

## COUNCIL ASSESSMENT REPORT

### HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

<b>PANEL REFERENCE &amp; DA NUMBER</b>	PPSHCC-339 – 16-2024-656-1
<b>PROPOSAL</b>	BAESA Williamtown Precinct Entry Works for Car Parking, Site Access and Ancillary Works
<b>ADDRESS</b>	5 Jeffries Circuit WILLIAMTOWN (Lot: 100 DP: 1295775), 9 Jeffries Circuit, WILLIAMTOWN (Lot: 101 DP: 1295775), 11 Jeffries Circuit, WILLIAMTOWN (Lot: 102 DP: 1295775), 55 Slades Road WILLIAMTOWN (Lot: 43 DP: 1045602) and 55C Slades Road WILLIAMTOWN (Lot: 103 DP: 873512).
<b>APPLICANT</b>	Barr Property and Planning Pty Ltd
<b>OWNER</b>	BAE Systems Australia Pty Ltd
<b>DA LODGEMENT DATE</b>	18/12/2024
<b>APPLICATION TYPE</b>	Local Development
<b>REGIONALLY SIGNIFICANT CRITERIA</b>	Section 2.19(1) and Clause 3 of Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021 declares the proposal regionally significant development as: Council related development over \$5 million.
<b>CIV</b>	\$7,685,000.00 (excluding GST)
<b>CLAUSE 4.6 REQUESTS</b>	N/A
<b>KEY SEPP/LEP</b>	<ul style="list-style-type: none"> <li>• <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i></li> <li>• <i>State Environmental Planning Policy (Industry and Employment) 2021</i></li> <li>• <i>State Environmental Planning Policy (Planning Systems) 2021</i></li> <li>• <i>State Environmental Planning Policy (Precincts—Regional) 2021</i></li> <li>• <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i></li> <li>• <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i></li> <li>• <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i></li> <li>• <i>Port Stephens Local Environmental Plan 2013;</i></li> <li>• <i>Port Stephens Development Control plan 2014.</i></li> </ul>

<b>TOTAL &amp; SUBMISSIONS ISSUES SUBMISSIONS</b>	<b>UNIQUE KEY IN</b>	0
<b>DOCUMENTS SUBMITTED FOR CONSIDERATION</b>		<ul style="list-style-type: none"> <li>• Attachment A: Recommended Conditions of Consent</li> <li>• Attachment B: Architectural Plans</li> <li>• Attachment C: Landscape Plans</li> <li>• Attachment D: Civil Engineering Plans</li> <li>• Attachment E: Lighting Plans</li> <li>• Attachment F: Lighting Assessment Compliance</li> <li>• Attachment G: Noise Impact Assessment</li> <li>• Attachment H: Arboricultural Impact Assessment</li> <li>• Attachment I: Access Report</li> <li>• Attachment J: Bushfire Assessment Report</li> <li>• Attachment K: Traffic Impact Assessment</li> <li>• Attachment L: Preliminary Site Investigation</li> <li>• Attachment M: Hazardous Materials Assessment</li> <li>• Attachment N: Construction and Demolition Plan</li> <li>• Attachment O: Operational Waste Management Plan</li> <li>• Attachment P: Crime Prevention Through Environmental Design</li> <li>• Attachment Q: Draft Deposited Plan</li> <li>• Attachment R: Stormwater Management and Servicing Plan</li> </ul>
<b>RECOMMENDATION</b>		Approval
<b>DRAFT CONDITIONS TO APPLICANT</b>		Yes
<b>SCHEDULED MEETING DATE</b>		17 June 2025
<b>PLAN VERSION</b>		Revision I – 22/04/2025
<b>PREPARED BY</b>		Isaac Lancaster – Senior Development Planner
<b>DATE OF REPORT</b>		5 June 2025

## EXECUTIVE SUMMARY

This development application (DA 16-2024-656-1) seeks consent for the demolition of a building, construction and operation of vehicle access and a car park with associated security building, gates and fencing and landscaping at the subject site.

The site comprises five (5) addresses located at 5, 9 and 11 Jeffries Circuit, Williamtown and 55 and 55C Slades Road, Williamtown, legally identified as (Lot: 100, 101 and 102 in DP: 1295775), (Lot 43 DP: 1045602) and (Lot 103 DP: 873512). Lot: 100, 101 and 102 are located

within the approved industrial subdivision known as 'Astra Aerolab', owned by Greater Newcastle Aerotropolis Pty Ltd (GNAPL), and Lot: 43 and 103 are located within the BAE Systems Australia (BAESA) Williamtown Facility, owned by the Commonwealth of Australia. The lots are relatively flat in topography and have been cleared of significant vegetation as part of the first stage of the Astra Aerolab subdivision. The site has a total area of 11,723m<sup>2</sup>, with a 145m frontage to Jeffries Circuit. The current development is intended to provide new precinct entry works to facilitate vehicular access to and car parking for the BAESA Williamtown site, located immediately northeast of the site.

The site is located to the south west of the Newcastle Airport and the Royal Australia Air Force (RAAF) Base Williamtown. The site is zoned SP4 Enterprise pursuant to Clause 2.2 with the Port Stephens Local Environmental Plan 2013 (PSLEP 2013). According to the definitions of the PSLEP 2013, the proposal satisfies the definition of a carpark, which is a permissible use with consent in the Land Use Table in Clause 2.3.

The application was notified and advertised for a period of 28 days from 13 January 2025 – 10 February 2025 in accordance with the EP&A Act, EP&A Regulations and the Port Stephens Community Participation Plan. No submissions were received during this time.

The key issues in respect of the assessment of this application related to the clearing of street trees planted within a previously mapped biodiversity values (BV) area, stormwater management design and water quality outcomes and analysis of intersection and road network performance. To address these issues, consultation was undertaken with Council's ecologist, Hunter Water Corporation (HWC) and Transport for NSW (TfNSW), resulting in minor design changes and provision of additional information. All issues were ultimately resolved.

The proposal is referred to the Hunter and Central Coast Regional Planning Panel (HCCRPP) for determination pursuant to Section 3, Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021*: Council related development over \$5 million, as Port Stephens Council is part owner of the site.

The development has been assessed under Section 4.15 of the EP&A Act and is considered satisfactory. Accordingly, it is recommended that the application be approved subject to deferred commencement conditions and operational conditions of consent contained in **Attachment 1**.

## **1. THE SITE AND LOCALITY**

---

### **1.1 The Site**

The site comprises five (5) addresses located at 5, 9 and 11 Jeffries Circuit, Williamtown and 55 and 55C Slades Road, Williamtown, legally identified as (Lot: 100, 101 and 102 in DP: 1295775), (Lot 43 DP: 1045602) and (Lot 103 DP: 873512). The site is an irregular shaped allotment, located to the south west of Newcastle Airport and the Royal Australia Air Force (RAAF) Base Williamtown refer to **Figure 1** below. The site forms part of the approved industrial subdivision known as 'Astra Aerolab' owned by Greater Newcastle Aerotropolis Pty Ltd (GNAPL); and the BAESA Williamtown Facility owned by the Commonwealth of Australia.

The site is relatively flat in topography and has been cleared of significant vegetation as part of the first stage of the Astra Aerolab subdivision. The site has a total area of 11,723m<sup>2</sup>, with a 145m frontage to Jeffries Circuit.



**Figure 1:** Locality plan with site outlined in blue

The site is subject to a number of environmental constraints (as mapped on Councils' GIS system) including:

- Weed Infestations;
- Bushfire Prone – Category 3;
- Koala Habitat – Preferred, Preferred over cleared land and mainly cleared land;
- ANEF – 35-40 and 30-35;
- Height trigger map – refer structures higher than 7.5m and defence boundaries;
- Bird Strike – Group C;
- Extraneous Lighting – 6km radius, controlled light installation area;
- Hunter Water Special Area;
- NSW Wildlife Atlas – Fauna;
- PFAS Management Area – Primary management zone;
- Flood Prone Land;
- Acid Sulfate Soils – Class 4; and
- Drinking water catchment.

## 1.2 The Locality

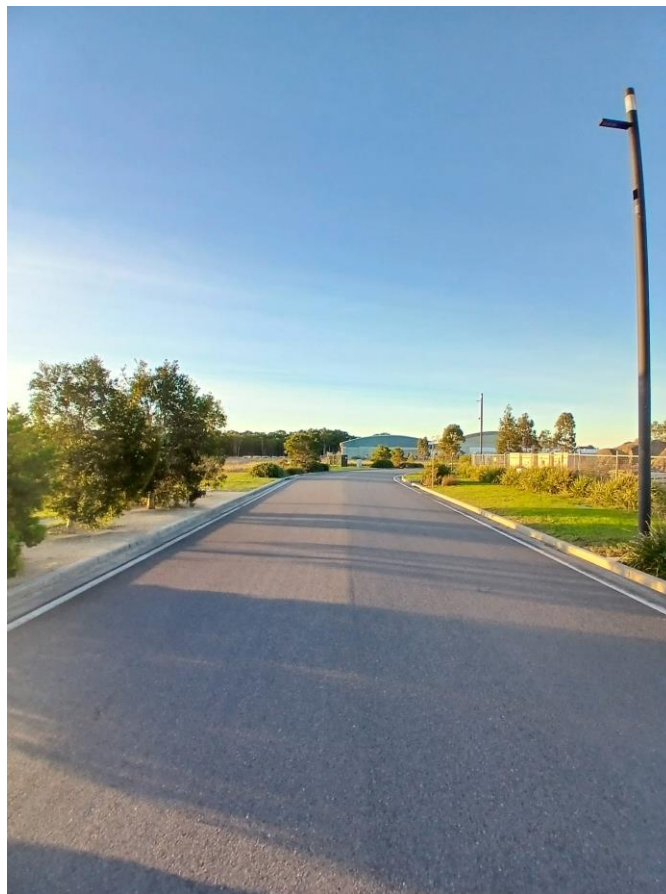
The proposal is located within Port Stephens Local Government Area (LGA) within the suburb of Williamtown, approximately 27.2km north of the Newcastle CBD. Williamtown contains a mixture of land uses including residential and rural development, the Williamtown RAAF Base and the Newcastle Airport.

The site is located within stage 1 of the broader Astra Aerolab Business Park zoned SP4 Enterprise; and the BAESA Williamtown Facility zoned SP2 Defence / Air Transport Facility. Land to the east, south and west of the site primarily consists of rural land and is zoned RU2 Rural Landscape. A number of smaller lots exist to the northeast, accessed off Williamtown Drive and include various commercial uses related to the airport.

There is no public transport directly servicing the site. The nearest public transport includes bus routes linking the Newcastle airport to Newcastle, Nelson Bay, Raymond Terrace and Maitland. The bus stop is located at the Newcastle airport terminal. However, there is no clear pedestrian link between the site and the Airport. Notwithstanding, the wider Astra Aerolab subdivision design shows an extension of 'Road 3' to the airport. Road 3 is located to the east of the site.

### **1.3 Site Inspection**

A site inspection was carried out on 28 May 2025.



**Photograph 1.** Looking north toward the subject site as taken from the intersection of Jeffries Circuit and Newton Parade





**Photograph 2.** Looking north at the proposed location of the 16.5m wide 'exit only' driveway, as taken from Jeffries Circuit



**Photograph 3.** Looking northwest at the proposed location of the carpark, canopy structures and guardhouse building, as taken from the intersection of Road 3 and 4 of Astra Aerolab subdivision



**Photograph 4.** Looking north at existing storage building and fence to be demolished at BAESA facility, as taken from pedestrian pathway



**Photograph 5.** Looking west at proposed location of new access road connecting proposed carpark to BAESA facility, as taken from pedestrian pathway



**Photograph 6.** Looking west at the street trees to be retained on Jeffries Circuit and proposed deep soil landscaped area of the site, as taken from intersection of Jeffries Circuit and Newton Parade

## **2. THE PROPOSAL AND BACKGROUND**

---

### **2.1 The Proposal**

The proposal seeks consent for the following:

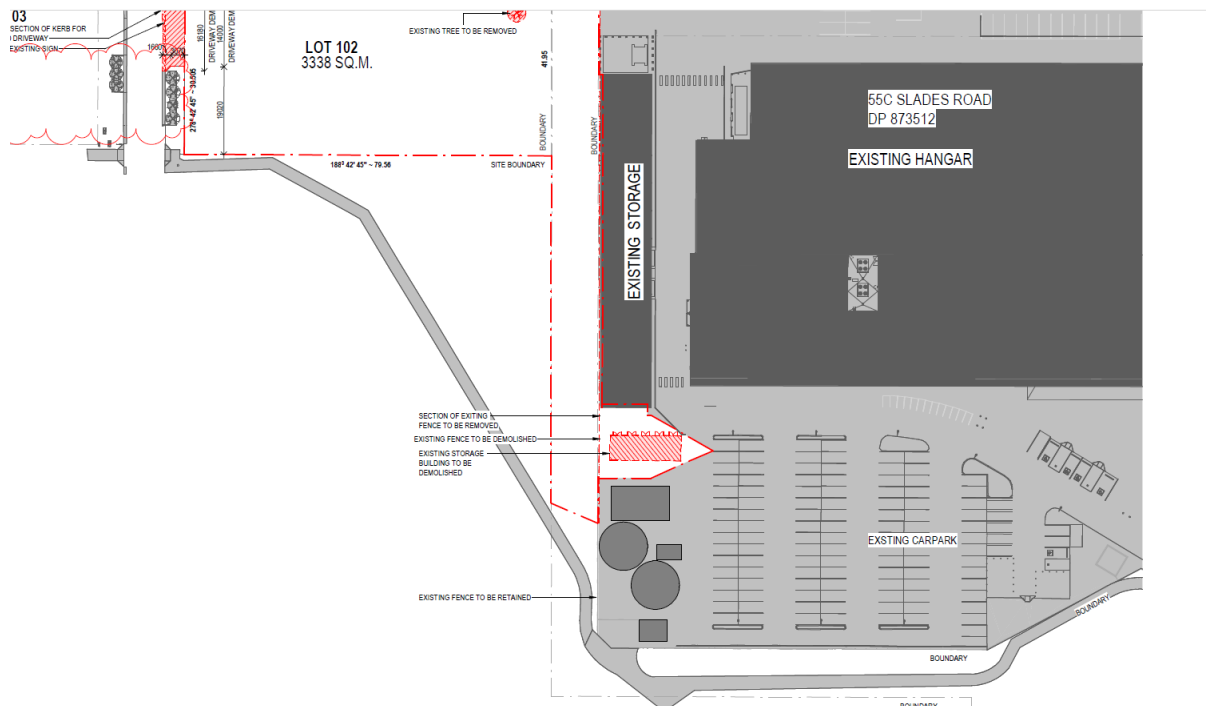
- Demolition of an existing building;
- Construction of new car park containing 261 car parking spaces;
- Two new vehicular access driveways off Jeffries Circuit, including vehicular access to existing BAESA facility;
- Erection of a security guardhouse, office and amenities and covered car park structures;
- Installation of security boom gates, security fencing, car park lighting and future provisioning for EV charging points;
- Landscaping internally within the site, along site boundaries and within the car parking areas; and
- Creation of easements.

**Figure 2** below shows the proposed site plan.





(Materials Store) located on Lot 103, and the demolition of existing security fencing on Lot 43 and Lot 103 to facilitate access between the new car park and the existing BAESA Facility, see **Figure 3**.



**Figure 3:** Building and fencing to be demolished over BAESA Facility (identified in red shading)

## Tree Removal

The proposal will involve the removal of two (2) trees from within the site. An Arborist Report has been included in the supporting documentation identifying the tree type and retention value of the trees proposed to be removed.

## Site Access and Parking

### Access

Vehicular access from Jeffries Circuit to the site will occur via two newly constructed driveways, a 14m-wide driveway located on Lot 102 and a 16.5m-wide driveway located on Lot 101. The driveway on Lot 102 will be used for entry and exit whilst the driveway located on Lot 101 will be reserved for vehicle exit only. Vehicles leaving the site will be able to use either driveway located on Lot 102 or Lot 101. Exit via the Lot 102 driveway will occur via security boom gates, whilst vehicular exit from the Lot 101 driveway will utilise the security call button to the guardhouse to facilitate site exit. Driveway access and car park circulation have been designed to accommodate a 19m articulated vehicle with swept paths included in the supporting documentation.

Visitor and temporary contractor parking will be provided immediately adjacent to the driveway on Lot 102, with an exit loop provided for rejected vehicles to leave the site. Access to staff parking and the existing BAESA facility located to the north will be facilitated via security boom gates located adjacent to the new security guardhouse.

Pedestrian access from Jeffries Circuit to the site will occur via a security gate located adjacent to the driveway on Lot 102. Pedestrian pathways will be provided within the site including zebra crossings and will facilitate pedestrian access to the existing BAESA facilities located north of the site.

### Parking

The proposed development provides 261 car parking spaces which will be comprised of a mixture of standard, accessible and small parking spaces as shown in the Table 2. The development will provide for a total of 26 future EV charging points.

The development will also provide 5 motorcycle parking spaces and 10 bicycle parking spaces. Motorcycle parking spaces will be provided on the eastern elevation of the site near the EV charging spaces. The bicycle parking spaces will be located adjacent to the security guardhouse.

**Table 2:** Proposed Car Parking Summary

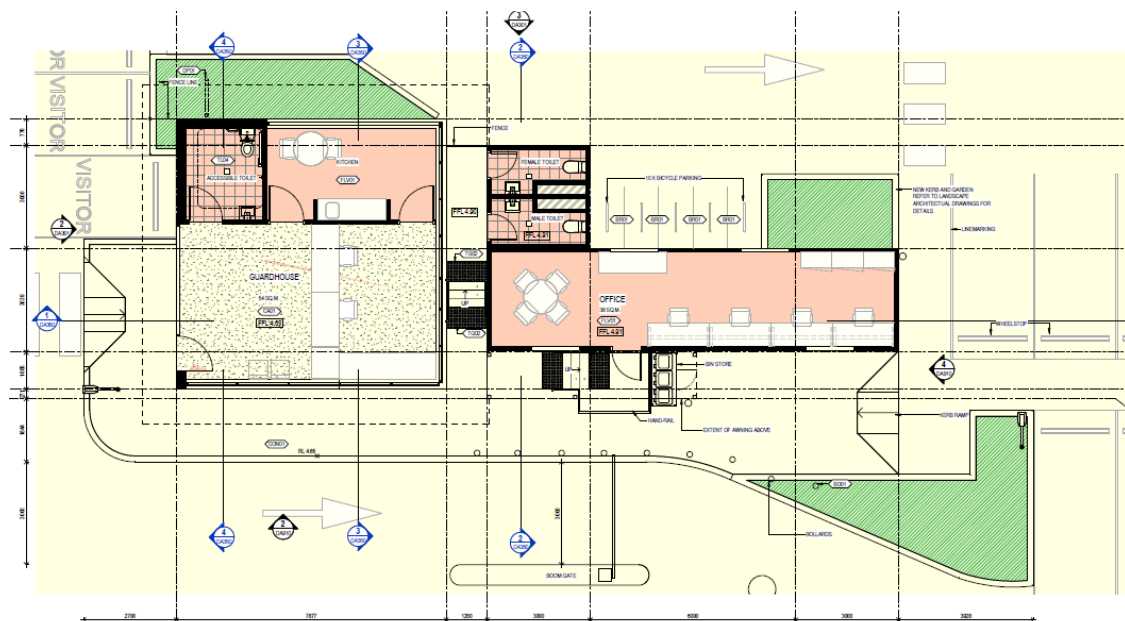
Type	Width (mm)	Length (mm)	Count
Standard	2400	5400	252
Accessible	2400	5400	6
Small	2300	5000	3
		Subtotal	261

### **Building Design**

The development will include a security guardhouse which will have a GFA of 54m<sup>2</sup> and a building height of approximately 3.8m above ground level. The guardhouse will include bathroom amenities and a kitchen and will be constructed using brick and metal cladding with recessive colour finishes.

The guardhouse will have a FFL of 4.65m AHD. The development will include an office with GFA of 38m<sup>2</sup> and building height of 3.8m. The office will comprise a pre-fabricated metal clad structure which will be installed on the site, see **Figure 4**. A separate amenities block will be provided adjacent to the demountable office.

The development will include covered car park structures which will have a total canopy coverage of 1,143m<sup>2</sup> shading approximately 30% of the car park bays. The covered structures will be constructed of steel framing and a tensile membrane canopy, will have a height of 5.25m and a clear headroom of 3.04m below parking canopies.



## Earthworks

Due to the completion of Stage 1 of the Astra Aerolab subdivision works, which included levelling of imported fill on the site, no substantial bulk earthworks are required or proposed as part of the development. The proposed development will involve a maximum depth of excavation of 1.6m below existing ground levels. Balanced cut and fill is expected on the site, with cut being used to fill in the existing drainage channel located on the southern boundary of Lot 43 between the site and the existing BAESA Facility to facilitate future vehicular access. Underground trenching will facilitate the connection of sewer, water, electricity and telecommunications services to the site. New footings will be excavated for the covered car park structures whilst minor regrading will occur to facilitate the pad for the new guardhouse.

## Stormwater and Drainage

A precinct wide stormwater drainage strategy was designed for Astra Aerolab detailed in the Stormwater Management Report prepared by Northrop and approved in DA 16-2009-324-3. The precinct wide drainage strategy provided for rain gardens, vegetated swales and constructed wetlands to address Council's water quality targets and allowed for impervious area of up to 90% of developed lots. The proposed development will have an impervious site area of 90% and will connect with the existing drainage system constructed under Stage 1 of the subdivision. No onsite detention is proposed for the development. Impervious areas will drain to new stormwater pits treated with gross pollutant filters within the car park and will drain to the existing kerb and gutter system on Jeffries Circuit.

The proposed development will also fill a portion of the existing channel located along the southern boundary of Lot 43 to facilitate connectivity with the existing BAESA facilities. Reinforced box culverts will be installed to maintain the existing capacity of the channel for storm events up to the 1% AEP event, and no change to the stormwater drainage pattern within the existing drainage channel is proposed.

## Landscaping

The proposal will provide deep soil landscaping of 1,874m<sup>2</sup> corresponding to 16% deep soil of the total site area, see **Figure 5**. Tree plantings have been excluded from the proposed



## Lighting

## Servicing

- Sewer: the site will be serviced by existing pressure rising sewer mains. The proposed development will include construction of a new pump well to pump discharge from the proposed bathroom amenities to the existing boundary kit within Lot 102 and subsequently to Williamtown 1 Wastewater Pump station (WWPS).
- Water: the site will be serviced by existing potable water mains. Existing water supply will be extended to service the guardhouse and bathroom amenities.
- Electrical: the site will be serviced by an existing electrical substation and associated underground LV and HV mains located on Jeffries Circuit. The Servicing Plan included in the supporting documentation demonstrates that there is sufficient capacity within the network and no upgrades are required to support the proposed development including the future provisioning for 26 EV charging points.
- Telecommunications: existing NBN, Telstra and SCEC networks are available along Jeffries Circuit and will be extended as required for connection to the site. Existing NBN and SCEC pits will be relocated as part of the development to facilitate the new driveway locations.

## Staging

The construction of the development is proposed to allow for two (2) stages, with a portion of works occurring on Lot 43 (BAESA Facility), proposed to occur in the second stage as a separate construction stage.

## Operation

The security guardhouse will accommodate two staff and will operate 24 hours a day, 7 days a week. The office will accommodate four personnel and operate from Monday-Friday, 7am to 3:30pm. The office will be used by staff for the purposes of integrated facilities management services on the site.

## 2.2 Background

The development application was lodged on **18 December 2024**. A chronology of the development application since lodgement is outlined in **Table 3**.

**Table 3: Chronology of the DA**

Date	Event
<b>18 December 2024</b>	DA lodged
<b>19 December 2024</b>	DA referred to external agencies
<b>26 February 2025</b>	Request for Information from Council to applicant
<b>4 March 2025</b>	Panel preliminary briefing
<b>24 March 2025</b>	Partial response to request for information received (SIDRA modelling provided to TfNSW).
<b>14 April 2025</b>	Request for information issued by TfNSW (matters for consideration in SIDRA model).
<b>2 May 2025</b>	Remaining items from 26/02/2025 request for information provided to Council.
<b>21 May 2025</b>	Updated SIDRA Model provided to TfNSW.
<b>6 June 2025</b>	Council Assessment Report finalised.

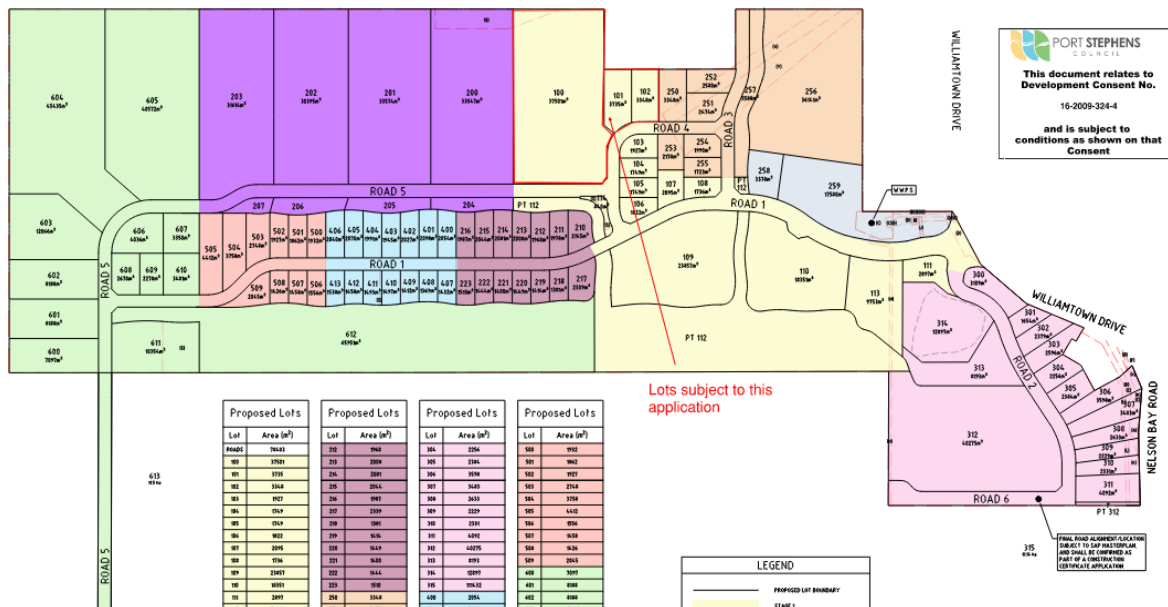
## 2.3 Site History

### Astra Aerolab Precinct

The site is mainly located within the Astra Aerolab subdivision first approved by Council in January 2011 (DA No. 16-2009-324-1) for the subdivision of the land into 103 lots for defence and airport related purposes. A modification application was lodged in February

2019 (DA No. 16-2009-324-2) and was later withdrawn. A second modification application was determined by Council (16-2009-324-3) in March 2022 which amended the approved lot layout including the reduction in lots from 103 to 101, as well as amendments to the approved road network, staging, stormwater design and conditions. Another modification was determined by Council in August 2024 (16-2009-324-4). The modification sought to amend staging only with no changes to the number of lots and physical works required.

Lots 100, 101 and 102 form part of this consent and are shown on the approved subdivision plans in **Figure 6** below.



**Figure 6.** Approved subdivision plan

## BAE Systems Australia

The BAESA Williamtown Facility was established in 2000, is located on Lot 103, DP873512 and Lot 43, DP1045602 adjacent to Newcastle Airport. The facility is utilised for the maintenance, repair, and upgrade of the Royal Australian Air Force (RAAF) AV fleets.

A schedule of works is currently underway to give effect to a facilities contract agreement between the Commonwealth of Australia (CoA) and BAESA to provide suitable maintenance, repair, overhaul and upgrade facilities at Williamtown. The schedule of works is summarised in **Table 4** below, and is included to provide context to the proposed development.

The subject application will provide vehicular access, additional parking and security infrastructure, which will be used as part of the BAESA Williamtown facility.

**Table 4: BAESA Williamstown Precinct Schedule of Works**

Schedule	Description of Works	Approval
Schedule 1	South Hangar Adaptive Reuse: Four new General Maintenance (GM) Bays located in the existing hangar, hangar floor fit-out, supporting facilities and site services amplification.	DA 16-2022-763-1 approved on 1/05/2023.
Schedule 2	Northern Hangar extension and associated ancillary works involves the refitting and extension of an existing facility it will also include the expansion of the site's concrete apron and a dedicated wash bay and servicing equipment area.	SSD-54974974 approved on 20/09/2024.
Schedule 3	Aircraft Maintenance Facility to support the protective coating of the aircraft vehicles.	SSD-73429718 SEARs issued, EIS being prepared.

### 3. STATUTORY CONSIDERATIONS

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). These matters as are of relevance to the development application include the following:

- (a) *the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations*
  - (i) *any environmental planning instrument, and*
  - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
  - (iii) *any development control plan, and*
  - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
  - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
- (b) *that apply to the land to which the development application relates,*
- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

These matters are further considered below.

It is noted that the proposal is not considered to be (which are considered further in this report):

- Integrated Development (s4.46)
- Designated Development (s4.10)
- Requiring concurrence/referral (s4.13)



- Crown DA (s4.33) - written agreement from the Crown to the proposed conditions of consent must be provided

### **3.1 Other Statutory considerations - Section 4.14 – Consultation and development consent (certain bushfire prone land)**

The site is bushfire prone land and therefore Planning for Bushfire Protection (PBP) 2019 applies. A Bushfire Threat Assessment (BTA) was prepared by Anderson Environment and Planning which assessed the proposal against PBP 2019. It found the proposed development to be compliant with the requirements of PBP 2019.

Section 4.14(1) provides that development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land (being land for the time being recorded as bush fire prone land on a relevant map certified under section 10.3(2)) unless the consent authority—

*(a) is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled Planning for Bush Fire Protection prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document) that are relevant to the development (the relevant specifications and requirements), or (b) has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.*

The proposed development is mapped as bushfire prone land, category 3, and as such requires assessment under the NSW RFS Planning for Bushfire Protection (PBP) 2019. A Bushfire Threat Assessment (BTA) was prepared by Anderson Environment and Planning which assessed the proposal against PBP 2019. The report was not prepared by a person recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment and therefore subclause (1)(b) does not apply.

The proposed development is for a car park, security guardhouse, office and amenities building, which is considered a type of 'other non-residential development' to which section 8.3 of PBP 2019 applies. The proposal comprises class 5-8 and 10 buildings. The NCC does not provide for any bush fire specific performance requirements for these particular building classes. As such, AS 3959 and the NASH Standard are not considered as a set of Deemed to Satisfy provisions. Notwithstanding, PBP 2019 provides that compliance with AS 3959 and the NASH Standard must be considered when meeting the aims and objectives of PBP 2019.

The BTA found that the bushfire threat to the proposed development was from the existing vegetation located to northwest and southeast (Aboriginal keeping place) of the site. It was noted that the site is surrounded by land that will be developed in the future (forming part of the approved subdivision) and therefore the hazards currently present are not likely to remain in the long term with the exception of the Aboriginal keeping place located to the south east of the site.

The BTA assessed the proposal against the six objectives of PBP 2019 and found that the proposal was consistent with them in that:

- The proposed development provides suitable defensible space around the building itself which is dominated by internal access roads, car parking and Jeffries Circuit with only minimal landscaping provided within the defensible space areas.
- Adequate separation is provided between the proposed buildings and the hazard vegetation surrounding the proposed development.
- Proposed access is adequate and will be via sealed internal roads and from Jeffries Circuit. Swept paths have been provided which demonstrate that fire fighting vehicles can safely enter and exit the site in a forward direction.
- Given much of the defensible space is hardstand carpark, this is expected to be maintained in perpetuity.
- Hydrants are provided along the public roads as part of the approved Astra Aerolab subdivision.

In addition, PBP 2019 prescribes that the following objectives will be applied for Class 5 to 8 buildings:

- to provide safe access to/from the public road system for firefighters providing property protection during a bush fire and for occupant egress for evacuation;
- to provide suitable emergency and evacuation (and relocation) arrangements for occupants of the development;
- to provide adequate services of water for the protection of buildings during and after the passage of bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building; and
- provide for the storage of hazardous materials away from the hazard wherever possible.

The proposed development provides safe access to and from Jeffries Circuit via two separate crossovers. Access has been designed for fire fighting vehicles to safely enter and exit the site in a forward direction.

The site is serviced by reticulated water as provided within completed stage 1 works of Astra Aerolab subdivision.

Electricity provision has been located in a central location of the site, which is located away from the vegetation hazard.

To address the remaining objectives, a condition of consent has been recommended requiring the following:

- The development is to be constructed in accordance with the access provisions of Chapter 8 of PBP 2019;
- The site is to be managed as an inner protection area.
- The development is to be connected to a reticulated water supply network and suitable fire hydrants are to be clearly marked and provided for the purposes of bushfire protection. Fire hydrant spacing, fixing and pressure shall comply with AS2419.1 – 2005 and PBP 2019 (Table 7.4a);
- The provision of electricity must comply with the requirements of Table 7.4a of PBP 2019;
- Any hazardous materials must be stored away from the bushfire hazard wherever possible.
- An Emergency Evacuation Plan is to be prepared.

Noting the above, it is considered that the proposal conforms to the specifications and requirements of PBP 2019.

### 3.2 Environmental Planning Instruments, proposed instrument, development control plan, planning agreement and the regulations

The relevant environmental planning instruments, proposed instruments, development control plans, planning agreements and the matters for consideration under the Regulation are considered below.

#### (a) Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *Port Stephens Local Environmental Plan 2013;*

A summary of the key matters for consideration arising from these State Environmental Planning Policies are outlined in **Table 5** and considered in more detail below.

**Table 5: Summary of Applicable Environmental Planning Instruments**

EPI	Matters for Consideration	Comply (Y/N)
State Environmental Planning Policy (Biodiversity & Conservation) 2021	Chapter 2: Vegetation in non-rural areas Two trees are proposed to be removed as a part of the proposed development. These trees were identified as having low retention value in the Arborist Report provided with the application.  Chapter 4: Koala Habitat Protection 2021 The development site is mapped as preferred koala habitat. The site has been approved for clearing associated with the subdivision works for the Astra Aerolab development. The two trees proposed to be removed are not koala feed trees.	Y
State Environmental Planning Policy (Sustainable Buildings) 2022	Chapter 3: Standards for Non-Residential Development The proposed development includes a NABERS Embodied Emissions Materials Form which complies with Section 3.2 of this policy. As per Clause 3.3, the application includes a NABERS commitment agreement, which satisfies the Schedule 3 energy and water use standards. The NABERS commitment demonstrates that the development minimises the use of on-site fossil fuels.	Y
State Environmental Planning Policy (Planning Systems) 2021	Chapter 2: State and Regional Development Section 2.19(1) declares the proposal regionally significant development pursuant to Section 3 of Schedule 6 given it is Council related development over \$5 million.	Y

EPI	Matters for Consideration	Comply (Y/N)
State Environmental Planning Policy (Resilience & Hazards) 2021	<p>Chapter 4: Remediation of Land</p> <p>Section 4.6 - Contamination and remediation has been considered in the Preliminary Site Investigation which identified PFAS contamination in two (2) soil samples exceeding the ecological criteria and heavy metals associated with chromium and copper which exceeded the ecological criteria.</p> <p>PFAS contamination, particularly in groundwater, which is known to be a regional issue can be adequately managed during construction via the preparation of PFAS Management Plan prior to commencement of construction. Furthermore, the PSI concluded that based on the site use and general restrictions based on the site location, the risk to site users from soil and/or groundwater contamination is considered low. It is noted that the site is the subject of the recently constructed Stage 1 subdivision which included remediation and validation under DA 16-2009-324-3.</p>	Y
State Environmental Planning Policy (Transport and Infrastructure) 2021	<p>Chapter 2: Infrastructure</p> <p>Section 2.122(4) of the SEPP relates to traffic-generating development. Traffic-generating development is specified in Schedule 3 of the SEPP to include car parks with 200 or more car parking spaces with access to a road. The proposed development will provide 261 car parks with access to Jeffries Circuit and is classified as traffic generating development under the SEPP. The application was therefore referred to Transport for New South Wales (TfNSW). TfNSW ultimately supported the proposed development, noting that there will be no significant impact on the nearby classified road network.</p> <p>Section 2.48(2) (Determination of development applications—other development) – electricity transmission. The application was referred to Ausgrid for comment. Ausgrid did not raise concern with regard to the proposal but rather provided advice in relation to the supply of electricity and works within proximity to underground mains.</p>	Y
Proposed Instruments	N/A	N/A
LEP	<ul style="list-style-type: none"> <li>• Section 2.3 – Permissibility and zoning objectives.</li> <li>• Section 4.3 – Height of buildings.</li> <li>• Section 5.10 – Heritage conservation</li> <li>• Section 5.21 – Flooding planning</li> <li>• Section 7.1 – Acid sulfate soils</li> <li>• Section 7.2 – Earthworks</li> <li>• Section 7.4 Airspace operations</li> <li>• Section 7.5 Development in areas subject to aircraft noise</li> <li>• Section 7.6 Essential services</li> </ul>	Y



EPI	Matters for Consideration	Comply (Y/N)
	<ul style="list-style-type: none"> <li>Section 7.8 – Drinking water catchments</li> </ul>	
DCP	Port Stephens Development Control Plan 2014: <ul style="list-style-type: none"> <li>B1 – Tree management</li> <li>B2 – Natural resources</li> <li>B3 – Environmental Management.</li> <li>B4 – Drainage and Water Quality</li> <li>B5 – Flooding</li> <li>B6 – Williamtown RAAF Base</li> <li>B7 – Heritage</li> <li>B8 – Road Network and Parking. The proposal is generally consistent with the DCP.</li> <li>C3 – Industrial</li> <li>D15 - Williamtown Defence and Airport Related Employment Zone (DAREZ)</li> </ul>	Y

Consideration of the relevant SEPPs is outlined below.

#### *State Environmental Planning Policy (Biodiversity and Conservation) 2021*

##### Chapter 2: Vegetation in non-rural areas

Chapter 2 Vegetation in Non-Rural Areas of the Biodiversity and Conservation SEPP aims to protect the biodiversity values and preserve the amenity and other vegetation in non-rural areas of the State. The chapter works in conjunction with the Biodiversity Conservation Act 2016 and the Local Land Services Amendment Act 2016 to create a framework for the regulation of clearing of native vegetation in NSW.

The proposal seeks consent for the removal of two semi-mature Eucalyptus trees, identified in the supporting Arborist Report prepared by Agility Professional Tree Service, as having a very low retention value. Noting the retention value of these trees and previous approval for vegetation to be cleared as a part of the subdivision works associated with the Astra Aerolab development, this tree removal is supported.

##### Chapter 4: Koala Habitat Protection 2021

This policy aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline. The development control provisions of the SEPP apply to development on all zones other than RU1 (Primary Production), RU2 (Rural Landscape) and RU3 (Forestry) and:

1. where there is an approved Koala Plan of Management for the land, the development application must be consistent with the approved koala plan of management that applies to the land. Or;
2. Where there is no approved Koala Plan of Management for the land,
  - a. if the land is identified on the Koala Development Application Map, and
  - b. has an area of more than 1 hectare, or
  - c. has, together with any adjoining land in the same ownership, an area of more than 1 hectare, whether or not the development application applies to the whole, or only part, of the land.

The Port Stephens Comprehensive Koala Plan of Management (CKPoM) applies to the land and therefore, the proposal must be consistent with the CKPoM. The site is mapped as “Preferred Koala Habitat” under the CKPoM. The site is clear of vegetation apart of the trees proposed for removal which are not considered to comprise Koala habitat. Furthermore, the Biodiversity Values Map (BV) has been updated since lodgement of the DA, which now indicates that the trees proposed for removal are not mapped within BV mapped area.

With consideration to the above, the proposal is consistent with the Port Stephens CKPoM which constitutes compliance with Chapter 4 of State Environmental Planning Policy (SEPP) (Biodiversity & Conservation) 2021.

### *State Environmental Planning Policy (Sustainable Buildings) 2022*

#### Chapter 3: Standards for non-residential development

This policy encourages the design and construction of more sustainable buildings to meet NSW climate change targets and adapt to more extreme weather, including hotter and drier summers.

Chapter 3 applies to non-residential development that has an estimated development cost of \$5 million or more. As such, this chapter applies to the proposed development.

Section 3.2(1) of the policy states that the consent authority must consider *whether the development is designed to enable the following—*

- (a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,*
- (b) a reduction in peak demand for electricity, including through the use of energy efficient technology,*
- (c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,*
- (d) the generation and storage of renewable energy,*
- (e) the metering and monitoring of energy consumption,*
- (f) the minimisation of the consumption of potable water.*

An assessment against each consideration is provided in **Table 6** below.

**Table 6: Assessment against Section 3.2 of Sustainable Buildings SEPP 2022**

<b>Matters for Consideration</b>	<b>Comment</b>
The minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials	A construction waste management plan (CWMP) was prepared for the proposal by Elephants Foot Consulting Pty Ltd. Section 3.3 of the CWMP discusses opportunities for reuse and recycling during the construction phase of the development. The CWMP has been stamped as a part of the recommended conditions.
A reduction in peak demand for electricity, including through the use of energy efficient technology	An embodied emissions was prepared for the proposed development by Muller Partnership. The report discusses features of the development which incorporate energy efficient design.

<b>Matters for Consideration</b>	<b>Comment</b>
A reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design	The insulation used in the development will be required to comply with the requirements under NCC Section J. This will ensure improved insulation and therefore reduce reliance of mechanical heating and cooling.
The generation and storage of renewable energy	Opportunity to install solar pv panels on the roof of the buildings and canopy covers (subject to DoD glare minimisation).
The metering and monitoring of energy consumption	Metering and monitoring of energy consumption is required by Section J.
The minimisation of the consumption of potable water	Water efficient equipment to be used through the development.

Section 3.2(2) provides that development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified. An NABERS Embodied Emissions Materials Form was provided with the development quantifying the embodied emissions.

Section 3.3 applies to large commercial development. The proposal is not considered a large commercial development as the guardhouse and office space will have a combined floor area less than 100m<sup>2</sup>.

#### *State Environmental Planning Policy (Planning Systems) 2021*

##### Chapter 2: State and Regional Development

The proposal is *regionally significant development* pursuant to Section 2.19(1) as it satisfies the criteria in Clause 3 of Schedule 6 of the Planning Systems SEPP as the proposal is Council related development with an estimated development cost of more than \$5 million. Accordingly, the Hunter Central Coast Regional Panel (HCCRPP) is the consent authority for the application. The proposal is consistent with this Policy.

#### *State Environmental Planning Policy (Resilience and Hazards) 2021*

##### Chapter 4: Remediation of Land

The provisions of Chapter 4 of *State Environmental Planning Policy (Resilience and Hazards) 2021* ('the Resilience and Hazards SEPP') have been considered in the assessment of the development application. Section 4.6 of Resilience and Hazards SEPP requires consent authorities to consider whether the land is contaminated, and 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.

A Preliminary Site Investigation dated 16 July 2024 prepared for the site by Senversa, identified PFAS contamination in two (2) soil samples exceeding the ecological criteria and heavy metals associated with chromium and copper which exceeded the ecological criteria.

It was concluded that the site can be made suitable for the intended use subject to compliance with recommendations detailed in the PSI report and conditions regulating management of the site. The recommendations are:

- Preparation and implementation of a PFAS Management Plan, prior to commencement of construction; and
- Preparation of an Unexpected Finds Procedure, which would be implemented during earthworks and construction works. This will be included in the RAP to be prepared for the site.

*State Environmental Planning Policy (Transport and Infrastructure) 2021*

Chapter 2: Infrastructure

Section 2.122 of this chapter identifies that development that is considered traffic generating is required to be referred to Transport for NSW (TfNSW). Schedule 3 of this policy identifies what development types are considered to be traffic generating development. The proposed development is considered traffic-generating development as the purpose is for a car park with 200 or more car parking spaces with access to a road. The proposed development will provide 261 car parks with access to Jeffries Circuit and is classified as traffic generating development under the SEPP.

The application was therefore referred to Transport for New South Wales (TfNSW). TfNSW ultimately supported the proposed development, noting that there will be no significant impact on the nearby classified road network.

In addition to the above, advice was given to Council as follows:

- Council should ensure that appropriate traffic measures are in place during the construction phase of the project to minimise the impacts of construction vehicles on traffic efficiency and road safety within the vicinity.
- All matters relating to internal arrangements on-site such as traffic / pedestrian management, parking, manoeuvring of service vehicles and provision for people with disabilities are matters for Council to consider.

In response to the advice above, a condition has been recommended requiring the creation and implementation of a Construction Environmental Management Plan which will include construction traffic measures.

Sight distances are considered to be acceptable given no parking is permitted on the street. The proposal was deemed to be compliant with AS2890.2.

Internal arrangement's, manoeuvring, and pedestrian access have been assessed by Council and are considered to be appropriate.

In addition to the above, a Traffic Impact Assessment (TIA) was prepared for the proposed development by PTC dated 20 May 2025. The TIA highlighted that the Astra Aerolab subdivision and associated road network has been designed to cater for development such as that proposed and therefore the proposal would not result in adverse impacts to the road network. The proposed access and site lines were considered to be appropriate and capable of complying with the relevant Australia Standards.

Noting this, it is considered that the proposal is consistent with s2.122 of this policy.

*Port Stephens Local Environmental Plan 2013*

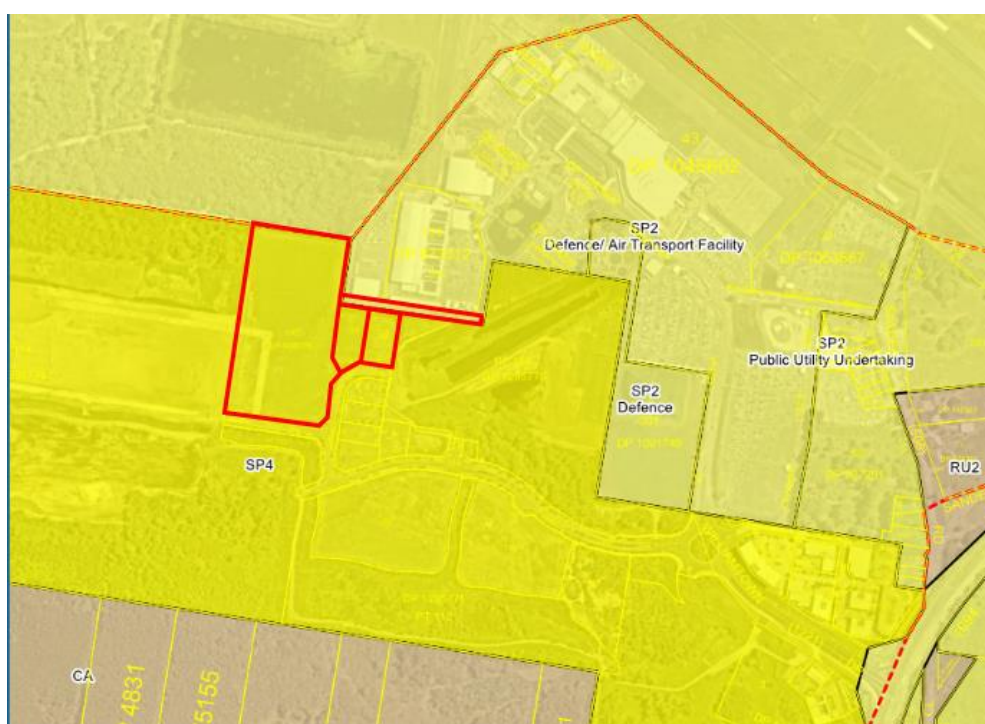
The relevant local environmental plan applying to the site is the *Port Stephens Local Environmental Plan 2013* ('the LEP'). The aims of the LEP are:

- (a) to cultivate a sense of place that promotes community well-being and quality of life,
- (b) to provide for a diverse and compatible mix of land uses,
- (c) to protect and conserve environmental values,
- (d) to facilitate economic growth that contributes to long-term employment,
- (e) to provide opportunities for housing choice and support services tailored to the needs of the community,
- (f) to conserve and respect the heritage and cultural values of the natural and built environments,
- (g) to promote an integrated approach to the provision of infrastructure and transport services,
- (h) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts.

The proposal is consistent with these aims as the proposal contributes to the provision of diverse land uses, facilitating economic growth whilst not impacting environmental values.

### *Zoning and Permissibility (Part 2)*

The site is located within the SP4 Enterprise zone and SP2 Defence / Air Transport Facility zone, pursuant to Clause 2.3 of the LEP, refer to **Figure 7** below. According to the definitions of the PSLEP 2013, the proposal satisfies the definition of a carpark, which is a permissible use with consent in the Land Use Table in Clause 2.3.



**Figure 7. Zoning map**

The zone objectives include the following (pursuant to the Land Use Table in Clause 2.3):

#### SP4 Enterprise zone

- To provide for development and land uses that support enterprise and productivity.
- To provide for 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 development of land in the area as an employment area relating to defence and airport operations to support the continued operation of the RAAF Base Williamtown Airport and Newcastle Airport.

#### SP2 Defence / Air Transport Facility

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

The proposal is considered to be consistent with these zone objectives for the following reasons:

- The development will provide car parking facilities to meet the daily needs of employees and staff at the BAESA Facility; and
- The development supports BAESA Facility operations which are related to defence and RAAF Base operations.

#### *General Controls and Development Standards (Part 2, 4, 5 and 6)*

The LEP also contains controls relating to development standards, miscellaneous provisions and local provisions. The controls relevant to the proposal are considered in **Table 7** below.

**Table 7: Consideration of relevant LEP Controls**

Control	Requirement	Proposal	Comply
Height of buildings (CI 4.3(2))	No maximum building height specified.	<p>The proposed guard house will have a height of 3.8m and the covered car park structures will have a height of 5.6m above ground level. These heights are consistent with the desired future character of the area and the surrounding Astra Aerolab subdivision.</p> <p>It is noted that the RAAF Base Williamtown Obstacle Limitation map identifies a referral requirement to Department of Defence for structures higher than 7.5m. The proposed building height is considered appropriate noting that its siting and height would not impact the current and ongoing</p>	Yes

Control	Requirement	Proposal	Comply
		operations of RAAF Base Williamtown.	
Heritage (CI 5.10)	Clause 5.10 specifies the requirements for consent and associated assessment requirements for impacts relating to European and Aboriginal heritage.	<p>There are no local or state heritage listed items on the site.</p> <p>Impacts to Aboriginal Heritage were assessed as part of the subdivision DA (16-2009-324), which required an Aboriginal Heritage Impact Permit covering the site area. As a part of the Astra Aerolab approval, an Aboriginal Keeping Place was established containing salvaged items from across the site. The Aboriginal Keeping Place will form part of the Astra Aerolab subdivision and will exist to the sites east.</p> <p>A local heritage item is located at 150 Cabbage Tree Road, to the south west of the site. The heritage item is known as Devon House (I109). The proposed development will not impact the heritage significance of this item or curtilage given the proximity and natural screening elements between the site.</p> <p>A condition of consent is recommended regarding the implementation of an unexpected finds procedure should artefacts be discovered during works.</p> <p>In accordance with the above, the proposal is consistent with the requirements of this clause.</p>	Yes

Control	Requirement	Proposal	Comply
Flood Planning (CI 5.21)	<p>Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development complies with the following matters identified in 5.21(2):</p> <p>(a) is compatible with the flood function and behaviour on the land, and</p> <p>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</p> <p>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</p> <p>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses</p> <p>Section 5.21(3) requires that the consent authority must consider the following matters—</p>	<p>The site is located on flood prone land. The site is mostly mapped as minimal risk flood prone land with a small portion of the site impacted by a higher flood hazard category. Land mapped as minimal risk flood prone land is already above the flood planning level (FPL).</p> <p>Notwithstanding, the bulk earthworks undertaken as a part of the Astra Aerolab subdivision included filling the land to ensure each new lot would be at the FPL. The proposal is therefore is not expected impact the flood behaviour.</p> <p>Given the site is already constructed to the FPL, the proposal is afforded appropriate flood immunity to protect property and a flood free evacuation route is available to minimise risk to life from flooding.</p> <p>A condition has been recommended requiring the preparation of a flood evacuation plan to ensure the safe evacuations of people in a flood event.</p> <p>On this basis, the proposal satisfies the requirements of this clause.</p>	Yes

Control	Requirement	Proposal	Comply
	<p>(a) the impact of the development on projected changes to flood behaviour as a result of climate change,</p> <p>(b) the intended design and scale of buildings resulting from the development,</p> <p>(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,</p> <p>(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.</p>		
Public utility infrastructure (CI 6.2)	<p>Clause 6.2(1) provides that development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.</p>	<p>The site is mapped as an Urban Release Area (URA) on Councils LEP maps. On this basis, the provisions of Clause 6.2 are applicable. The area is nominated as URA for the purposes of a business park and aerospace development.</p> <p>The site is serviced by reticulated water, electricity and sewer, constructed under Stage 1 of the Astra Aerolab subdivision.</p> <p>In addition, the application has demonstrated that stormwater drainage resulting from roof and hard stand areas can be catered for in accordance with Councils requirements. The subject land will have direct access to the local road network being Jeffries Circuit.</p>	Yes

Control	Requirement	Proposal	Comply
Development control plan (CI 6.3)	Clause 6.3(2) provides that development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.	Chapter D15 Williamstown Defence and Airport Related Employment Zone (DAREZ) which provides development controls for future development on the Astra Aerolab site where the proposed development is located. Consideration of the development against this chapter is provided in the DCP section elsewhere in this report. The DCP satisfies the jurisdictional prerequisites outlined under Clause 6.3.	Yes
Infrastructure—Pacific Highway access (CI 6.5)	Clause 6.5(2) provides that development consent must not be granted for the subdivision of land in an urban release area unless arrangements have been made, to the satisfaction of Transport for NSW and the consent authority, for the provision of vehicular access from the urban release area to the Pacific Highway, including the closure or modification of any existing vehicular access from any land adjoining the Pacific Highway	The proposal does not involve subdivision and therefore this clause is not applicable.	N/A
Acid sulphate soils (CI 7.1)	<p>The subject land is mapped as containing potential Class 4 acid sulfate soils.</p> <p>Under Clause 7.1, on land mapped class 4 acid sulfate soils, consent is required for works more than 2 metres below the natural ground surface or works by which the watertable is likely to be</p>	The proposed development will be constructed on recently constructed subdivision lots upon which fill has been provided which raised the ground level above the prior natural ground surface. The proposed development will involve works 1.6m below existing ground level and will not occur more than 2 metres below natural ground surface, and	N/A



Control	Requirement	Proposal	Comply
	lowered more than 2 metres below the natural ground surface.	will not result in the water table being lowered by more than 2 metres below the natural ground surface. As such, no further consideration of Clause 7.1 is required.	
Earthworks (CI 7.2)	Under Clause 7.2(3) before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters— (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development, (b) the effect of the development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area, (h) any appropriate measures proposed to avoid, minimise or	<p>The proposed development will involve minor earthworks for construction of the new car park. The earthworks will include trenching of new services, and site grading to achieve design levels. The proposed earthworks are considered to be ancillary to the proposed development and consent for the proposed development will be taken to have provided consent for ancillary earthworks.</p> <p>The proposed earthworks, subject to the recommended conditions, will include appropriate sediment and erosion controls to prevent adverse impacts to the environment, adjoining properties and relics.</p> <p>No adverse impacts are expected to the water quality of the drinking water catchment, as confirmed in the referral comments from HWC.</p> <p>Subject to the recommended conditions, it is considered that the proposal satisfies the requirements of this clause.</p>	Yes

Control	Requirement	Proposal	Comply
	mitigate the impacts of the development.		
Airspace Operations (CI 7.4)	<p>Clause 7.4(2) provides that 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.</p> <p>Sub clause 3 provides that the consent authority may grant development consent for the development if the relevant Commonwealth body advises that—</p> <p>(a) the development will penetrate the Limitation or Operations Surface but it has no objection to its construction, or</p> <p>(b) the development will not penetrate the Limitation or Operations Surface</p>	The subject site is identified within the Limitation or Operations Surface map where all structures over 7.5m in height are to be referred to the Department of Defence (DoD). The proposed guard house will have a height of 3.8m and the covered car park structures will have a height of 5.6m above ground level. The development will not have a height greater than 7.5m and does not require referral to Department of Defence.	Yes
Development in areas subject to aircraft noise (CI 7.5)	<p>Clause 7.5(2) provides that (2) This clause applies to development that—</p> <p>(a) is on land that—</p> <p>(i) is near the RAAF Base Williamtown Airport, and</p> <p>(ii) is in an ANEF contour of 20 or greater, and</p> <p>(b) the consent authority considers is likely to be adversely</p>	The proposed development is located on land identified as being within the 2021 35-40 ANEF contour. A Noise Assessment prepared by Acoustic Logic was submitted with the application which demonstrates that the development can be constructed in accordance with 'AS2021:2015 Acoustics - Aircraft noise intrusion - Building siting	Yes

Control	Requirement	Proposal	Comply
	affected by aircraft noise.	and construction indoor noise requirements'. A condition has been recommended that the development be constructed in accordance with recommendations of the Noise Assessment. On this basis, the proposal satisfies the requirements of this clause.	
Essential Services (Cl. 7.6)	Cause 7.6 provides that development consent must not be granted to development unless the consent authority is satisfied that services that are essential for the development are available or that adequate arrangements have been made to make them available when required.	The proposed development will be serviced by water, sewer, electricity, drainage and vehicular access from Jeffries Circuit constructed under Stage 1 of the Astra Aerolab subdivision, thereby addressing the requirement of Clause 7.6 of the LEP. A Servicing Plan has been included in the supporting documentation demonstrating that there is adequate capacity for the extension of existing water, sewer and electricity services to service the development and no additional augmentation is required.	Yes
Drinking Water Catchments (Cl. 7.8)	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	The proposed development is located within a drinking water catchment and accordingly the requirements of this clause apply. No site specific stormwater quality measures/devices are proposed for the site given there is an approved stormwater master plan under the Astra Aerolab subdivision (AAS). The precinct wide approach to stormwater management caters for the entire subdivision in a fully developed state. The approved plan achieves the	Yes

Control	Requirement	Proposal	Comply
	<p>minimise that impact, or</p> <p>(c) if that impact cannot be minimised— the development will be managed to mitigate that impact.</p>	<p>required pollutant reductions.</p> <p>Further, given the site does not exceed the 90% maximum impervious area required by the DCP, no additional site-specific stormwater quality measures/devices are required. The development was supported by Council's Development Engineers.</p> <p>Additionally, the application was referred to Hunter Water Corporation (HWC) given the site is located within a mapped drinking water catchment. HWC raised concerns about the implications of AAS consent condition #64 'Lot Drainage' of development consent 16-2009-324-4, the contributing flows from area outside of the AAS, the consideration of hydrocarbon pollution (oil and grease) in the proposed stormwater management strategy and the management of existing site PFAS contamination.</p> <p>As referenced above, no lot-scale stormwater quality treatment devices are required given there is an approved stormwater master plan for the AAS. On this basis, the drinking water catchment requirements under CI 7.8 of the PSLEP 2013 can be satisfied. Regarding PFAS management, suitable conditions of consent can be imposed similar to other approved Astra Stage 1 development to require the preparation of a</p>	

Control	Requirement	Proposal	Comply
		<p>Construction Management Plan to manage the interaction with PFAS contamination during construction.</p> <p>Subject to conditions of consent the proposal satisfies this clause.</p>	

The proposal is considered to be generally consistent with the LEP.

**(b) Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments**

There are several proposed instruments which have been the subject of public consultation under the EP&A Act, and are relevant to the proposal, including the following:

- *Draft Remediation of Land State Environmental Planning Policy*

The proposed Remediation of Land SEPP is intended to repeal and replace Chapter 4 of SEPP Resilience and Hazards 2021. The draft SEPP, which was exhibited from 25 January to 13 April 2018, is currently under consideration.

The proposed SEPP seeks to provide a state-wide planning framework to guide the remediation of land, including outlining provisions that require consent authorities to consider the potential for land to be contaminated when determining development applications; clearly lists remediation works that require development consent; and introducing certification and operational requirements for remediation works that may be carried out without development consent.

Consideration has been given to the suitability of the site with respect to potential land contamination under SEPP Resilience and Hazards 2021 – Chapter 4 elsewhere within this report. The subject site has been identified as suitable for the proposed development and further investigation in respect to contamination is not warranted in this instance.

There are no other draft environmental planning instruments that apply to the proposal. These proposed instruments are considered below:

**(c) Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan**

The following Development Control Plan is relevant to this application:

- *Port Stephens Development Control Plan 2014* ('the DCP')

*Chapter B1 – Tree Management*

The objective of this chapter is to give effect to State Environmental Planning Policy (SEPP) (Biodiversity and Conservation) 2021 by listing those trees or other vegetation that require approval for removal or pruning. The proposed development seeks consent for the removal of two (2) trees. No tree removal permit is required as the works form part of a development application. The removal is supported noting the low retention value of these trees and



previous approval for site-based vegetation removal under the Astra Aerolab subdivision approval.

### *Chapter B2 – Natural Resources*

This chapter applies to development that:

- Has the potential to impact upon native flora and/or fauna; or
- Is any LEP or State mapped wetlands or watercourses, and has the potential to impact these areas; or
- Is located on land containing biosecurity risks; or
- Is located on land mapped as Koala habitat identified by Council's Comprehensive Koala Plan of Management (CKPoM)

The site is mapped as containing a biosecurity risk and preferred koala habitat. The proposal is not considered likely to have adverse impact on the mapped koala habitat and native flora and fauna noting that vegetation clearing was approved under the parent subdivision application for the land, and vegetation proposed for removal does not comprise core Koala habitat. Furthermore, the Biodiversity Values Map (BV) has been updated since lodgement of the DA, to remove mapping of the site as core koala habitat.

In regard to biosecurity risks, the site has been mapped as containing Alligator Weed. Whilst much of the weeds were removed from the site as a part of subdivision works, a number of conditions have been recommended which seeks prevent the spread of weeds from the site.

On this basis, it is considered that the proposal is consistent with Chapter B2 of the DCP.

### *Chapter B3 – Environmental Management*

Chapter B3 contains provisions relating to earthworks and have been assessed below.

#### Earthworks

As discussed at clause 7.2 above, the proposed development involves minor excavations associated with regrading and filling and bridging of the drainage channel. The proposed development does not include cut exceeding 2m in depth or fill of a total area of 100m<sup>2</sup> or more, therefore B3.3 does not apply. The impacts of the proposed earthworks can be mitigated through conditions of consent. The proposal is therefore consistent with requirements of this chapter.

### *Chapter B4 – Drainage and Water Quality*

This section applies to development that:

- Increases impervious surfaces; or
- Drains to the public drainage system; or
- Involves a controlled activity within 40m of waterfront land.

#### Water Quantity

A stormwater management plan was submitted with the application. Stormwater runoff is proposed to be collected via a traditional pit and pipe system, with impervious areas to drain to new stormwater pits treated with gross pollutant filters within the car park, before draining to the existing kerb and gutter system on Jeffries Circuit. The proposed development will also

fill in a portion of the existing channel located along the southern boundary of Lot 43 to facilitate connectivity with the existing BAESA facilities, with reinforced box culverts to be installed to maintain the existing capacity of the channel for storm events up to the 1% AEP event.

A precinct wide stormwater drainage strategy was designed for Astra Aerolab detailed in the Stormwater Management Report prepared by Northrop and approved in DA 16-2009-324-3. The precinct wide drainage strategy provided for rain gardens, vegetated swales and constructed wetlands to address Council's water quality targets and allowed for impervious area of up to 90% of developed lots. The proposed development will have an impervious site area of less than 90% and will connect with the existing drainage system constructed under Stage 1 of the subdivision. No onsite detention is proposed by the development, and no change to the stormwater drainage pattern within the existing drainage channel is proposed.

The proposed stormwater drainage design was supported by Council's Development Engineer.

### Water Quality

The approved stormwater design for the Astra Aerolab subdivision included a treatment train consisting of grassed swales, in-street rain gardens and storage basins that achieved the required water quality treatment requirements, without any additional lot-scale treatment for Stages 1, 2A and 2B. Given the inclusion of water quality provisions for the subdivision overall, the proposed development does not propose any site-specific stormwater quality measures.

The projected water quality outcomes was supported by Council's Development Engineer, with conditions of consent imposed to manage site contaminants including PFAS and oil and grease throughout the construction and operational phases of the development.

### *Chapter B5 – Flooding*

This section applies to all development on flood prone land. The subject land is mapped as being within the Flood Planning Area.

As discussed against Clause 5.21 of the PSLEP above, the proposed development is located on land mapped within the Flood Planning Area. The site is located within the minimal risk flood prone land area. The Astra Aerolab subdivision included the filling of land to ensure each resulting lot and adjoining road network had a finished level equal to or greater than the flood planning level (FPL). The relevant FPL for site is 3m AHD. The FFL of the guardhouse and office building is proposed to be 4.65m AHD. This is consistent with the requirements of the DCP.

On this basis satisfies the requirements of this chapter.

### *Chapter B6 – Williamstown RAAF Base – Aircraft Noise and Safety*

This section applies to development that is situated within the 2025 Australian Noise Exposure Forecast (ANEF), bird strike zone, extraneous lighting area or the Royal Australian Air Force (RAAF) Base Williamstown Obstacle Limitation map.

The impact of aircraft noise on the proposed development has been assessed in the discussion against clause 7.5 of the PSLEP above. The proposed development is located on land identified within the ANEF 35-40 contour zone.

The proposed development consists of a car park and ancillary guardhouse and office building. Development for the purpose of a car park is not listed within Figure BL, however,

can be characterised as having noise acceptability consistent with a 'general industry', which is conditionally acceptable in the 35-40 ANEF zone. The proposed offices are ancillary to the operation of the car park and will be subject to merit assessment when proposed in the SP4 zone.

As required by this Chapter of the DCP, an Acoustic Assessment prepared by Acoustic Logic was submitted with the application. The Acoustic Assessment identified the maximum aircraft noise level likely to impact the development and with this information identified the construction measures required to ensure the proposal meets the indoor design sound levels required by both Figure BM of the DCP and AS2021:2015 Acoustics - Aircraft noise intrusion - Building siting and construction indoor noise requirements.

A condition has been recommended that the development be constructed in accordance with recommendations of the Acoustic Assessment.

The site is located within Bird Strike Group C, however is not a development type listed under Column 1 of Figure FN. Waste management plans were prepared for the management of organic waste and/or the storage of bins associated with the construction and on-going use of the development. Implementation of these waste management plans will appropriately minimise bird strike risk.

The subject site is located within the Limitation or Operations Surface map in an area where all structures over 7.5m in height are to be referred to the Department of Defence (Defence). The proposed guard house will have a height of 3.8m and the covered car park structures will have a height of 5.6m above ground level. The development will not have a height greater than 7.5m and thus did not require referral to Department of Defence.

The site is located within the 6km radius controlled light installation area. Lighting will be controlled to comply with Civil Aviation Safety Authority (CASA) Manual of Standards (MOS-139) Aerodromes. Furthermore, the application was referred to Department of Defence, who provided conditional support for the proposal subject to compliance with extraneous lighting controls detailed in National Airports Safeguarding Framework (NASF) Guideline E – Managing the Risk of Distractions to Pilots from Lighting in the vicinity of Airports.

Noting the above, the proposal satisfies the requirements of this chapter.

#### *Chapter B7 – Heritage*

The objectives of this section is to conserve environmental heritage, heritage items and conservation areas, archaeological sites and Aboriginal sites and objects of heritage significance.

Impacts to Aboriginal Heritage were assessed as part of the subdivision DA (16-2009-324), which required an Aboriginal Heritage Impact Permit covering the site area. As a part of the Astra Aerolab approval, an Aboriginal Keeping Place was established containing salvaged items from across the site. The Aboriginal Keeping Place will form part of the Astra Aerolab subdivision and will exist to the sites southeast.

A local heritage item is located at 150 Cabbage Tree Road, to the southwest of the site. The heritage item is known as Devon House (I109). The proposed development will not impact the heritage significance of this item or curtilage given the proximity and natural screening elements between the site.

A condition of consent is recommended regarding the implementation of an unexpected finds procedure should artefacts be discovered during works.

## *Chapter B8 – Road Network and Parking*

This section applies to development with the potential to impact on the existing road network or create demand for on-site parking.

### Traffic Impacts

A Traffic Impact Assessment (TIA) was prepared for the proposed development by PTC dated 20 May 2025. The TIA assessed the performance of key intersections including the Nelson Bay Road / Williamstown Drive intersection and Williamstown Drive / Aerospace Avenue roundabout under scenarios for existing year 2024 and proposed future year 2034, using SIDRA traffic modelling. The results indicate that:

- The additional traffic from the BAE development will have minimal impact on the performance of intersection Nelson Bay Road/ Williamstown Drive and intersection Jeffries Circuit and Williamstown Drive.
- As a result of the construction of new access to the site via Aerospace Avenue and Jeffries Circuit, the existing BAESA traffic will be redirected to these new access, thus reducing the site related traffic on Williamstown Drive.

Noting the development is considered traffic generating development under Section 2.122 of the SEPP (Transport and Infrastructure) 2021, the application was referred to Transport for New South Wales (TfNSW). TfNSW ultimately supported the proposed development, noting that there will be no significant impact on the nearby classified road network.

In addition to the above, advice was given to Council as follows:

- Council should ensure that appropriate traffic measures are in place during the construction phase of the project to minimise the impacts of construction vehicles on traffic efficiency and road safety within the vicinity.
- All matters relating to internal arrangements on-site such as traffic / pedestrian management, parking, manoeuvring of service vehicles and provision for people with disabilities are matters for Council to consider.

In response to the advice above, a condition has been recommended requiring the creation and implementation of a Construction Environmental Management Plan, which will include construction traffic measures.

Sight distances are considered to be acceptable given no parking is permitted on the street. The proposal was deemed to be compliant with AS2890.2.

Internal arrangement's, manoeuvring, and pedestrian access have been assessed by Council and are considered to be appropriate.

Overall, the proposal subject to conditions regarding construction traffic is considered unlikely to result in adverse traffic impacts.

### Car parking

The proposed development provides 261 car parking spaces which will be comprised of a mixture of standard, accessible and small parking spaces as shown in **Table 8** below. The development will provide for a total of 26 future EV charging points.

**Table 8: Proposed Car Parking Summary**

Type	Width (mm)	Length (mm)	Count
Standard	2400	5400	252
Accessible	2400	5400	6
Small	2300	5000	3
		Subtotal	261

The development will also provide 5 motorcycle parking spaces and 10 bicycle parking spaces. Motorcycle parking spaces will be provided on the eastern elevation of the site near the EV charging spaces. The bicycle parking spaces will be located adjacent to the security guardhouse.

The provision of an addition 261 car parking spaces under the subject DA, is deemed suitable to support existing and future BAESA operations.

### Access

Vehicular access from Jeffries Circuit to the site will occur via two newly constructed driveways, a 14m-wide driveway located on Lot 102 and a 16.5m-wide driveway located on Lot 101. The driveway on Lot 102 will be used for entry and exit whilst the driveway located on Lot 101 will be reserved for vehicle exit only. Vehicles leaving the site will be able to use either driveway located on Lot 102 or Lot 101. Exit via the Lot 102 driveway will occur via security boom gates, whilst vehicular exit from the Lot 101 driveway will utilise the security call button to the guardhouse to facilitate site exit.

Driveway access and car park circulation have been designed to accommodate a 19m articulated vehicle with swept paths included in the supporting TIA.

Pedestrian access from Jeffries Circuit to the site will occur via a security gate located adjacent to the driveway on Lot 102. Pedestrian pathways will be provided within the site including zebra crossings and will facilitate pedestrian access to the existing BAESA facilities located north of the site.

## *Chapter C3 Industrial*

The development specific provisions for industrial development within Chapter C3 of the DCP apply and are considered in the following section.

### C3.A Height

There is no maximum height limit specified under the PSLEP 2013 for the site and therefore as per control C3.1, a maximum height limit of 15m applies or a merit based approach is to be taken. The proposed development has a maximum height of 5.6m above ground level, which does not exceed the 15m limitation. The proposed building height is considered to be consistent with the desired future character of the area and the surrounding Astra Aerolab subdivision.

### C3.B Building siting and design

As per control C3.2 of the DCP, a maximum front setback of 6m is required. This development control is not applicable in this circumstance, as site-specific setbacks are listed under Chapter D15 of the DCP for the DAREZ zone. Refer to assessment of Chapter D15.B below.



The guardhouse will have a side setback to the Lot 102 boundary of less than 3m being the fire source feature and the external wall within 3m of the boundary will be designed to achieve a Fire Rating Level (FRL) required by the BCA.

### C3.C Shipping container stacks

No shipping containers are proposed and therefore the provisions of this section are not applicable.

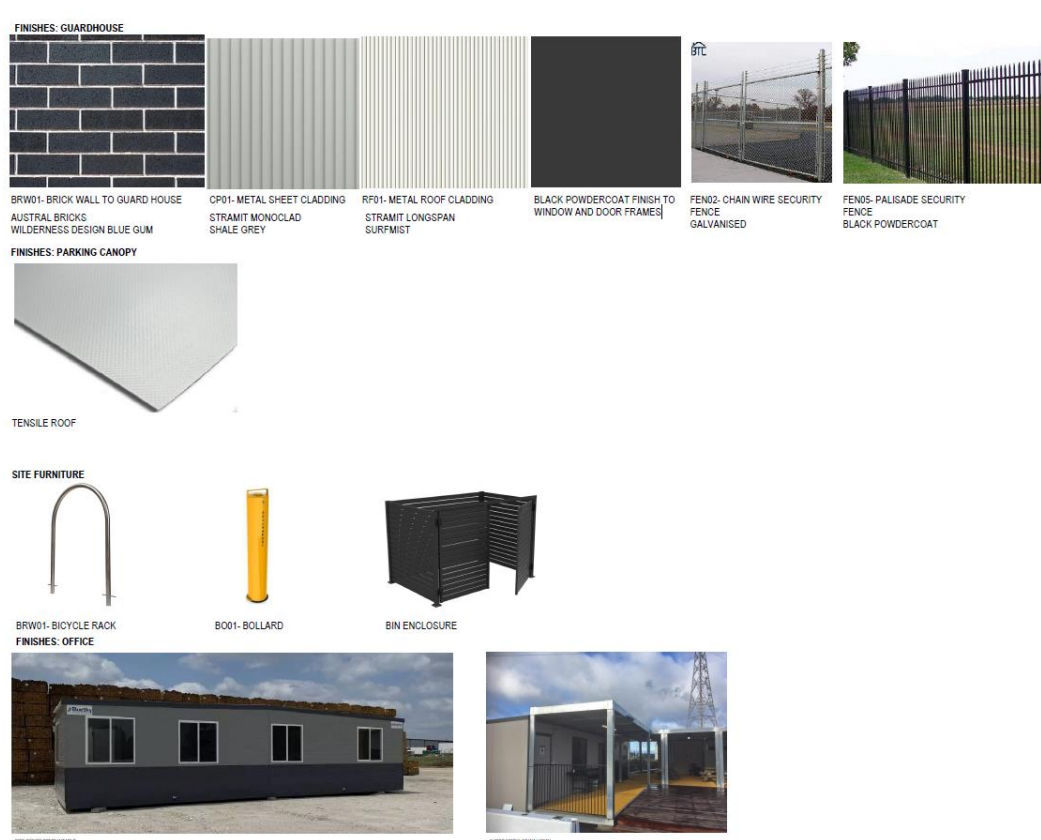
### C3.D Fencing

The development proposes a 3m high black palisade CAT 2 perimeter security fence, forward of the building line. Control C3.9 requires that fencing forward of the building line must not exceed a height of 1.2m. The proposal is therefore non-compliant with this control. Notwithstanding, the fencing is considered acceptable as it has been designed in accordance with security requirements prescribed by the Department of Defence.

### C3.E Facades and Articulation

#### *C3.12 Colour and Materials*

The proposed materials are considered to be sympathetic to the natural environment and future desired character of the Astra Aerolab subdivision consisting of sheet metal cladding in neutral and grey tones which are appropriate within the business park setting, refer to **Figure 8**. It is noted that these materials are also non-reflective to ensure no impacts to the nearby airport operations.



**Figure 8.** Proposed materials

### C3.F Landscaping

The development will provide deep soil planting of 16%. Given the nature of the proposed development for the purpose of a car park, the non-compliance is considered reasonable for the hardstand proposed. Notwithstanding the non-compliance, the development achieves the DCP landscape objectives by providing a consolidated and maintainable landscaped area which provides open space area for users of the site, will integrate landscape features into the development and will intercept stormwater to reduce runoff. Furthermore, The proposed development will provide covered car parking of 1,143m<sup>2</sup> corresponding to 30% of the car park area.

### *Chapter D15 Williamstown Defence and Airport Related Employment Zone (DAREZ)*

#### D15.A Lodgement Requirements

Control D15.1 requires that a landscape plan is provided that is consistent with the Williamstown Aerospace Park Landscape Master Plan. A landscape plan has been submitted with the application that includes approximately 16% landscape coverage.

The Williamstown Aerospace Park Landscape Master Plan does not provide specific guidance to plantings on private land. Notwithstanding, the proposed landscape qualities and species selection is generally consistent with those in the Landscape Master Plan and is consistent with the existing landscaping throughout the Astra Aerolab subdivision.

#### D15.B Setbacks

As per Figure DAG, the site is located within the Aerospace Precinct. The proposed guardhouse will have a front setback of 20m and side setback of 2.5m complying with the DCP requirements.

#### D15.C Street Layout

The proposed development has road layout which aligns with the AAS subdivision approved under DA 16-2009-324-4.

#### D15.D Drainage and Water Quality

A stormwater management plan was submitted with the application and discussed in detail under Chapter B4 of the DCP. The proposed development and associated stormwater plan has been designed to remain consistent with the approved Astra Aerolab subdivision stormwater design.

#### D15.E Flooding

The civil engineering plans prepared by Northrop dated 5/08/2024, indicate that the access driveways and car parking area will have a minimum FFL of RL 4.35m AHD exceeding the 2.5m required by the DCP.

The FFL of the proposed building is 4.91m AHD which exceeds the flood planning level as required by the DCP.

#### D15.F Parking

The proposed development is located in the 'Commercial Precinct' of the DCP DAREZ zone. The development is for car parking which has been sited to the rear of BAESA's existing facilities upon its southern entrance.

Onsite parking is located behind landscaped areas with minimum 2m width.

#### D15.G Airport Operational Requirements

The proposed development does not include any significant electromagnetic radiation or radio emitting devices and no objection was raised by Defence in this regard.

The proposed development does not interfere with any navigational markers.

The proposal is not expected to impact airport operations through the use of non-reflective materials. A condition is recommended requiring the external lighting comply with the extraneous lighting controls detailed in the Civil Aviation Safety Authority (CASA) Manual of Standards (MOS-139) Aerodromes.

#### *Port Stephens Development Contributions Plan*

The following contributions plans are relevant pursuant to Section 7.18 of the EP&A Act and have been considered in the recommended conditions (notwithstanding Contributions plans are not DCPs they are required to be considered):

- Port Stephens Local Infrastructure Contributions Plan 2020 (PS LIC Plan)

Under the PS LIC Plan S7.11 contributions do not apply to the proposed development. There are no exemptions for the proposed use and therefore S7.12 contributions apply. A condition has been recommended requiring that a monetary contribution is to be paid to Council, pursuant to section 7.12 of the EP&A Act and the Port Stephens Council Fixed Development Contributions Plan, prior to release of the Construction Certificate.

#### **(d) Section 4.15(1)(a)(iia) – Planning agreements under Section 7.4 of the EP&A Act**

There have been no planning agreements entered into and there are no draft planning agreements being proposed for the site.

#### **(e) Section 4.15(1)(a)(iv) - Provisions of Regulations**

None of the regulations to the extent that they prescribe matters for the purposes of this section apply to the development.

### **3.3 Section 4.15(1)(b) - Likely Impacts of Development**

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality must be considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above and the Key Issues section below.

#### Built Environment

Acknowledging that the land surrounding the site is largely undeveloped, it is considered that the proposal promotes good design and amenity of the built environment by providing a new car park which has been designed to address Council's stormwater, landscaping and amenity

requirements. The proposal is representative of a design and scale that will positively contribute to the desired future character of the Astra Aerolab subdivision.

### Natural Environment

The site has been substantially cleared of vegetation as a part of the Astra Aerolab subdivision works and the assessment of this application has not identified any significant environmental impacts as a result of the proposal.

The proposal incorporates a suitable stormwater management plan that is consistent with the wider Astra Aerolab stormwater system and Council's infrastructure specifications.

Conditions have been recommended to manage any environmental impacts associated with the construction of the development.

### Social and Economic Impact

The proposal is considered to generate overall positive social and economic impacts within the Williamstown and broader Hunter Region. Council considers the economic impacts of the proposal acceptable as:

- The proposed development will create short-term jobs during construction with up to 70 construction personnel on site at a given time. Upon operation, the development will sustain two (2) employment positions for the security guardhouse on a daily basis, and up to four (4) employment positions for BGIS staff using the office.
- On a broader basis, the proposal aligns with economic directions of the Hunter Regional Plan 2036, specifically Direction 7 – Develop advanced manufacturing, defence and aerospace hubs. The car park will provide supporting infrastructure to the BAESA facility to the north of the site, and support the growth of BAESA operations associated with Williamstown Precinct Schedule of Works.

Council considers the social impacts of the proposal is acceptable as:

- The proposal has been supported by a Crime Prevention through Environmental Design report (CPTED) which included a Crime Risk Assessment. These documents specifically address the proposed preventative measures to reduce the likelihood of anti-social behaviour, with recommendations included in the development design or as recommended conditions.
- Beneficial social impacts would be derived from the increased parking availability to BAESA employees and visitors.

### **3.4 Section 4.15(1)(c) - Suitability of the site**

The site is considered to be suitable for the proposed development for the following reasons:

- The site is located within an approved subdivision (Astra Aerolab) and is therefore largely cleared of vegetation, has a broader stormwater system and an appropriate finished level from a flooding perspective.
- Whilst the site is located within proximity to the Newcastle Airport and the RAAF Base Williamstown, the proposal has incorporated design measures to reduce potential impacts including acoustic attenuation, a suitable building height and non-reflective materials. Conditions have been recommended to address outdoor lighting and the screening of waste areas.

- The wider subdivision has been designed to cater for development similar to the proposed, and therefore is not expected to be any adverse impacts to the existing road network. Further, it is considered that appropriate car parking has been provided to service the development.

Based on the above, the site is suitable to accommodate the proposal.

### 3.5 Section 4.15(1)(d) - Public Submissions

The proposal was exhibited for a period of 28 days from 13 January 2025 – 10 February 2025 in accordance with the EP&A Act, EP&A Regulations and the Port Stephens Community Participation Plan. No submissions were received during this time.

### 3.6 Section 4.15(1)(e) - Public interest

The development is considered to be in the public interest as it would not have any significant adverse impacts on the built or natural environment, and has positive social and economic impacts. The proposal is largely consistent with the relevant of environmental planning instruments applying to the land.

The proposed use, built form and landscaping is consistent with desired future character of the area.

On this basis, the proposal is considered to be in the public interest.

## 4. REFERRALS AND SUBMISSIONS

### 4.1 Agency Referrals and Concurrence

The development application has been referred to various agencies for comment/concurrence/referral as required by the EP&A Act and outlined below in **Table 9**.

There are no outstanding issues arising from these concurrence and referral requirements subject to the imposition of the recommended conditions of consent being imposed.

**Table 9: Concurrence and Referrals to agencies**

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
<b>Concurrence Requirements (s4.13 of EP&amp;A Act)</b>			
N/A			
<b>Referral/Consultation Agencies</b>			
Transport for New South Wales	S2.122 – SEPP (Transport and Infrastructure) 2021 – Traffic Generating Development	A referral was received from TfNSW who concluded there will be no significant impact on the nearby classified road network following review of the Traffic Impact Assessment (TIA) and SIDRA modelling provided with the DA.	Y

Ausgrid	S2.48 – SEPP (Transport and Infrastructure) 2021 – Determination of development applications – other development Traffic Generating Development	A referral was received from Ausgrid who provided advice in relation to the supply of electricity and works within proximity to Ausgrid assets.	Y
Department of Defence	S7.4 – Airspace Operations and S7.5 – Development in areas subject to aircraft noise – PSLEP 2013	<p>The application was referred to Department of Defence, who provided conditional support for the proposal subject to compliance with extraneous lighting controls detailed in National Airports Safeguarding Framework (NASF) Guideline E – Managing the Risk of Distractions to Pilots from Lighting in the vicinity of Airports.</p> <p>Noting the above, the proposal satisfies the requirements of this chapter.</p>	Y
Hunter Water Corporation (HWC)	S51 – Hunter Water Act 1991 – Consent authority to notify Corporation of certain applications	<p>The site is located within a drinking water catchment and was therefore referred to HWC for comment. HWC raised concerns about the following:</p> <ul style="list-style-type: none"> <li>- implications of a condition of consent included on the parent subdivision (16-2009-324-4) for lot-scale stormwater treatment targets;</li> <li>- the contributing flows from areas outside of the AAS,</li> <li>- the consideration of hydrocarbon pollution (oil and grease) in the proposed stormwater management strategy; and</li> <li>- the management of existing site PFAS contamination.</li> </ul> <p>HWC was provided with a Stormwater Engineering Report and Response Letter that clarified no lot-scale stormwater quality treatment devices were required given there is an approved stormwater master plan for the parent subdivision. Furthermore, suitable conditions of consent have been imposed similar to other approved Astra Stage 1 development to require the</p>	Y



		<p>preparation of a Construction Management Plan to manage the interaction with PFAS contamination during construction.</p> <p>HWC provided conditions of consent in relation to Water and Sewer Servicing requirements.</p>	
<b>Integrated Development (S 4.46 of the EP&amp;A Act)</b>			
N/A			

## 4.2 Council Officer Referrals

The development application has been referred to various Council officers for technical review as outlined **Table 10**.

**Table 10: Consideration of Council Referrals**

Officer	Comments	Resolved
Development Engineer	Council's Development Engineer reviewed the proposed stormwater management plan and traffic impact assessment. The proposal was supported subject to conditions.	Yes (conditions)
Development Contributions	Council's Development Contributions Officer found that pursuant to the Port Stephens Local Infrastructure Contributions Plan, s7.11 contributions do not apply. As such, s7.12 contributions apply.	Yes (conditions)
Environmental Health	<p>Council's Environmental Health Officer reviewed the Noise Impact Assessment prepared by Acoustic Logic. It was noted that the proposal should be constructed in accordance with the approved report, and a statement of compliance be provided by a qualified acoustic engineer that all construction recommendations have been implemented.</p> <p>Council's Environmental Health officer also reviewed the Preliminary Site Investigation prepared by Senversa Pty Ltd, noting the development is to occur within recently constructed subdivision lots on fill that has raised the lots above the natural ground level. The Statement of Environment Effects anticipates that works will not occur below the existing ground level. Notwithstanding, a condition has been recommended requiring that a PFAS construction management plan be prepared for the development.</p>	Yes (conditions)
Natural Systems	Council's Natural Systems Officer reviewed the Arborist Report and noted that whilst trees numbered 5 and 6 in the Arborist Report are located within the approved clearing footprint of the previous approval (DA 16-2009-324-3); trees 7, 8 and 9 were planted within a BV mapped area after	Yes (conditions)

Officer	Comments	Resolved
	clearing works had been completed. As such, these trees could not be considered under the original clearing footprint.  Council's Natural Systems Officer reviewed updated Architectural and Landscape Plans which identified trees located within the previously mapped BV areas will be retained. The application was supported subject to conditions.	

### 4.3 Community Consultation

The proposal was exhibited for a period of 28 days from 13 January 2025 – 10 February 2025 in accordance with the EP&A Act, EP&A Regulations and the Port Stephens Community Participation Plan. No submissions were received during this time.

## 5. KEY ISSUES

The following key issues are relevant to the assessment of this application having considered the relevant planning controls and the proposal in detail:

### 5.1 Vegetation Removal

The proposed development originally sought to remove three (3) street trees planted within a Biodiversity Values mapped area. The statement of environmental effects noted that the site was cleared as part of Stage 1 subdivision works under DA 16-2009-324-3, and as such held that biodiversity constraints were resolved.

Council and the HCCRPP acknowledged the site was lawfully cleared under the parent subdivision, however noted these replanted trees could not be considered under the original clearing footprint. The following options were provided to the applicant:

- a) Apply for a Biodiversity Values Map Review for the area of core koala habitat mapping that conflicts with trees identified for removal;
- b) Provide a streamlined BDAR using the planted native vegetation module; or
- c) Retain trees located within BV mapped area.

To respond to these comments, updated Architectural and Landscape Plans were provided which identified trees located within the mapped BV mapped area will be retained. Furthermore, the Biodiversity Values (BV) mapping on the NSW ePlanning Spatial Viewer was updated to remove BV mapped area over the site.

## 6. CONCLUSION

This development application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, issues raised in submissions and the key issues identified in this report, it is considered that the application can be supported.

It is considered that the key issues as outlined in Section 5 have been resolved satisfactorily through amendments to the proposal and/or in the recommended draft conditions at **Attachment A**.

## 7. RECOMMENDATION

That the Development Application 16-2024-656-1 for 'Car Parking, Site Access and Ancillary Works' at 5 Jeffries Circuit WILLIAMTOWN (Lot: 100 DP: 1295775), 9 Jeffries Circuit, WILLIAMTOWN (Lot: 101 DP: 1295775), 11 Jeffries Circuit, WILLIAMTOWN (Lot: 102 DP: 1295775), 55 Slades Road WILLIAMTOWN (Lot: 43 DP: 1045602) and 55C Slades Road WILLIAMTOWN (Lot: 103 DP: 873512), be APPROVED subject to the draft conditions of consent attached to this report **Attachment A**.

The following attachments are provided:

- Attachment A: Recommended Conditions of Consent
- Attachment B: Architectural Plans
- Attachment C: Landscape Plans
- Attachment D: Civil Engineering Plans
- Attachment E: Lighting Plans
- Attachment F: Lighting Assessment Compliance
- Attachment G: Noise Impact Assessment
- Attachment H: Arboricultural Impact Assessment
- Attachment I: Access Report
- Attachment J: Bushfire Assessment Report
- Attachment K: Traffic Impact Assessment
- Attachment L: Preliminary Site Investigation
- Attachment M: Hazardous Materials Assessment
- Attachment N: Construction and Demolition Plan
- Attachment O: Operational Waste Management Plan
- Attachment P: Crime Prevention Through Environmental Design
- Attachment Q: Draft Deposited Plan
- Attachment R: Stormwater Management and Servicing Plan