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**Sent:** Thursday, 27 February 2020 8:10 PM  
**To:** DPE PSVC Central Coast Mailbox  
**Subject:** 2020 03 10 Moore, Tony Individual Warnervale Airport (Restrictions) Act 1996 Review

**Categories:** Reply Sent

The Director

Central Coast and Hunter Region  
Department of Planning, Industry and Environment  
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Dear Director,

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

**I understand and agree that my submission will be made public.**

The statement below represents my personal opinion pertaining to the act review:

In any discussion about the WAR act and its relevance to current operations at Warnervale airport it is essential to determine what the original intention of the act is. If we accept as a given that the purpose of the act is to protect local residents from undue aircraft noise and the impact that large aircraft operations would have on the environment then it is easy to mount an argument that the ACT is totally irrelevant.

It is easy to establish that for geographical, economic and logistical reasons operations of large aircraft would not be feasible at Warnervale. Contrary to the 'scare campaign' being run by a select few individuals, the reality of the situation is that we will never see '747' aircraft operating out of our small, regional airport.

It is indeed due to such a 'scare campaign' run in the 1990's by in some cases the same individuals that the ACT came into existence. For the last twenty odd years the airport has had the 'scimitar' of the act hanging over its head with the resultant lack of

security and tenure for the Aero club. It is time to remove this burden from the airport.

If we accept that the purpose of the act is to limit potential for large aircraft to operate at Warnervale then we must ask is this ACT the most appropriate way to achieve this outcome. Assuming that the ACT is indeed a shining example of how to manage potential operations into the future then one has to ask “why is the ACT as it stands completely unique to Warnervale?”

Nowhere else in Australia does an ACT similar to this in any way exist. If this ACT is indeed an effective strategy in managing the airport then you would expect to see it replicated in an attempt to achieve similar outcomes for similar airports. Yet we see nothing of the sort. The WAR ACT is an orphan.

Amazingly, at many airports around Australia, in the absence of their own WAR ACT, we see not large jet aircraft but smaller general aviation aircraft exclusively. This is because there are less cumbersome means to achieve the same outcome such as operational limits being imposed by the operator of the airport.

The majority of airports do not have jets routinely operating from them. Taree, Scone, Mudgee, Bathurst, Goulburn..... and I could go on, are all free of jet operations. None of these airports have anything like the ACT applied to them. The ACT is irrelevant.

The biggest problem with the ACT is the indiscriminate manner in which it treats all aircraft. In the eyes of the ACT a 2 seat trainer is treated exactly the same as a 747. This reflects the poor wording and hasty manner in which the act was created. For state legislation to not even distinguish between an aircraft weighing half a tonne and twenty tonnes is absurd. Yet the direct impact that any enforcement of the act would have would be felt by aircraft generally with no more than 6 seats.

In this context the act is completely inconsistent with its objectives of limiting large aircraft operations out of Warnervale. In reality it would only achieve punitive limitations on the current operations at Warnervale by small aircraft.

The greatest danger that the ACT poses is that in its current form it could be used politically to hamstring Warnervale airport of any reasonable development consistent with its current usage. As a direct consequence investment and growth is being stymied.

If enforced then the limitations placed on operations at Warnervale would be akin to trains only being allowed to stop at Warnervale station between the hours of 8am and 10am. I can only imagine the outrage that such an outcome would elicit.

The Airport is an irreplaceable asset for the Central Coast. It is not frequented by 'millionaires in Learjet's' but by aspiring pilots, enthusiasts, engineers and fosters the next generation airline pilots.

We stand on the cusp of unprecedented growth in new technologies in all manner of our lives. Aviation is no exception. Today electric cars, buses and trucks are a novelty. Just like mobile phones in the 80's.

It is beyond doubt that such burgeoning technologies will be the mainstay of our future industries. Indeed it was announced only last week that South Australia will be the birthplace of a new electric powered recreational aircraft manufacturing industry.

The next generation of pilots will take to the skies in radically different machines to ones we fly today. We bear witness each and every day to the accelerating pace of change in technology.

We must embrace this change. We must not be left behind by it. We must pass the baton to the next generation and it is incumbent on us to preserve the infrastructure that the future will be built upon.

**Is the Warnervale Airport (Restrictions) Act 1996 (the Act) relevant or necessary?**

The Act is neither relevant nor necessary.

- The Act was enacted to protect the community from large jet transport operations. The runway has never been sufficiently long enough for any jet transport aircraft operating in Australia.
- The airport is surrounded by terrain which makes it very difficult to physically lengthen the runway (wetlands immediately South, a major road and rising terrain to the North).
- Environmental zoning surrounding the Airport requires that State Government must consent to any lengthening of the runway.
- There is no economic case for jet airline or freight operations at Warnervale, as Warnervale is within a 2 hour radius of Sydney, Newcastle and soon, Western Sydney Airport, all of which cater to these operations.

**If the Review concludes the Act is to remain.**

Clause 2 of the Act limits aircraft movements to 88 per day in the event the runway is lengthened. The department has made a determination that the former Wyong council lengthened the runway, triggering this clause.

- The current flight training provider has operated for over 4 decades without being constrained by the movement cap and at the time the Act was put in place was regularly performed over 300 movements a day.
- Training aircraft regularly perform up to 20 movements per hour. Multiple training aircraft may be operating at once; therefore the movement cap may be reached within 2 hours or less of commencing operations for the day.
- Once the cap is reached, no other users of the airfield will be permitted to operate, save in an emergency.
- As the movements will almost exclusively be absorbed by the flying school, the Aero Club members based on the field and itinerant operators wishing to fly into Warnervale, including patient transfer and Rural Fire Service refuelling and positioning flights, will regularly be excluded from operating.

Clause 2 of the Act should be removed, or amended to apply only to aircraft above 5,700 kgs – a figure used by the Civil Aviation Safety Authority to designate large aircraft. This still gives the community protection from large and jet transport operations, but allows the existing operators to continue their current, low impact operations.

Warnervale Airport is the only aviation infrastructure servicing the 340,000 residents of the Central Coast. The Act is unique, no other airport of this type in Australia is constrained by such a limiting piece of legislation. The Act, and Clause 2 specifically, serve to heavily cripple the ability of the Airport to serve its purpose, and threaten to heavily restrict, or completely destroy, the ability of operators to continue a viable business on the site.

I respectfully recommend that the Reviewers take appropriate action through repealing of the Act, or amending its structure, to create a legislative environment which is fair and workable for the Central Coast community and the operators who rely on this important asset.

I thank you for taking the time to consider this submission.

Yours Faithfully

Tony Moore

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