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**From:** Geoff Robertson [voyager5@optusnet.com.au]  
**Sent:** Tuesday, 4 February 2020 8:06 AM  
**To:** DPE PSVC Central Coast Mailbox  
**Subject:** WAR Act submission

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

### **Re: Warnervale Airport Restriction Act 1996 Review**

Director,

The following is a submission in respect of the Warnervale Airport Restriction (WAR) Act Review.

I am a passionate advocate for aviation and aerospace industry as being one of the most powerful drivers of economic and social improvement globally, but in particular, at the level where highly skilled employment, leading-edge education and training impacts the local community to provide high quality careers and business opportunities. This includes flying training, which is introducing young people to careers in an industry where aircraft numbers are growing faster than there are pilots to fly them. I refer to an article in the March 2014 journal of The Australian Manufacturing Technology Institute Limited (AMTIL), based in Melbourne:

“Over the next 20 years, 13,000 new aircraft will be required in the Asia Pacific (AP) region and nearly 36,000 globally ..... according to IBISWorld’s December 2013 *Aircraft Manufacturing and Repair Services in Australia* market research report”.

My submission is that the Warnervale Airport Restriction Act effectively blocks any opportunity for developing the Warnervale Airport in ways which would facilitate increased General Aviation pilot training, and, by restricting the runway length, curbs attempts to introduce aviation businesses which may require a higher standard of runway length and surface than exists.

#### **Personal Background.**

I joined the RAAF as an aircraft fitter apprentice in 1963 and after graduating from RAAF School of Technical Training, served for 8 1/2 years on C130 and DH4 Caribou aircraft, undertaking several detachments to Papua New Guinea.

Later I worked with Qantas at Mascot in the Modifications Section of Engineering Maintenance working on Boeing 747 and 767 aircraft.

In 2000 I retired from the Department of Defence where my last job was manager of a section implementing a Quality Management System programme.

I obtained a Restricted Private Pilot’s Licence in 1983. I have lived on the Central Coast for 20 years and spent 7 years volunteering at the Norah Head Search and Rescue Base.

I am the author of a Facebook page Save Warnervale Airport which was set up several years ago to counter the misinformation and scaremongering of the group who were responsible for initiating the WAR Act.

#### **Submission Body**

The WAR Act was initiated by a group of residents on acreages near the airport when there was a proposal by an air-freight company to set up a 24/7 jet freight operation on the Central Coast. Initially their complaint was in respect of the potential noise of such an operation, but the Act added further caveats on runway length and the number of aircraft movements.

Instead of an ACT of Parliament, protection of the airport could more simply have been achieved by a zoning restriction such as occurs with building height, land-use policy etc. In any case, the airfreight proposal would never had progressed due to the unsuitability of the Warnervale site for an airstrip of the standard to operate cargo jets. A

knee-jerk reaction to a non-event related to large jet operations has placed the GA airport in a straight-jacket.

#### *Limit on number of daily take offs and landings*

The flying training business of the Aeroclub is potentially destroyed by the limit of 88 movements per day, which the Aeroclub states would end flying by approximately 10 am every flying day.

The need to provide 24 hours' notice for visiting aircraft, even if transiting, curtails such visits, apart from emergencies.

The type of aircraft undertaking flying training will not add further to noise impact than at present, and due to the airfield not having strip lighting, a curfew to restrict night operations is unnecessary.

1. I submit that any reference to the number of aircraft movements be deleted, and Section 6 Limit on number of daily take offs and landings be removed to allow unfettered use by responsible business and private GA owners and operators.

#### *Restrictions on length and site of runway*

The Central Coast Aviation Hub Concept Plan published in 2017, sets out a comprehensive development plan which not only meets CASA airport design to Code 3 but also aims to complete 5 of the 7 stages within the restriction parameters of the WAR Act, including that the airstrip remain at the current length. Only in the 6<sup>th</sup> stage, the extension of the runway to 1800m, does the Council need to invoke the decision of the minister, as per Section 8 (3) of the Act.

Given that a Code 3 airstrip specifies a maximum 1800m runway, and no heavy jet aircraft, of the air-transport or RPT types such as Boeing 737 and larger can operate on less than Code 4 airfields of minimum 2000m, the argument that the Act is necessary to prevent the operation of large jet aircraft is neither sound nor logical.

In addition, the site of the airport is limited by natural constraints – a wetland to the south and high vegetation to the north. A 1800m airstrip is the optimum length for these constraints. To specify a maximum within an Act when there is absolutely no logical need, seems pointless.

2. My submission is that reference to maximum airstrip length be retained at 1800m, but the Section 8 (3) requirement to seek ministerial permission to extend the airstrip to that limit be removed as an unnecessary impediment on Council decision making.

#### *Expansion proposal triggers and Expansion proposal review framework*

Much of my submission argument on expanding the airport has been covered above. However, the wording of these two matters for review demonstrates how the Act works to cripple decision making at the local level. If anything, the decision making on expansion plans for the airport should properly be addressed by the proposed Regional Planning Panel within the scope of LEPs and consultation with all stakeholders. The "big brother" approach of this WAR Act is grossly out of step with community expectations.

3. My submission on these items is that the entire WAR Act should be repealed and all decision-making powers be vested in the proposed Regional Planning Panel so that the heavy hand preventing rational development of the airport asset be removed to ensure expansion occurs within a planning framework, not a predetermined and irrelevant caveat.

#### *Updating and aligning of administrative matters, etc, including Flexibility*

Part 5 Section 14 Evidence: In proceedings against a person for an offence against this Act, or for an injunction under section 13, if it is established that an aircraft took off or landed in contravention of a provision of this Act, it is to be presumed (in the absence of evidence to the contrary adduced by the person) that the person caused or permitted that take off or landing.

This has led to the worst examples of malicious submissions in local newspapers, radio and social media by persons solely intent on closing the airport. These persons are repeatedly asserting that the activities at the airport are contravening the Act in some way or another. They have not had success in triggering this clause, but have caused confusion and fear recently regarding the 88 movement issue.

4. My submission is that this Section be removed. There is no amendment which would improve it. Frankly, it has the sense that if you take off or land in any way contravening the Act, the full force of the law will smite you mightily. How can such a routine and normal action require that sort of response? If a pilot on a night flight landed before 6.30 am he should be punished? What about a warning? Who would be disadvantaged or injured in such an occurrence? The whole point of this clause is offensive to responsible pilots and operators – within the context of this Act.

#### *Review the interaction and consistency of the Act with other legislation.*

This is hardly necessary when every aspect of aircraft operations, flying regulations and airport related activity is covered by existing Commonwealth and State legislation. The only thing that sets this legislation apart is its

emphasis on throttling the operations at a minor airfield on the whim of a small minority of disgruntled people. If it had been properly researched by the NSW Government authors, it would never have been drafted, let alone presented to Parliament.

Please see Annex's 1 and 2 below to support my submission.

Geoff Robertson



Save Warnervale Airport

### **Annex 1**

#### **Excerpt from "Connecting Australia - The economic and social contribution of Australia's airports. May 2012 published by Deloitte Access Economics**

Airports are essential to Australia. Australia's network of airports, across major urban centres and regional areas, form an integral part of the national economic infrastructure and are critical to connecting communities and enhancing broader economic performance. More than almost any other country, Australia relies on an efficient and reliable aviation sector and airport network for its citizens to remain physically 'in touch' with each other and the rest of the world. There are around 250 airports which receive Regular Public Transport (RPT) services and many more much smaller airfields and landing strips around the country, with reports of some 2000 across Australia. Airports are capital intensive businesses, underpinned by their principal role as transport infrastructure providers. As such, airports are deeply linked into most economic activities, with these linkages increasingly driven by growth in leisure tourism and the regional expansion of strategic resource and agricultural activities. There are significant differences in the business orientation of regional and remote airports and that of much larger airport operations. In many isolated parts of Australia, airports remain the only practical means of access to emergency and essential services and therefore they tend to focus on principal transport infrastructure performance.

Regional and remote airports generally have low profitability, with around half of survey respondents reporting an operating loss in 2011.

### **Annex 2**

#### **Regional Aviation Policy Statement**

The Australian Government is developing a comprehensive Regional Aviation Policy statement in partnership with airlines, regional airports, local councils, state and territory governments and local communities.

The statement forms part of the Government's commitment to securing economic growth across remote and regional Australia through a strong aviation sector, and will canvass strategies to ensure regional aviation remains competitive and viable into the future.

30 October, 2019

<https://www.infrastructure.gov.au/aviation/regional/aviation-policy/index.aspx>

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