
From: Anthony Tavella on behalf of DPE PS ePlanning Exhibitions Mailbox
Sent: Thursday, 6 February 2020 11:52 AM
To: DPE PSVC Central Coast Mailbox
Subject: FW: Webform submission from: Review of Warnervale Airport (Restrictions) Act 1996

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Sent: Thursday, 6 February 2020 8:14 AM
To: DPE PS ePlanning Exhibitions Mailbox <eplanning.exhibitions@planning.nsw.gov.au>
Subject: Webform submission from: Review of Warnervale Airport (Restrictions) Act 1996

Submitted on Thu, 06/02/2020 - 08:13
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Submission file:
[mn-warnervale-act-submission-20200205.pdf](#)

Submission: Please see attached PDF file.

URL: <https://pp.planningportal.nsw.gov.au/draftplans/exhibition/review-warnervale-airport-restrictions-act-1996>

Mark Narborough
2 Peter Close
HORNSBY HEIGHTS NSW 2077

5 February 2020

The Director
Central Coast and Hunter Region
Department of Planning, Industry and Environment
PO Box 1148
GOSFORD NSW 2250

BY EMAIL

Dear Sir / Madam

Submission in relation to the review of the *Warnervale Airport (Restrictions) Act 1996*

1. Preamble and disclosure

I am responding to the request for submissions in relation to the review of the *Warnervale Airport (Restrictions) Act 1996* ("the Act"). I am a former Chartered Accountant, now retired. I have been a regular user of Warnervale Airport ("the Airport") since 2005 when I commenced flight training there. After some years of training at the Airport I now hold a CPL(A) pilot license. I am a part-owner of an aircraft based at the Airport and I am a member and former director of Central Coast Aero Club Limited. I use the Airport regularly. In addition my son is undertaking flight training at the Airport. This submission reflects my personal views only.

2. Executive summary

The Act addresses a problem that no longer exists

I believe that the Act was passed in response to community concerns in the mid-1990s over the possibility of jet passenger transport and cargo aircraft ("**Jet Aircraft**") operating at the Airport on a 24/7 basis. More than two decades later, the Act is not required to prevent Jet Aircraft operating at the Airport. Its physical limitations, the proximity of Newcastle Airport and other planning and environmental legislation will do that job. Yet this unnecessary Act is now threatening the Aiport's very existence.

The Airport is unique in being subject to a restrictive Act of Parliament but I have never seen or heard of Jet Aircraft operating at Cessnock, Lake Macquarie or Scone Airports, to name a few nearby airports which are not subject to similar legislative restriction.

The Act incorrectly views all aircraft the same

The Act sees an Airbus A380 and a Cessna 150 as the same thing. Yet the Act did not place any restrictions on then-existing and very intensive light aircraft operations being conducted at the Airport at the time of its passage, thus implying that such activity was not within its focus. Given this, I consider it to be a wrong outcome that the Act's restrictions, if triggered, would handicap the Airport to a level of light aircraft activity significantly lower than its 1996 levels.

The Act does not contemplate runway safety enhancements

The "existing runway" (cl 4.2 of the Act) was a narrow patchwork of rutted asphalt more like a farm track than an aircraft runway. The Act does not contemplate that the runway would one day require resealing or that the runway might be physically lengthened to enhance safety without increasing the landing distance available to aircraft ("LDA").

As a result despite runway 02/20 remaining physically shorter than the length of 1,200 metres permitted by Part 3 of the Act and the LDA being now less than that which existed in 1996, stakeholders are uncertain as to whether or not the Act has been triggered by the safety-enhancing works undertaken in 2015. It seems wrong to me that such safety improvements could trigger the Act's restrictions and this is more evidence of the Act's poor drafting.

The Act prevents desirable development at the Airport

35 expressions of interest and 17 signed offers were received by Council following its 2017 solicitation to any parties interested in developing businesses at the Airport. Enormous interest and potential... but where are those businesses today? Not at Warnervale.

By restricting light aircraft movements the Act cripples the Airport's economic potential and blocks business investment. The Airport lags comparative airports in every respect, especially shameful given its proximity to the expanding population centres of Sydney, the Central Coast and Newcastle. No other airport in Australia has such harsh restrictions imposed upon it and I fail to see any circumstances at Warnervale that requires them.

3. Conclusion

The Act prevents the Airport being a thriving general aviation hub addressing the national and international need for well-trained pilots with many economic and other benefits flowing to the local community. I don't believe the Act was intended to kill off Warnervale Airport, but it will have that effect unless something is done. If the Airport is lost not only will we lose a potentially significant source of employment and training in aviation-related businesses and trades, but we will also lose its ability to transport the sick and injured, to launch and replenish fire-fighting and rescue aircraft and to attract tourism to the Central Coast. Those and many more such roles cannot be performed by distribution centres or housing estates.

A repeal or significant amendment of the Act is required to provide certainty about the future of the Airport and to allow the community of the Central Coast and environs to enjoy the many benefits that a thriving local airport can bring. I set out further comments on the Act in the attached Appendix which forms part of my submission.

Yours faithfully



Mark Narborough

APPENDIX

Detailed comments on the Act

My comments on specific selected clauses of the Act are set out below, by clause, where applicable.

Clause	Summary provision	Comment
<p>4 - Application of Part</p>	<p><i>Restrictions do not apply to "existing runways", being runways at the time of the Act that have not subsequently been constructed or extended.</i></p>	<p>My understanding is that Warnervale's runway was considered "existing" until some time in 2015 when Council widened and resealed the runway and extended it slightly to the South with an overrun area. From an operational point of view the current situation is that the runway has been shortened compared to 1996, despite its physical length being slightly longer, by displacing its thresholds.</p> <p>If the Act is to be retained, I request a clarifying amendment to make clear that a runway would remain "existing" provided that the LDA, a clearly defined term in aviation which is based on the distance between runway thresholds, is not increased from its 1996 measure or beyond 1,200 metres.</p> <p>I consider the current LDA of the Airport's runway is ample to support its key roles of pilot training, emergency services and recreational users of light aircraft.</p> <p>I have never in all my time at Warnervale Airport witnessed a Jet Aircraft landing, taking off or sitting parked. The current LDA is insufficient for such aircraft and they can be served elsewhere (eg. Newcastle, Sydney or the new Western Sydney airport when completed).</p>
<p>5 - Curfew</p>	<p><i>No take offs or landings are allowed from 10pm to 6:30am.</i></p>	<p>The curfew on aircraft movements at night unnecessarily restricts night training opportunities for light aircraft. I am not aware of any comparable airfield with a night curfew restriction. Nocturnal departures and landings are infrequent (even for training) at every non capital city airport I have observed. I see no reason for such a restriction at Warnervale and coupled with my comments below, this clause further erodes the viability of the Airport as a training hub.</p>

Clause	Summary provision	Comment
<p>6 - Limit of daily take offs and landings</p>	<p><i>Take offs and landings (added together) must not exceed 88 per day.</i></p>	<p>The daily limit clause completely cripples the use of the Airport as an airport. In a pilot training environment, one light aircraft alone can account for 10 takeoffs and 10 landings per hour during circuit training. Based on my actual experience at Warnervale it is common for three such pilots to be training in the circuit, so in one hour 60 take offs and landings can occur. Thus the airport would have to close for the day after just 90 minutes of training even ignoring the needs of other airport users. No flight training business - or airport - can survive on 90 minutes of permitted operations per day.</p> <p>There is also the question of policing and controlling the cap and allocation of 'slots' within the cap limit. I believe that is the reason aircraft are now required to give 24 hours written notice to Council of their intention to land at Warnervale. Since that very unusual and unwelcoming requirement was introduced I have noticed a significant reduction in visiting aircraft. I know of no other local or regional airport that requires 24 hours prior notice of an intention to visit.</p> <p>The daily limit clause prevents Warnervale Airport being used as a flight training airport and relegates it to being a parking lot for the light aircraft hangared there. This in turn causes obvious uncertainty over its long-term survival as an airport and prevents any business from investing there.</p> <p>This vicious circle can only be remedied by amendment or repeal of the Act so that for example the daily limit would only apply to Jet Aircraft and/or larger propeller aircraft, but not apply to traditional single engine light aircraft for which the Airport was originally constructed.</p> <p>I should add that even as part-owner of an aircraft I am nervous about the Airport's future and where my aircraft could be hangared should the Airport close. I know many others with 'skin in the game' feel the same way.</p>

Clause	Summary provision	Comment
8 - Limit on length of runway	<i>Unless Ministerial approval is received, the maximum runway length at the Airport is 1,200 metres.</i>	<p>As noted above, I consider the current runway length to be more than adequate for the Airport's current and likely future needs.</p> <p>The current runway length is less than that required for Jet Aircraft. As I noted previously, I have never witnessed a Jet Aircraft land, take off or sit parked at Warnervale because they simply can't.</p>
12 - Noise study	<i>A noise study must be undertaken if the Minister is asked to approve an expansion of Warnervale Airport</i>	<p>If it is accepted that the Act was implemented to address resident's fears of Jet Aircraft noise on a 24/7 basis, it appears that interest groups are trying to pervert that intent to now restrict all and any aircraft noise arising from the Airport's operation.</p> <p>I believe that to be unfair and it prevents the Airport from being used as a base for aviation-related businesses to employ and train people for the betterment of the local community and Australia. Properly managed the Airport could employ and train far more people than alternative land uses such as distribution centres or housing.</p> <p>On the topic of noise generally, I make the following comments:</p> <ul style="list-style-type: none"> • We are seeing increased use of lighter 'sport' aircraft powered by quieter aero engines. As these aircraft climb faster and make less noise doing so, their noise footprint is very much lower. These are now commonly seen at Warnervale and I expect this trend to continue. • Electric motors will be rapidly developed for light aircraft. Electric propulsion is particularly suited to the training environment where most flights begin and end at the training airport and/or consist of activity in the airport environs making range less of a problem. I believe that flight training will become an almost silent activity as electric propulsion is adopted - as vehicles are doing at present on our roads.