

Anna Bay Heliport Proposal (DA 16 - 2021 - 387 – 1 Anna Bay Aircraft Facility, 4136 Nelson Bay Road)
TRRA Submission Guide, 5 January 2022

Introduction

The Proponent for the Anna Bay Aircraft Facility has submitted responses to Council's Further Information Request (FIR) and amended its DA with several new or revised documents. These are now on public exhibition until January 26, 2022.

TRRA does not think that the revised proposal adequately addresses the concerns raised in the more than 80 objections lodged on the original DA. We will argue that it should be refused in this location, which given its proximity to the cemetery is entirely unsuitable for what would clearly be a high use Heliport.

Changes include a revised site plan and staging, and a reduction in the number of flights to 280 helicopter movements per week 'if required' with a maximum of 65 movements on any one day (1 flight = two helicopter movements – a take-off and a landing). The original DA requested consent for up to 70 movements per day (490 per week).

Hours of operation would be 8am-6pm. 65 helicopter movements on a peak day, if evenly spaced, would mean roughly one arrival or departure every 9 minutes.

While Council should consider previous objections as part of the DA assessment, the second public exhibition period provides an opportunity to make further submissions including on the new material, and we encourage objectors to at least tell Council that they don't accept that the minor changes proposed deal with their concerns.

New submissions are due by **January 26** and should be sent with reference DA2021-387 to council@portstephens.nsw.gov.au. Submissions can also be posted directly to Council's DA Tracker website which also has all of the relevant documents labelled 'Additional Material': <http://datracker.portstephens.nsw.gov.au/Application/ApplicationDetails/016-2021-00000387-001/>

Below, we summarise the Proponent's responses to key issues raised by Council and in submissions, and give TRRA's comments.

Proximity to Cemetery. Over 70% of the more than 80 public submissions objected to the proposal due to its proximity to the cemetery including potential impact on those attending graveside services and visiting the cemetery for quiet reflection.

The proponent has accepted 'mitigation' recommendations of a new Social Impact Assessment (SIA):

- An agreement with Council that would restrict helicopters from taking off, landing or flying in the vicinity of the cemetery during graveside services. A weekly service schedule (timetable of flights) would be provided.
- Community engagement to inform the community of the Project need and benefits – increasing project awareness and understanding of the need and benefits.

- A grievance process for the community to raise concerns, with feedback to complainants.
- ‘Investigation’ of a noise bund/wall and planting of trees between the helipads and cemetery to further mitigate social amenity impacts (noise and visual).
- Wayfinding signage at the site to ensure visitors are directed to the dedicated parking spaces instead of using parking available to visitors to the cemetery and service station.

TRRA considers the proposed ‘mitigation’ measures are wholly inadequate to address the principal concern about proximity to the cemetery. They might accommodate formal burial ceremonies but would not address the effect on the frequent and numerous casual visitors to the cemetery, which would become effectively unusable for quiet reflection for much of the time.

Noise. In response to Council’s request and concerns raised in 40% of submissions, a revised Noise Assessment provides further details. The Proponent relies on a particular threshold - Australian Noise Exposure Forecast (ANEF) 20, to claim that the noise impact on nearby residences would be acceptable (see Figure 2 – from Noise Assessment). No noise measurements were provided to show impact on cemetery users, however.



Figure 2. Approximate ANEF 19 contour for proposed flight path.

TRRA considers that the use of ANEF 20 is not appropriate because it’s more applicable to established airports. Legal decisions on other new NSW helicopter operations have used a lower threshold. We submit that the noise impact of frequent flights on the locality, and particularly on the cemetery, will clearly be unacceptable.

Ecological impact. Council's Natural Resources Section and National Parks, as well as 40% of submissions, raised questions about the likely impact on wildlife from helicopter noise and aircraft strike.

The proponent's revised Flora and Fauna Assessment relies on very limited surveys only on the site itself and recommends 'mitigation' measures which are completely impractical and unrealistic, such as pausing operations when fauna are observed. It is even suggested that the helicopter engines be 'idled' to warn wildlife away (which would of course prolong the noise impact).

Many National Parks have 'Fly Neighbourly Agreements' in place to limit helicopter flight impacts on fauna and park users but this would not seem a practical solution for such a highly used Heliport as is proposed.

Air Traffic Control issues. The proponent appears to have dismissed strong objections from the Department of Defence (DoD) about air traffic management issues relating to Williamstown RAAF Base and airport and do not appear to have even had direct contact with them.

Flight paths. The noise, ecological and air traffic management impact of the Heliport all depend critically on the approach and departure flight paths. TRRA is sceptical about the likelihood of flight operations sticking strictly to the proposed south-east corridor, which may well even be impractical in certain wind conditions.

Public submissions included additional objections on safety, dust, traffic, Worimi heritage, and proximity to a bushfire prone area.

Zoning issue. TRRA is arguing that the proposed facility will clearly be a 'Heliport' which is a prohibited use on this site which is zoned RU2 - Rural Landscape. The proponent is relying on a technical/semantic distinction, claiming that it is a 'private' Helipad, not open to the public. We have questioned whether the proposed scale of the operation (up to 65 movements per day) is consistent with 'private use' only by the customers of two local marinas. We do not think Council could realistically prevent the facility, once approved, becoming a more generally available public Heliport. There is land on the Tomaree peninsula the zoning of which would allow a Heliport.

This DA has been 'called up' to Council and will be determined by the newly elected Councillors at a future meeting.

For further information about TRRA's position, please contact planning@trra.com.au