC modelling has been prepared.
	B4.9 Erosion and sediment measures are provided during the construction phase in accordance with the issued conditions of consent	An Erosion and Sediment Control Plan prepared in support of the development application.
B5 Flooding		
Figure BI: Suitable land uses by flood hazard category	As indicated on the Flood Certificate issued by Port Stephens Council on 7 April 2022, the location of the proposed development on the subject site is identified as minimal risk flood prone land for which there are no applicable development controls. No further consideration of flood controls is required.	
B6 Williamstown RAAF Base – Aircraft Noise and Safety		
B6.A Site acceptability	B6.1 Where development is located within the 2025 ANEF, it has regard for classifications for acceptable noise impacts.	The site is located approximately along the ANEF 30 contour line. Refer to the Acoustic assessment to demonstrate the maximum indoor sound levels can be achieved for the proposed development.
B6.B Indoor noise	B6.2 Development must satisfy the maximum internal sound levels specified in Figure BM by providing an acoustic report	Refer to the above.
B6.D Impacts on operation of aircraft	B6.6 When development types listed in column 1 are proposed in the bird strike zone, which is identified by Figure BN, the development application must be	The proposed development is located in Bird Strike Zone A, however, is not located in Column 1. No further consideration of DCP Column 2 provisions is required.

Clause	Provision	Comment
	prepared in accordance with the provisions of column 2.	
	B6.8 Outdoor lighting installed as part of development in the area identified in Figure BS and/or Figure BT is to comply with the extraneous lighting controls detailed in the Civil Aviation Safety Authority (CASA) Manual of Standards (MOS-139) Aerodromes.	NA – not located in area of extraneous lighting limitation.
B8 Road Network and Parking		
B8.A Traffic impacts	B8.1 The statement of environmental effects (SEE) details: <ul style="list-style-type: none"> • car parking location, number and dimensions; • access arrangements; • traffic implications on the existing road network and junctions; • street features, such as trees, footpaths and pipes; and • pedestrian impacts and access for disabled persons. 	Refer to Section 3 of the Statement.
	B8.2 A traffic impact assessment (TIA) is required for: <ul style="list-style-type: none"> • development for 20 or more dwellings; • development defined as traffic generating development; or • development deemed in Council's opinion to impact on the existing road network. 	Whilst it is noted that the proposed development is not classified as traffic generating development under Schedule 3 of the Transport and Infrastructure SEPP, a Traffic Impact Assessment is submitted in support of the development application.
B8.B On-site parking provisions	Except as required by B8.5, B8.6, or B8.7, all development that has the potential to create demand for on-site parking must provide parking in accordance with Figure BU. Office premises and business premises: <ul style="list-style-type: none"> • 1 car space per 40m² floor area • 1 bike space per 200m² floor area • 1 accessible car space per 30 car spaces 	The calculated DCP car and bicycle parking requirement for the development is based off the floor area of the specific land use, summarised below: Office: $(4,893/40) = 122.32$ car spaces Restaurant café $(170/25) = 6.8$ Shop: $(75/20) = 3.75$ car spaces

Clause	Provision	Comment
	<p>Restaurant / Café (within a commercial premise):</p> <ul style="list-style-type: none"> 1 car space per 25m² <p>Shop:</p> <ul style="list-style-type: none"> 1 car space per 20m² floor area 1 accessible car space per 30 car spaces 	<p>Total calculated parking requirement: 133 car parking spaces</p> <p>Bike Parking for Office use: (4,893/200) = 25</p> <p>The proposed development will provide 17 car parking spaces which will result in a carparking deficiency. As such a variation to the DCP is requested. See Section 5.8.1 of this Report for justification for the variation.</p> <p>The proposed development will provide 26 bike storage racks (14 in secure storage EOT facility + 12 in building forecourt).</p>
	B8.5 Where the parking requirements for B8.4 cannot be provided for onsite in accordance with Figure BU, Council may consider alternative off-site arrangements for parking demand, such as providing parking on another site in proximity to the development.	<p>GNAPL are current preparing a precinct wide parking and pedestrian circulation strategy to provide additional parking that cannot be accommodated within development sites.</p> <p>See further discussion in Section 5.8.1</p>
	B8.8 All internal driveways and parking areas of public car parks are concrete pavement or gravel sealed with bitumen or asphalt	All internal driveways and parking areas will provide sealed surfaces.
	B8.9 Walking routes through large car parks are to be delineated by markings, signage, grade separation and pedestrian crossings in accordance with AS 2890 – Parking facilities	All walking routes through paved hardstand parking areas within the site will be designed in accordance with AS 2890 – Parking Facilities.
	<p>B8.10 Parking for people with a disability is designed and constructed:</p> <ul style="list-style-type: none"> in accordance with AS 2890 - Parking facilities and AS 1428 - Design for access and mobility 	The proposed carparking located on Level 1 includes one accessible parking space in accordance with the requirements under AS2890. The parking space has been designed to

Clause	Provision	Comment
	<ul style="list-style-type: none"> to be located as close to wheelchair accessible entrances/lifts and linked by an accessible/ continuous path 	<p>achieve compliance with the provision of a shared zone. The accessible parking space has been provided in close proximity to the lift. The location reduces travel distance and provides suitable access to all levels of the complex.</p>
B8.C On-site parking access	<p>B8.12 The entry, exit and driveway separation widths of access points from a site to a street frontage is provided in accordance with Figure BV.</p>	<p>With reference to Figure BV, it is considered that the proposed development would be a Class A development allowing for all day parking, providing <25 car parks for local street. The DCP specifies driveway maximum width of 4 metres for this type of development class.</p> <p>The development proposes a driveway width of 10 metres to accommodate the shared use by future development on Lot 106 and 107. A variation to the DCP is proposed and considered reasonable for the proposed future use of these lots within the Astra Aerolab development.</p>
	<p>B8.13 Ingress and egress to parking areas is:</p> <ul style="list-style-type: none"> not located in proximity to intersections or where queuing and sight distances are restricted not located opposite other traffic generating developments, unless separated by a median strip 	<p>The proposed carparking areas are located within the building. The exit from the carpark onto Aerospace Avenue will be located approximately 60 metres away from the intersection with Jeffries Circuit.</p> <p>It is noted that the proposed development of Lot 106 will be located opposite the development of Lot 109 which will comprise traffic generating development for the purposes of general industrial development (subject of a separate development application). Additional road treatment with median strip is</p>

Clause	Provision	Comment
	<ul style="list-style-type: none"> not located within the sections of kerb illustrated by Figure BY to provide a minimum of 0.5m from the side boundary at the front property line and minimum 0.5m clearance from the edge of existing street furniture intersect with the road between 70 to 90 degrees to provide a driveway cross-fall for the first 3 metres, which is to match the longitudinal gradient of the kerb/road pavement to ensure vehicles can enter and leave in a forward direction to provide the minimum sight distances (MSD) required by Figure BW in accordance with Figure BX 	<p>not considered required given the low number of car parking spaces proposed in the development and the low number of related traffic movements.</p> <p>The driveway entry to the building's carpark is not located within section of kerb illustrated in Figure BY.</p> <p>The car parking areas are located within the building.</p> <p>The driveway access will intersect the road at 90 degrees.</p> <p>The driveway will match the longitudinal gradient of the kerb and road pavement.</p> <p>The site design intends for all vehicles to enter and leave the site in a forward direction.</p> <p>The minimum sight distances as shown in Figure BX can be achieved along the alignment of Aerospace Avenue.</p> <p>See Engineering Plans and Traffic Impact Assessment for further details.</p>
	B8.14 Visitor parking is clearly marked, signposted and located in proximity to the main building of the development	Visitor parking is not proposed on within the proposed development. Visitor parking will be accommodated within the common user Parking area for Astra Stage 1.
C2 Commercial		
C3.A Height	C2.1 Building height is provided in accordance with the Local Environmental Plan clauses 4.3 and 5.6	The PSLEP 2013 does not specify any maximum building height control for the site. The proposed development will have a height of 36.75 metres.

Clause	Provision	Comment
	C2.2 Minimum ground floor to ceiling height for all new development within a commercial zone is 3.5m.	The proposed development will have a ground floor to ceiling height of 4.6 metres.
	C2.3 Minimum first floor and above floor to ceiling height for commercial premises is 3m.	The proposed development will have a first floor to ceiling height of 3.8 metres.
C2.B Site frontage and setbacks	C2.6 Minimum 20m site frontage where development is proposed to be more than 10.5m in height.	The proposed development is located on a corner allotment and has frontage to both Aerospace Avenue and Jeffries Circuit. The frontage to Aerospace Avenue measures 46.3m with the frontage to Jeffries Circuit measuring 36.7m, compliant with the control.
	C2.7 Development is built to the front property line for the ground and first floor.	This control does not apply. The proposed site falls within the D15 Specific Areas to which development control D15.B applies requiring a minimum setback of 5m. The building line is set back 5m from Aerospace Avenue consistent with development control D15.B.
	C2.8 Minimum 3m front setback from the front property line for the second floor and above.	This control does not apply. The proposed site falls within the D15 Specific Areas to which development control D15.B applies.
	C2.11 Development should be built to the side boundary to maximise continuous active street frontage, except where side access is provided.	This control does not apply. The proposed site falls within the D15 Specific Areas to which development control D15.B applies
	C2.13 Rear setback is built for purpose and informed by a site analysis plan.	The proposed development will have a rear setback of 3 metres which will establish a consistent setback with the proposed side setbacks.
C2.C Building form and massing	Building mass does not result in unreasonable loss of amenity to	There is no development on adjacent properties.

Clause	Provision	Comment
	adjacent properties or the public domain.	
C2.D Facades	C2.17 Building facades use materials, colours and architectural elements to reduce bulk and scale that are complimentary to existing built-form and natural setting.	<p>There is no existing built form to complement within the surrounding environment.</p> <p>The proposed development will provide the first commercial building in the designated Commercial Core of Astra Aerolab. The building will implement a podium structure to contrast the built form of the upper levels. A suspended 'fin' will be constructed on the southern façade and provide visual interest to the building form. The external façade will incorporate stepped building articulation to add variation to the built form.</p>
	C2.18 Development provides continuity of an active street frontage.	<p>An active street frontage can be achieved through the provision of articulated walls, glass façades and the use of the ground floor tenancies to present to the street frontage.</p> <p>The proposed development is a modern architecturally designed building. The design incorporates design elements which articulate the building façade, whilst creating links to the airport precinct shown in the winged canopy. The proposed development incorporates commercial tenancies on the ground floor facing both Aerospace Avenue and Jeffries Circuit.</p> <p>The design reinforces a sense of place and the nature of the precinct whilst activating the street frontage.</p>
	C2.20 Development incorporates crime prevention through environmental design (CPTED) principles by providing	The proposed development will facilitate sight lines and visibility within the site with an appropriate landscaping strategy and selection of

Clause	Provision	Comment
	passive surveillance to public spaces through building design and orientation.	vegetation to enhance crime prevention through passive surveillance.
	C2.21 Development provides paving to the public footpath for the entire length of the development street frontage.	The proposed development will link to the existing footpath along the extent of Aerospace Avenue.
C2.F Building entries	C2.23 Provide a recognisable entry from the primary street.	The proposed development will provide a recognisable entry along Aerospace Avenue.
C2.G Building facilities and services	C2.25 Plant, equipment, storage areas, communication structures and servicing areas are located at the rear of a building and not be visible from streets, parks and other public spaces, except for service lanes.	The proposed development will incorporate building services and plant within the southern portion of the building, however this will not be visible from the street as it will be fully contained.
	C2.26 Commercial development with a capital investment value over \$2 million shall provide toilets that are accessible to the public.	Public toilets will be available on the ground floor of the building.
	C2.27 Commercial development with a capital investment value over \$2 million and that provides frontage to the public domain shall incorporate public art in accordance with Council's Public Art Policy and Guidelines for the approval and installation of public art in Port Stephens.	Aerospace Avenue will be dedicated to Council and will therefore become a public road. A public Art Strategy for Astra Stage 1 is being developed to provide suitable public art installations for the precinct. See Section 5.8.1 for further discussion.
C2.J Landscaping	C2.31 Landscaping is provided as follows: • 10% of the site area consisting of deep soil planting	Approximately 20 percent of the site will be provided with deep soil planting. Refer to landscaping plan to be included in the supporting documents.
	C2.32 To be counted as part of the total landscaping coverage the landscaped area must be at least 1.5m wide and 3m long.	The calculatable landscaping on site will comprise of areas at least 1.5 metres wide and 3 metres long.
	C2.35 Landscape species are to be selected in accordance with the landscape technical specification.	Refer to landscaping plan to be included in the supporting documents.

Clause	Provision	Comment
D15 Williamstown Defence and Airport Related Employment Zone (DAREZ)		
D15.A Lodgement requirements	D15.1 A development application is accompanied by a landscape plan consistent with the Williamstown Aerospace Park Landscape Master Plan	Refer to Landscape Plan
	D15.2 A schedule of colours and finishes is submitted with the SEE to demonstrate that the development contains non reflective materials	Refer to the Architectural Plans submitted in support of the application.
D15.B Setbacks	D15.3 Aerospace Support and Commercial Precinct: <ul style="list-style-type: none"> Minimum front setback of 5m Minimum secondary setback of 2m 	The proposed development complies with the specified minimum setbacks. The proposed development incorporates a winged canopy attached to the ground floor. The canopy has a front boundary offset between 1.07 and 0.87m from Aerospace Avenue. This architectural feature provides visual interest and is not considered to be part of the building.
D15.C Street layout	D15.4 Road Layout is consistent with Figure DAG	The development does not propose any roads.
D15.D Drainage and water quality	D15.6 Drainage and stormwater systems are in accordance with the Williamstown Aerospace Park Flood Assessment and Stormwater Strategy	See Stormwater drainage plans. Overall site drainage is as per the approved stormwater drainage under DA 16-2009-324-3.
D15.E Flooding	D15.7 All car parking and driveways are to be located at a level greater than 2.5m Australian Height Datum (AHD)	The existing ground level exceeds a height of 2.5 metres AHD.
	D15.8 All development is to have a minimum floor level equal to or greater than the flood planning level	The floor planning level is 3 metres AHD. The finished floor level of the building is detailed at 3.85 metres AHD and is compliant with the flood planning level.
D15.F Parking	D15.9 On-site parking is to be located at the rear, side or within buildings of the Commercial Precinct	Proposed parking is located within the building.
D15.G Airport operational requirements	D15.12 Electromagnetic radiation or radio emitting devices are not to interfere with airspace operations	Noted.

Clause	Provision	Comment
	D15.13 Development provides consideration to navigational markers by not inferring with their intended purpose	Noted.
	D15.14 External lighting considers aircraft/control tower	The proposed development is not located in extraneous lighting mapped area.

5.8.1 Variations to the DCP

The following variations are proposed to requirements of DCP:

(i) Car parking

As detailed under development control B8.B the proposed development the requires the following car parking spaces.

Table 4 Car Parking required under the PSDCP

Land Use	GFA (m ²)	Rate	Spaces Required
Office premises Ground Floor	278	1/40m ²	
Office premises Level 2 – 6 i.e. 923m ² x 5	4,615		
Subtotal	4,893		122.32
Ground floor retail	75	1/20m ²	3.75
Ground Floor restaurant / café	170	1/25m ² (in commercial premises)	6.8
Total			133

*Gross Floor Area (GFA) is defined under the Port Stephens LEP 2013 and excludes things like stair and lift circulation, building services, car parking and terraces with outer walls less than 1.4 metres high.

The development proposes 17 parking spaces on Level 1 which includes an accessible parking space. This results in a parking deficiency of 116 spaces on the site.

Clause B8.5 of the PSDCP specifies that where the parking requirements for B8.4 cannot be provided for onsite, Council may consider alternative off-site arrangements for parking demand, such as providing parking on another site in proximity to the development. Accordingly, GNAPL are currently preparing an overall parking strategy to service Stage 1 of Astra Aerolab.

Given that there is no provision for on-street parking provided for in Astra Aerolab and limited public transport options available in the locality, deficiency in onsite car parking is proposed to be offset by provision of parking in common user Car Parking Area for all proposed and future developments in the commercial core (Proposed Lots 103 – 110) of Astra Aerolab.

The car park will provide safe and secure common access parking for employees and visitors in a secure, fenced, purpose built car park. It will be linked to the site via the existing and proposed pedestrian footpath along Aerospace Avenue and McNamara Parade.

This carpark is envisaged to accommodate approximately 1,070 parking spaces and will be accessed via McNamara Parade off Aerospace Avenue, As indicated in the figure below. There is the capacity for parking spaces to be allocated to a specific building or tenant of a building. It is anticipated to include provisions for electric vehicle (EV) charging stations.



Figure 8 Indicative Common User Car Park Layout (Working drawing, dated 05/10/2022)

This car park will partially utilise the extension of the approved Long Stay 1 Car Park, previously approved under DA 16-2021-1153-1, together with new car parking, access and boom gates to be constructed. A development application will be lodged for the construction of additional parking and operation of the car park for Astra.

The variation to the parking rate is supported by the Traffic Impact Assessment prepared by JMT Consulting.

To this extent, it is believed that the parking demand for the proposed development can be facilitated through the provision of the on-site parking and off-site parking provided in the common parking area being development for the Stage 1 commercial core for Astra Aerolab.

(ii) *Public Art Strategy*

Clause C2.27 of the PSCDCP requires that commercial development with a CIV over \$2 million and that provides frontage to the public domain shall incorporate public art in accordance with Council's Public Art Policy and Guidelines for the approval and installation of public art in Port Stephens.

It is noted that Aerospace Avenue will be dedicated to Council and will therefore become a public road, and that the CIV for the project exceeds \$2 million. Accordingly, the DCP requirement applies.

The Public Art Policy and related guidelines is to provide Council with a framework to manage public art placement, procurement, and management to maximise the social and economic benefits of public art as it relates to place making and contributing to a vibrant cultural and economic life. The proposed development is the first commercial development proposed in the new commercial to be established in Astra Aerolab. This will be followed by similar commercial developments of equivalent value.

Given that the DCP requirement will apply to multiple future developments, it is proposed that a comprehensive Public Art Strategy for the entire Astra Aerolab Stage 1 precinct be developed to provide suitable public art installations for the precinct. For Astra Aerolab public art will play a significant role in shaping inspiring civic environments that drive collaborative interaction between workers and researchers. It is envisaged that public artworks will help develop a creative and dynamic precinct profile for Astra Aerolab. This distinct and vibrant place character can help attract the world's best companies, staff and talent.

GNAPL are currently developing a framework that ensures public art opportunities address Port Stephens Council requirements and conforms to relevant Council policies and promote strategic aspirations at a site level, a precinct level inclusive of Newcastle Airport and for the Port Stephens LGA. This will include developing a draft vision and curatorial themes presentation to test direction of Public Art Plan in consultation with Council. The Draft Public Art Plan will include:

- strategic vision and objectives
- curatorial themes
- framework for addressing relevant controls
- benchmarking case study profiles
- identification of opportunities for Lot 106 opportunities
- demonstration of alignment to Port Stephens Council policy and strategic context
- procurement and implementation plan.

The above framework and consultation with Council is proposed to be implemented as a separate process from the DA process, however it is expected that appropriate conditions of consent that ensure linkage and compliance with the framework can be included in any ensuing Development Consent.

5.9 Development Contributions

Under the Port Stephens Local Infrastructure Contribution Plan, Section 7.12 Development Contributions are applicable to the proposed development. As the estimated cost of development exceeds \$200,000, a development contribution levy of 1% will apply.

6 Likely Impacts of the Development

6.1 Environmental Impacts

This section addresses all the likely impacts of the development in the locality, including impacts arising from the development, and impacts on the development in accordance with Section 4.15(1)(b) of the EP&A Act.

6.1.1 Bushfire

The subject site is identified as Category 3 bushfire prone land with the proposed development will be affected by hazardous vegetation to the north and south. Clearing of vegetation as a result of the Stage 1 subdivision has reduced the risk of bushfire for the site.

The Bushfire Threat Assessment (BTA) prepared by AEP Consulting dated 30 September 2022, concluded that a minimum 10m defendable area will need to be provided between the proposed development and any bushfire prone vegetation. This must be sealed to allow firefighting access and must not be vegetated. Areas within the defendable space must include a strict landscaping plan that incorporate minimal vegetation and free from combustible items and obstructions.

The proposed Landscaping Plan includes landscaping around the perimeter of the building incorporating, garden beds with ground covers, shrubs and eleven (11) trees. This conflicts with the requirement for minimal vegetation within the 10m defensible area.

The BTA notes that hazardous vegetation is still present within the 140m hazard assessment area, as indicated in Figure 9. This vegetation is proposed to be cleared as part of the construction of Stage 2A in Development Consent DA 16-2009-324-1(3). This is the next stage of construction in the GNAPL program of works for Astra Aerolab to April 2023, and be completed in December 2023. This will further reduce the immediate hazard and allow the proposed landscaping to be installed without providing an additional hazard.

The drafting of a suitable Condition of Consent that requires evidence to be provided to the Certifier confirming that the completion of works in Stage 2A of Development Consent DA 16-2009-324-1(3) has occurred, prior to installation of landscaping or the issue of an issue of the OC, whichever occurs first.



Figure 9 Slope and Hazard Assessment - (Source BTA - AEP September 2022)

6.1.2 Height and Visual Impact

The proposed development will have a significant visual impact on the immediate locality with a maximum height of 36.75 metres.

The PSLEP does not contain a maximum height of buildings or maximum FSR. The PSDCP also does not contain a specific maximum height of building. In determining an appropriate height that achieves the applicants commercial objectives and required leasable floor area for the development, the following matters were considered:

- The Obstacle Limitation Surface (OLS) and aviation operations
- The intended future character of the site and precinct in accordance with draft WSAP
- Local scenic qualities and visual impact on the locality

These are detailed further below:

(i) *OLS and Aviation Operations*

An Obstacle Limitation Surface (OLS) is a tool used to define the airspace surrounding an airport that must be protected from obstacles to ensure the safe operations of aircraft activity in proximity to the airport/aerodrome, particularly during take-off and landing.

In accordance with Clause 7.4 of the PSLEP 2013 the proposed development will exceed the Obstacle Limitation Surface height of 7.5 metres for the subject site. As such, the development will require referral to the relevant Commonwealth body, understood to be the Department of Defence.

To guide the height of the development the maximum OLS in this location has been calculated as being 49.08m. This is based on the runway RL of 4.08 plus the inner horizontal radius up to 4km being 45m in accordance with Table 10-1 Chapter 10 Obstacles in Airspace of the Rules and Practices for Aerodromes (August 1999).

Preliminary engagement with the Department of Defence advised that in order to ensure that proposed buildings in Astra Aerolab do not encroach on radar protected areas, the maximum height allowed in these locations is 33m AHD. The height to the top of the roof of the leasable floor complies with this requirement. The services core of the building containing mechanical plant, lift, stairs and circulation exceeds this height by 3.75m.

(ii) *Williamstown Special Activation Precinct (WSAP)*

The WSAP presents a significant opportunity to understand the site's broader constraints and opportunities to develop a strategic and holistic approach to land use planning. Benefiting from the Precinct's strategic location adjacent to Newcastle Airport and its proximity to the M1 Pacific Motorway and the Port of Newcastle, the Precinct will leverage new freight and logistics opportunities.

The WSAP Draft Master Plan was exhibited by the DPE between April and June 2022. The draft Master Plan included a Structure Plan which the designation of a commercial core in Stage 1 of Astra Aerolab. This is intended to create a well-connected, vibrant campus-style precinct. The precinct will become a training and innovation hub that encourages defence, aerospace, advanced manufacturing, research and development, industrial and commercial activities increasing job prospects and up-skilling the local community.

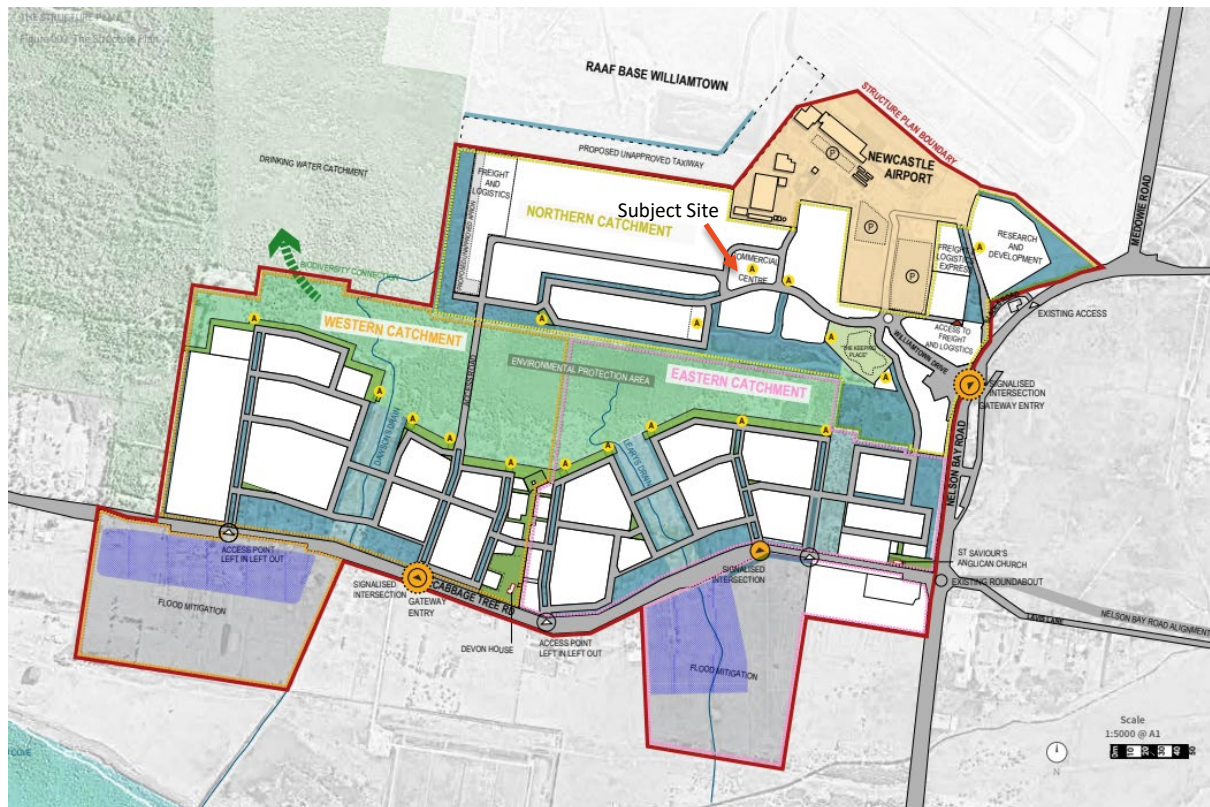


Figure 10 Draft WSAP Structure Plan (Source: DPE April 2022)

The proposed development is consistent with the intended future character of the Astra Aerolab Precinct and the WSAP for aerospace, defence and aviation supporting industries.

(iii) Scenic landscape and visual impact

Williamtown's strategic location set between Newcastle and Port Stephens establishes its identity as a rural hub that is at the brink of economic growth, technological advancement and tourism. Its existing character is defined by the prevalent aviation activities that take place at the RAAF base and Newcastle Airport which are situated alongside Astra Aerolab. The commercial and defence aviation aspect of the precinct will define the transition in character from a rural area to a contemporary, innovative and dynamic commercial and industrial employment zone.

A Visual Impact Assessment has been prepared to document the modified views within the current landscape as a result of the proposed development. The images used have been taken around the site from key vantage points and viewed from the eye height of a pedestrian.

When viewed from Cabbage Tree Road the building is visible above the tree canopy in the background. It is important to note that the draft WSAP Master Plan identifies the vegetated area be zoned as a proposed C2 Environment Conservation zone, meaning that only the top height of the building will be visible from this vantage point. It is also noted that the land between Cabbage Tree Road and the proposed C2 zone is proposed to be rezoned from RU2 Rural Landscape to a Regional Enterprise zone allowing for the eventual transition from rural land uses to industrial and commercial employment land uses. The proposed Land Zoning Map in the Draft WSAP is illustrated in Figure 11.

Overall, the VIA demonstrates that the proposed development has minor impact on the views toward the Astra Aerolab precinct.

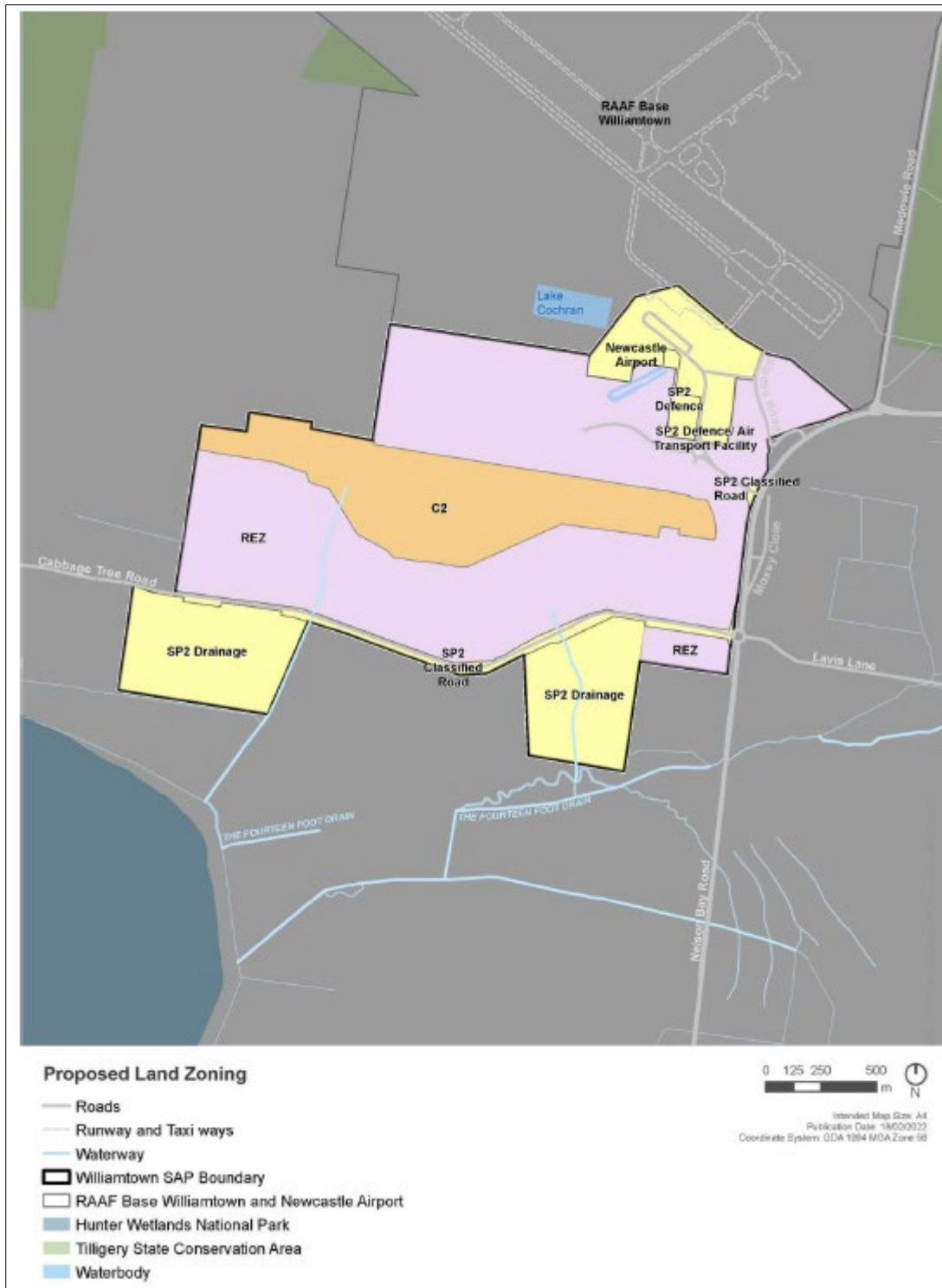


Figure 11 Proposed WSAP Land Zoning (Source: Introduction to WSAP - DPE April 2022)

6.1.3 Traffic and Transport

The proposed development includes 17 car parking spaces including one (1) accessible parking space. This results in a carparking deficiency when assessed against the PSDCP 2013 parking requirements. The deficiency is justified without adverse impacts to the future tenancies as detailed in Section 5.8.1

of this Statement. The precinct wide parking and pedestrian circulation strategy to provide additional parking that cannot be accommodated within development sites. The overall parking strategy will provide safe and secure common access parking to service the commercial core linked to development sites via the established system of pedestrian pathways.

The proposed density, and campus style built form of the Astra Aerolab commercial core supported by the proposed development will encourage active travel (walking and cycling) within the precinct. The proposed internal road system and use of open space provides opportunity walking and cycling within the WSAP in a high amenity environment. In terms of public transport the draft WSAP Master Plan acknowledges that public transport links will predominantly rely on bus services. Longer term provisions for public transport including provision for future rail connections have not been incorporated in the Structure Plan.

Whilst the development and the precinct will be largely vehicle dependent in the initial stages, longer term expansion of reliable, direct and appropriate rapid bus services should be explored, along with ride share and other alternative transport opportunities. Initiatives such as the provision of EV charging stations will further encourage the transition to alternative transport modes.

6.1.4 Building Code of Australia Compliance

The preliminary assessment of the building design indicates that the building can achieve compliance with the National Construction Code (NCC) dependent on the implementation of a number of performance solutions. The Report identifies that the performance solutions for the building will be development as part of the ongoing design and development process to ensure compliance with the NCC.

An Accessibility Report has been prepared to ensure the proposed development can meet the principals of good accessible design and meets key legislative and policy guidelines. The Report details that the proposed development is generally compliant with the overarching the Building Code of Australia (BCA). The report nominates:

- a kerb ramp is required to the drop off bay; and
- a design change to the corridor width on the ground floor.

The Accessibility Report concludes that the proposal is capable of meeting the Performance Requirements of the BCA with respect to access for people with a disability.

A Section J Report was commissioned to ensure the building could achieve thermal compliance can be achieved. The Report prepared by (WSP, 2022) identifies that the building can achieve thermal building envelope compliance in accordance with the NCC 2019 Volume 1 Section J.

The NCC Compliance Assessment Report, along with the Accessibility Report and Section J Report deem the proposed building design to be able to achieve compliance with the NCC, BCA and relevant Australian Standards.

6.1.5 Construction Impacts

Construction works for the proposed development will produce noise. Noise produced during construction is not expected to result in any adverse impacts to amenity as there are no noise sensitive receivers in proximity of the site.

The proposed development will not have an impact on air and microclimate during both the construction. Dust suppression strategies will be utilised where required, to prevent dust borne air pollution.

Waste generated during construction will be adequately managed and stored in a temporary stockpile location shown on the sediment and erosion control plan and site waste management and minimisation plan. Construction waste will be minimised through the use of prefabricated materials which will be delivered and installed on site as well as known and measured material inputs. A detailed Construction Management Plan will be prepared by the nominated contractor prior to commencement of construction.

6.1.6 Operational Impacts

As the proposed development will operate as a commercial office premises, no ongoing adverse noise impacts as a result of the development are expected.

Minimal impacts to the air and microclimate are expected during the operational phase of the development, with the new buildings being non-odour or air-pollutant emitting buildings.

Operational waste volumes, proposed bin quantities and collection frequencies have been estimated based on expected future building use as shown in Section 3.6. Operational waste will be sorted by each tenancy into different waste streams and will be regularly transferred to the waste collection zone located on the ground floor. The site will provide adequate access for service vehicles to collect and dispose of waste in an orderly fashion.

6.2 Social Impacts

Social impacts are considered as something that is experience or felt in either a perceptual or physical sense that can impact either an individual, social group, workplace or community. Social impacts are changes to one or more of the following:

- People's way of life – how they work, live, play and interact
- Their culture – belief systems, customs, values and language
- Their community – sense of place, cohesion and stability
- Their political systems
- Their environment
- Their health and wellbeing
- The personal and property rights

- Their fears and aspirations – perceptions about their safety, change to the future of their community

The proposed commercial development is generally considered to have a positive social impact. The development is designed to create additional employment opportunities. This provides job reassurance and security contributing to positive social outcomes. The project is in proximity to the urban areas of Newcastle, Raymond Terrace, Nelson Bay and Medowie. This allows for short commute times and promotes professional workers to the LGA. The retail component on the ground floor encourages interaction between office workers on various levels and builds a level of social cohesion.

The proposed development is located within the Williamstown SAP. The building has incorporated design elements to reinforce the unique aerospace quality of the precinct. This creates a unique sense of place and reinforces the emerging aerospace industry. The design the building includes the provision of bicycle parking and end of trip facilities. This promotes the use of active transport to access the site. The promotion of active transport encourages health and wellbeing and is known to support positive mental health outcomes. The expansive glass windows associated with the office floor levels allows for views across the existing landscape. Views to natural vistas are understood to have positive impacts on reducing anxiety and stress.

The environmental assessment and associated technical reports provided under separate cover to this Statement demonstrate that the proposed development is not likely to result in any adverse impacts that cannot otherwise be mitigated. It should be noted that the proposed development does not result in any adverse noise impacts; aircraft noise impacts on the office tenancies can be mitigated through detailed design. Stormwater and water quality can be successfully managed on site. Accordingly, the development is not identified to result in any adverse impacts on the drinking water catchment. The rainwater captured will be re-used on site for toilet flushing and landscaping. This reduces the building requirement on potable water supply. Lastly, the proposed development can comply with Section J of the BCA. It is considered that the development can meet thermal efficiency and reduce reliance on anthropogenic temperature control. The architectural plans demonstrate an area for future solar provisions. Incorporating solar panels into the development would reduce the reliance on fossil fuel energy consumption. The development is considered to manage environmental impacts and works towards reducing reliance on finite resources.

Safety and security of person is a significant social impact that has been addressed separately under Section 6.2.1 of this Statement.

Whilst it is demonstrated that the proposed development results in a positive social impact it is recognised that community members may have differing views or concerns. The advertising and exhibition of the DA will provide the opportunity for any matters of concern to be raised in public submissions.

6.2.1 CPTED Principles

The proposed development has considered Crime Prevention Through Environmental Design (CPTED) principles to contribute to a safe environment for persons using the site. The single vehicular entry and exit point via the shared access road will support territorial reinforcement through clearly delineating access to the site. The architectural design of the building provides a clear built form 'edge' which assists in creating a clear delineation between public and private space.

Passive surveillance will be maintained throughout the site via clear sightlines. The built design generally prevents hidden corners which could be used as places criminal or unlawful actions. It is recommended that restricted access to the carparking area is provided through electronic key operated roller door and pedestrian access door. This would minimise the risk of unwanted persons hiding in the carpark, reducing the risk of surprise attack and unlawful activity such as break and enter. Further it is recommended that suitable night-time lighting is provided on Level 1m. The objective is to provide clear sight lines from the lift to parked vehicles and from street view into the parking area. Proposed landscaping will comprise of low height vegetation which will be regularly maintained through lopping of tree branches to a height of 2m above ground and maintaining shrubs no taller than 30cm. Maintained landscaping enables clear sightlines and prevent the use as cover or access for criminal activity. Technical surveillance including CCTV may be implemented in ongoing operations of the site to detect unauthorised activity.

6.3 Economic Impacts

The proposed development will have a positive economic impact. In the short term, the development is expected to create up to 100 construction jobs with up to 300 permanent jobs during the operation of the completed building for office premises and ancillary uses.

The development represents the first significant investment into the development of Astra Aerolab for the purposes of commercial office premises. This supports the development and delivery of the WSAP.

7 Suitability of the Site

Section 4.15(1)(c) of the Act requires the suitability of the site to be evaluated to ensure the proposed development is appropriate with the context of the locality.

The site is located within the Astra Aerolab which has been marked for future commercial and industrial development. The purpose of the Special Activation Precinct is to encourage exploration, development and growth within the aerospace engineering industry and related disciplines. The desired outcome is to generate job growth and provide opportunities for technical skills development to the local and surrounding population. Further, the innovation hub has the opportunity to attract future investment seeking to capitalise on the emerging field.

This Statement has demonstrated that the proposed commercial development supports the strategic merits of the site. The development is the first of its kind within the Astra Aerolab precinct which will ignite the excitement for growth and development around Newcastle Airport and the RAAF. The proposed development is compliant with the legislative statutory provisions and is permissible within the current B7 Zone.

The preceding assessment along with the associated technical reports demonstrate that the proposed development does not result in substantial environmental impacts. Where impacts have been identified, substantial impact can be either mitigated or managed within acceptable tolerance limits. This ensures that the quality of the locality, amenity and end users are provided with modern and sustainable facility.

The development is recognised to have positive economic and social impacts for both the short and long term. The diversity and increased job opportunities is considered to contribute to many positive social outcomes. Recognised to increase job security with flow on effects to mental health benefits. The proposed creation of sense of place through building design and public art strategy will facilitate connection to place and pride of the precinct.

Considering the location of the site within the Astra Aerolab along with both statutory and strategic documents guiding development for the site, the preceding discussion demonstrates the site is suitable for the proposed development.

8 Submissions

This section addresses the development in accordance with section 4.15(1)(d) of the Act. It is noted that the land surrounding the site is vacant and is all in the ownership of GNAPL. It is considered that there is limited value in notifying the owners of adjoining land, however it is understood that the development application may still be exhibited.

9 Public Interest

This section addresses the development in accordance with section 4.15(1)(e) of the Act. This development is considered to be in the public interest as it is permitted with consent within the B7 Business Park zone, is consistent with the objectives of zone, will facilitate the orderly and economic delivery of services infrastructure and utilities and will enable the delivery of the planned WSAP and Astra Aerolab Precinct.

10 Conclusion

The above assessment has been undertaken in accordance with the relevant parts of section 4.15(1) of the EP&A Act. The assessment has concluded that the proposed development satisfies the requirements of the EP&A Act and should be supported.