

STATEMENT OF ENVIRONMENTAL EFFECTS

AIRCRAFT HANGAR

28 Aerodrome Road, Rylstone



Navigate Planning

24 January 2024

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1 INTRODUCTION

This Statement of Environmental Effects (SEE) supports a development application for construction of an aircraft hangar at 28 Aerodrome Road, Rylstone (Lot 22 DP 270890).

The subject land is zoned SP2 Infrastructure (Air Transport Facilities). The development of an aircraft hangar is incidental to development for the purpose of an air transport facility and is therefore permitted with consent.

The development is not “State significant development”, “regionally significant development”, or “designated development”. The development is not “integrated development” or “nominated integrated development”.

The development is sited, designed and will be managed to avoid adverse environmental impacts. There are no known contamination issues with the site. Earthworks are limited to the preparation of the site for a concrete slab.

The development will not increase traffic movements to and within the site beyond that expected by the use of the site for the purpose intended.

The proposal will have social and economic benefits to the community. The development is permissible with consent and is consistent with all relevant legislation and policy. There is no impediment to the granting of development consent subject to conditions.

2 PROPOSED DEVELOPMENT

The development consists of the construction of one aircraft hangar measuring 16m by 14.2m (227.2m²). A balcony to the northern side of the hangar is also proposed. The hangar will be of steel construction with colorbond cladding. Steel framing for a mezzanine storage area is also proposed.

No reticulated electricity, water and sewer connections to the hangar are proposed or required.

Should power be required, the hangar owner will install a stand-alone solar system under the provisions of Section 2.41 of State Environmental Planning Policy (Transport and Infrastructure) 2021.

Should the hangar owner wish to install water tanks, these will be undertaken under the provisions of Subdivision 32 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Stormwater from roofed areas will be directed to Aerodrome Road.

3 SITE ANALYSIS

3.1.1 Existing development

The subject land is within an approved airpark. The lot is currently vacant and has been approved for the construction of an aircraft hangar. The lot has direct frontage and a slight fall to Aerodrome Road. The airpark's clubhouse and car parking area are centrally located in the Aerodrome with easy access to the site.

A 3m service corridor is located to the rear of the site. The adjoining site to the south contains a hangar and the adjoining site to the north is vacant.

3.1.2 History, Heritage and Archaeology

The subject land has no known history of any heritage or archaeological significance.

Development consent (DA0263/2012) was granted on 22 May 2012 for a community title subdivision at the Rylstone Airport. The consent was modified on 19 September 2013 (MA0031/2013).

The site has been used as an aerodrome for over 60 years. Recent approvals for community title subdivision of the land and the associated landforming, construction of roads, services, facilities and aircraft hangars has extensively disturbed the soil with no evidence of any Aboriginal occupation of the land.

4 COMPLIANCE WITH RELEVANT LEGISLATION

4.1 Environmental Protection and Biodiversity Conservation Act 1999

Under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), a person must not take an action that has, will have or is likely to have a significant impact on any of the matters of national environmental significance without the approval of the Federal Environment Minister. This includes any impacts on threatened species or endangered ecological communities (EEC) listed under the EPBC Act.

The subject land is fully cleared of native vegetation. The proposal will have no significant impact on any matter of national environmental significance.

4.2 Environmental Planning and Assessment Act 1979

4.2.1 Section 4.5 – Designation of consent authority

Pursuant to clause 4.5 (d), Mid-Western Regional Council is the consent authority.

4.2.2 Section 4.10 – Designated development

Clause 4.10 defines designated development as development that is declared by an environmental planning instrument or the regulations as designated development. The development is not declared by any environmental planning instrument as designated development.

4.2.3 Section 4.12 – Application

This provision allows for certain LG Act approvals to be addressed within a development consent. No approvals under the LG Act are required for the development.

4.2.4 Section 4.13 – Consultation and concurrence

Section 4.13 provides for an environmental planning instrument to identify where consultation or concurrence is required before determining a development application. There are no consultation or concurrence requirements for the development under any relevant environmental planning instrument.

4.2.5 Section 4.15 – Evaluation

The following matters are relevant to the proposal under section 4.15 of the EPA Act. Detailed assessment against each of these matters is provided in Section 5 of this SEE.

State Environmental Planning Policies

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*

Local Environmental Plans

- *Mid-Western Regional Local Environmental Plan 2012*

Draft Environmental Planning Instruments

Nil.

Development Control Plans

Mid-Western Regional Development Control Plan 2013

Planning Agreements

Nil

Environmental Planning and Assessment Regulation

Nil

Impacts on the built environment

The development will have no significant impact on the built environment. The proposed hangar is located on a lot approved for such use and will visually reinforce the use of the land as an aerodrome and airpark. The hangar will be similar in scale and appearance to existing hangars in the Airpark.

Impacts on the natural environment

The subject land is fully cleared of native vegetation. There are no watercourses crossing or in the vicinity of the site. It is considered that the proposed development will have no significant impact on the natural environment.

Social and economic impacts

The continued development of the Rylstone Aerodrome for airport related purposes is considered to have positive social and economic impacts for Rylstone and the wider Mid-Western community, through the increased use of the aerodrome and the related increase in local spending by users of the aerodrome.

Suitability of the site

The subject land is zoned for purposes associated with an air transport facility. The subject site was approved for the construction of an aircraft hangar. The site is therefore considered suitable for the proposed development.

The Public Interest

The continued development of the Rylstone Aerodrome for airport related purposes is considered to be in the public interest.

4.2.6 Section 4.46 – Integrated Development

Section 4.46 of the EPA Act identifies development that requires other approvals and is therefore integrated development. The development is not integrated development.

4.3 Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (BC Act) outlines the processes for biodiversity assessments, approvals and offsets where required. The BC Act also defines biodiversity values, and these are shown as the purple areas on the Biodiversity Values Map. No part of the subject land is mapped as having biodiversity values. The site contains no native vegetation and the proposed development will have no direct or indirect impacts on any threatened ecological communities. The proposal will have no significant impact on biodiversity.

4.4 National Parks and Wildlife Act 1974

Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act) states that it is an offence to harm or desecrate an Aboriginal object unless authorised by an Aboriginal heritage impact permit.

A basic search of the Aboriginal Heritage Information Management System found no records of any Aboriginal artefacts within 1km of the subject land.

The site has been used as an aerodrome for over 60 years. An Aboriginal heritage assessment of the land was undertaken for the development of the Airpark that found no evidence of Aboriginal occupation or artefacts. The development of the Airpark has further disturbed the site. There is therefore no likelihood of disturbing relics in the development of the hangar. No further Aboriginal cultural heritage assessment is warranted for the proposed development.

5 COMPLIANCE WITH PLANNING CONTROLS

5.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 of *State Environmental Planning Policy (Resilience and Hazards) 2021* aims to promote the remediation of contaminated land to reduce risk to human health and the environment. SEPP 55 requires consideration of the potential contamination of land and the need for remediation of that land before development consent is granted. To assist in the assessment of potential contamination, SEPP 55 the following land as being subject to consideration:

- (a) *land that is within an investigation area,*
- (b) *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
- (c) *to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:*
 - (i) *in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
 - (ii) *on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

There are no relevant consultation or concurrence requirements for the development under the SEPP.

The development site is not in an investigation area. Prior to the site being used as an aerodrome, the site is known to have been used for grazing cattle. Therefore, the known previous uses are not likely to have caused contamination of the site. The proposed use is not for residential, educational, recreational or child care purposes, or for the purposes of a hospital. The site has been approved under development consent DA0263/2012 for the development of a hangar. It is therefore considered that no further contamination assessment is warranted as part of this development application.

Given the above the site is considered suitable for the development.

5.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021 (TI SEPP) provides for certain infrastructure developments to be exempt development, complying development or development that is permitted with consent. Division 1 of Part 2.3 of the TI SEPP applies to air transport facilities.

Clause 2.24 applies to certain development carried out by or on behalf of a public authority and does not apply to the subject development.

Clause 2.25 applies to certain development by any person, including development of hangars for aircraft storage or maintenance, and states that development consent for such development is required.

There are no matters for consideration in the SEPP for this kind of development.

5.3 Mid-Western Regional Local Environmental Plan 2012

5.3.1 Zoning and zone objectives

The development is proposed on land zoned SP2 Infrastructure (Air Transport Facilities), as shown on the map below.



The objectives of the SP2 zone are:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To protect the water storage of Windamere and Burrendong Dams.

The proposed development is for an aircraft hangar on the site of an airpark approved for such use. The proposed development is compatible with the approved use of the land as an airpark and will not detract from the provision of infrastructure. The proposed development is therefore considered to be consistent with the zone objectives.

5.3.2 Land Use Permissibility

The proposed development is included within the defined as “airport”. The definition of airport is as follows:

airport means a place that is used for the landing, taking off, parking, maintenance or repair of aeroplanes, and includes associated buildings, installations, facilities and movement areas and any heliport that is part of the airport.

The proposed hangar is for the parking of an aircraft. A hangar in an airport is incidental to development for the purpose of an air transport facility and is therefore permitted with consent in the SP2 zone.

5.3.3 Lot Size

There is no minimum lot size in MWRLEP 2012 for the subject land. No subdivision of land is proposed.

5.3.4 Building height

There is no maximum building height in MWRLEP 2012 for the subject land.

5.3.5 Heritage

The site does not contain a heritage item and is not in a heritage conservation area. There are no heritage items in the vicinity of the site.

5.3.6 Flood planning

The subject land is not mapped as flood prone.

5.3.7 Earthworks

Clause 6.3 of MWLEP 2012 requires separate development consent for earthworks unless the earthworks are ancillary to other development for which development consent has been given.

The development will involve minor earthworks for building foundations. The scale and impact of the earthworks have been considered as part of this development application and therefore separate development consent will not be required.

The following considerations in clause 6.3 (3) are relevant:

Before granting development consent for earthworks, the consent authority must consider the following matters:

- (a) *the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,*
- (b) *the effect of the proposed 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 proposed 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 watercourse, drinking water catchment or environmentally sensitive area,*
- (h) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Minimal excavations into the site for building foundations will be required. The earthworks are necessary to facilitate the proposed redevelopment. The earthworks will have no detrimental impacts on adjoining lots or the environment.

An Aboriginal heritage assessment was undertaken for the development of the Airpark that found no evidence of Aboriginal occupation or artefacts. The development of the Airpark has further disturbed the site. There is therefore no likelihood of disturbing relics in the development of the hangar.

Based on the above, it is considered that the development satisfactorily addresses the considerations in clause 6.3 of MWLEP 2012.

5.3.8 Groundwater vulnerability

The whole of the land is mapped as groundwater vulnerable on the Groundwater Vulnerability Map in MWLEP 2012.

Clause 6.4 requires the consent authority to consider:

- (a) *the likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),*
- (b) *any adverse impacts the development may have on groundwater dependent ecosystems,*

- (c) *the cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),*
- (d) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

The proposed development is unlikely to have detrimental impacts on groundwater. The extent of earthworks is minor and the use is unlikely to cause groundwater contamination.

Given the above, the development can be granted consent as it is designed, sited and will be managed to avoid any adverse environmental impact.

5.3.9 *Terrestrial Biodiversity*

The subject land does not contain any areas mapped as having terrestrial biodiversity.

5.3.10 *Essential Services*

Clause 6.9 of MWRLEP 2012 states that “*development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required—*

- (a) *the supply of water,*
- (b) *the supply of electricity,*
- (c) *the disposal and management of sewage,*
- (d) *stormwater drainage or on-site conservation,*
- (e) *suitable road access.”*

The proposed hangar will not require connection to reticulated electricity, water and sewer services. Should power or water supply be desired by the hangar owner, these will be provided under relevant exempt development provisions. Stormwater from roofed areas will be directed to Aerodrome Road which also provide direct access to the hangar.

5.4 **Mid-Western Regional Development Control Plan 2013**

5.4.1 *Section 5.1 Car Parking*

There are no car parking requirements for an aircraft hangar. The site contains car parking provided as part of the approval for the development of the airpark. No additional car parking is required for the proposed development.

5.4.2 *Section 5.2 Flooding*

The site is not affected by flooding.

5.4.3 *Section 5.3 Stormwater Management*

Stormwater from roofed and sealed areas will be directed to Aerodrome Road.

5.4.4 *Section 5.4 Environmental Controls*

Protection of Aboriginal Archaeological Items

A basic search of the Aboriginal Heritage Information Management System found no records of any Aboriginal artefacts within 1km of the subject land. An Aboriginal heritage assessment of the land was undertaken for the development of the Airpark that found no evidence of Aboriginal occupation or artefacts. The development of the Airpark has further disturbed the

site. There is therefore no likelihood of disturbing relics in the development of the hangar. No further detailed Aboriginal cultural heritage assessment is warranted for the proposed development. It is considered that the proposed development will have no detrimental impact on Aboriginal cultural heritage.

Bushfire Management

The subject land is not mapped as bushfire prone land.

Riparian and Drainage Line Environments

The site does not contain or adjoin any riparian or drainage lines.

Pollution and Waste Management

The development will generate waste as a result of the following:

- Construction of the development
- Operation of future uses.

Construction waste will be minimised and managed on site and disposed of by way of Council's waste management facilities. Erosion and sediment control measures will be implemented during construction to avoid external impacts.

Under the Community Management Statement for the Airpark, hangar owners will be responsible for containing waste during the use of the hangars to within the hangars with disposal as required to the Council's waste management facilities.

Threatened Species and Vegetation Management

The proposed development will have no impact on threatened species or vegetation.

Building in Saline Environments

The subject land is not considered to have high levels of salinity. The proposed development is unlikely to be affected by saline soils.

6 CONCLUSION

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The development is not "State significant development", "regionally significant development", or "designated development". The development is not "integrated development" or "nominated integrated development".

The development is sited, designed and will be managed to avoid adverse environmental impacts. There are no known contamination issues with the site. Earthworks are limited to the preparation of the site for a concrete slab.

The development will not increase traffic movements to and within the site beyond that expected by the use of the site for the purpose intended.

The proposal will have social and economic benefits to the community. The development is permissible with consent and is consistent with all relevant legislation and policy. There is no impediment to the granting of development consent subject to conditions.

