Rachael Jeffrey

From:	Robert Donohoe <robert.donohoe@epa.nsw.gov.au> on behalf of EPA RSD North Coast Region Mailbox <north.coast@epa.nsw.gov.au></north.coast@epa.nsw.gov.au></robert.donohoe@epa.nsw.gov.au>
Sent:	Monday, 6 February 2017 9:24 AM
То:	Rachael Jeffrey
Cc:	Graeme Budd; Kempsey Shire Council
Subject:	RE: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on
	Noise Assessment

Hi Rachael,

Please find below the Environment Protection Authority (EPA) response to the Kempsey Airport Pilot Training Facility proposal (T6-16-144).

- The proposal does not require an Environment Protection Licence from the EPA as it does not trigger schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act).
- The Noise Guide for local Government (EPA, 2013) -

<u>http://www.epa.nsw.gov.au/resources/noise/20130127NGLG.pdf</u> - identifies that responsibility for aircraft when in flight, landing, taking off or taxiing is the regulatory responsibility of AirServices Australia (NGLG – Table 1.3). More recently the Office of Airspace Regulation within the Civil Aviation Safety Authority has assumed a regulatory role. <u>The EPA does not have a regulatory role for these activities and has not reviewed</u> <u>or assessed these proposed activities</u>. Note the following International Civil Aviation Organisation definitions: '*Take-off' commences with the application of power to the aircraft once it is on the runway to bring the aircraft to the speed necessary to become airborne. 'Landing' ends when an aircraft leaves the runway or comes to a stop on the runway*.

- Where identified as the appropriate regulatory authority (ARA) the EPA has a regulatory role for ground activities on airports operated by Public Authorities e.g. aircraft on the ground undergoing excessively noisy engine maintenance.
- Based on the detail contained in the proposal's Statement of Environmental Effects (SoEE), the ARA for ground activities undertaken by the Australian International Aviation College (AIAC) would appear to be Council. As such Council should satisfy itself that ground based activities that may potentially generate excessive noise impacts have been assessed against the guidance within the NSW, Industrial Noise policy (EPA, 2000).
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Please contact me if you wish to discuss the above.

Regards

Rob

Senior Operations Officer – North Coast

North Branch, NSW Environment Protection Authority

Ph: (02) 6640 2518 M: 0447 138 395

robert.donohoe@epa.nsw.gov.au www.epa.nsw.gov.au w@EPA_NSW

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From: Rachael Jeffrey [mailto:Rachael.Jeffrey@kempsey.nsw.gov.au]
Sent: Tuesday, 31 January 2017 2:04 PM
To: Robert Donohoe
Cc: Records Shared Mailbox
Subject: FW: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on Noise Assessment Importance: High

Hi Robert,

Please see email below regarding noise for the above DA.

Kind Regards, Rachael

Rachael Jeffrey Town Planner | Sustainable Environment | Kempsey Shire Council

22 Tozer Street | PO Box 3078 | West Kempsey NSW 2440 P 02 6566 3200 | E rachael.jeffrey@kempsey.nsw.gov.au | www.kempsey.nsw.gov.au

Please note I work Monday to Thursday only.

For Kempsey Shire Council Records Only: Name: Robert Donohoe Company: EPA Address: File: T6-16-444



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From: Michael Bohlscheid [mailto:mick@principlepm.com.au] Sent: Monday, 30 January 2017 5:55 PM To: Rachael Jeffrey
Cc: Records Shared Mailbox; Erin Fuller; 'Douglas Bollard'; 'Malcolm McNeil'
Subject: RE: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on Noise Assessment
Importance: High

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 AS 2021-2015 Acoustics – Aircraft noise intrusion building siting and construction references a 20 ANEF contour line. This has not been referred to within the Noise Assessment or illustrated on the accompanying figures. Council requests both the 20 ANEF and 25 ANEF contours be illustrated on the figures within the Noise Assessment.

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Consultant Reply: As stated in the report, a certified noise level of 71.4 dB(A) was incorporated into the INM noise model (certified in accordance with ICAO Annex 16 procedures). The Integrated Noise Model (INM) adjusts this noise level based on the stage of flight and the thrust settings used for each stage, i.e. full thrust for takeoff, low thrust/idle for arrival and landing, full thrust again for takeoff.

4. What is actual measured background level (LA90) at nearest affected residence? The report does not indicate that any background noise logging or monitoring has been undertaken.

Consultant Reply: There is no requirement to measure background noise levels at the nearest affected residences when it comes to aircraft noise assessments such as this. This is due to the lack of standard in Australia for the assessment/prediction of aircraft noise and therefore no criteria to assess against. The noise contour maps and discussion section in the report describes the predicted impacts in the vicinity of the aerodrome. The Discussion chapter makes note of an approximate background noise level of 30 to 35 dB(A) based on typical rural areas.

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Consultant Reply: We will amend maps to show nearest receivers.

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7. How often will worst case scenario occur? Further explanation required as to what the worst case scenario is – i.e. still conditions/ windy/ night time? Figure 5 and Figure 6, 30 Dba contour extends over residential areas.

Consultant Reply: Worst case scenario is the highest anticipated daily movements (daily being both day and night) for each calendar year as described in the Statement of Environmental Effects. A summary of movements modelled for each year is found in table 3-1 of the noise report.

Chapter 5 of the report acknowledges that the 30 dB(A) LAeq contour extends over residential areas, and it also states that according the to the World Health Organisation, there are no substantial biological effects observed from exposure to this level of noise. The report also goes to explain that this level of noise will most likely be masked by ambient background noise.

8. Certify that Noise Level Contours have been modelled in accordance with AS 2021-2016 Section 3.

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9. Noise modelling has only been undertaken for up to 180 students, when the DA is for up to 250 students at any one time. Please provide an explanation for this?

Consultant Reply: Noise modelling was not undertaken based on the number of students, but rather on the number of anticipated aircraft movements for the next two years (explained in the report). The maximum student capacity of 250 students will not be all flying students. It is anticipated that 180 students will be actual flying students, with the remaining 70 being non-flying course students, (cabin-crew or maintenance training).

10. Construction noise has not been addressed within the Noise Assessment.

Consultant Reply: The report in question is an Aircraft Noise Assessment, therefore construction noise was out of scope. We understand, however, that this will be simply conditioned by Council.

Based on our consultant's reply to your item 2 (above), can you please confirm whether you would like to include a model of the cross (unsealed) runway into the current report? Council's original comment was only to advise on the use of the cross runway but did not specify if any update to the report would be required.

Regards,

Michael Bohlscheid Senior Project Manager



A PO Box 32, The Junction NSW 2291 T 0412 834 831 W principlepm.com.au Disclaimer: This email may be confidential and/or privileged. If you are not the intended recipient of this email, you must not disclose or use the information contained in it. Please notify the sender and delete this document if you have received it in error. We do not guarantee this email is error or virus free. If this is a commercial electronic message under the Spam Act, you can unsubscribe by return email to the sender with "unsubscribe" in the subject line.

From: Michael Bohlscheid [mailto:mick@principlepm.com.au]

Sent: Monday, 30 January 2017 9:55 AM

To: 'Rachael Jeffrey' <<u>Rachael.Jeffrey@kempsey.nsw.gov.au</u>>

Cc: 'Records Shared Mailbox' <<u>records@kempsey.nsw.gov.au</u>>; 'Erin Fuller'

<<u>Erin.Fuller@kempsey.nsw.gov.au</u>>; 'Douglas Bollard' <<u>doug.bollard@aiacollege.com.au</u>>; Malcolm McNeil <<u>mm@thearchitects.com.au</u>>

Subject: RE: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on Noise Assessment **Importance:** High

Hi Rachael

We've spoken with Erin regarding this on Friday.

Our consultant will provide comments in reply today, with a view to answering items 1 to 8 below. We've also provided some further information on Friday with our updated SoEE.

In relation to item 9 (student numbers), we confirm that students will be trained in rotational groups, with some students undertaking theory and others undertaking flight training. 250 students will not be undertaking flight training at any one time. Refer to our updated SoEE for further information.

In relation to item 10 (construction noise), we would expect that this item is conditioned. We'd propose working hours be between 7am and 6pm weekdays and 7am through to 3pm on weekends as a minimum.

In relation to the late referral of the application to the EPA, we express our disappointment that this has not occurred earlier (as we had expected that the 21 day government agency review periods were all now completed). As communicated previously, a review of the application by the JRPP in February is critical to the overall timing of this development. Working back from the seasonal intake of students in January of each year, construction needs to be commenced mid-2017 in order to allow a January 2018 student intake into the new facility. A delay to the approval will delay construction phase design, procurement and commencement and will have a major business impacts on AIAC.

Regards,

Michael Bohlscheid Senior Project Manager



A PO Box 32, The Junction NSW 2291 T 0412 834 831 W principlepm.com.au

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From: Rachael Jeffrey [mailto:Rachael.Jeffrey@kempsey.nsw.gov.au]
Sent: Wednesday, 25 January 2017 3:39 PM
To: Michael Bohlscheid <mick@principlepm.com.au>
Cc: Records Shared Mailbox <records@kempsey.nsw.gov.au>
Subject: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on Noise Assessment Importance: High

Hi Michael,

As discussed, please see Council comments on the Noise Assessment (GHD, 2017) in regards to DA T6-16-444.

Additional information to be provided by Consultant.

 AS 2021-2015 Acoustics – Aircraft noise intrusion building siting and construction references a 20 ANEF contour line. This has not been referred to within the Noise Assessment or illustrated on the accompanying figures. Council requests both the 20 ANEF and 25 ANEF contours be illustrated on the figures within the Noise Assessment.

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9. Noise modelling has only been undertaken for up to 180 students, when the DA is for up to 250 students at any one time. Please provide an explanation for this?

10. Construction noise has not been addressed within the Noise Assessment.

It has also been brought to my attention that the EPA is the Authorised Regulatory Authority (ARA) for the Kempsey Airport as it is owned by Kempsey Shire Council. I have contacted the EPA regarding this and we are awaiting their response as to whether they want Council to handle noise management or the EPA.

Kind Regards, Rachael

Rachael Jeffrey Town Planner | Sustainable Environment | Kempsey Shire Council

22 Tozer Street | PO Box 3078 | West Kempsey NSW 2440 P 02 6566 3200 | E rachael.jeffrey@kempsey.nsw.gov.au | www.kempsey.nsw.gov.au

Please note I work Monday to Thursday only.

For Kempsey Shire Council Records Only: Name: Michael Bohlscheid Company: Principle Project Management Address: File: T6-16-444



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Rachael Jeffrey

From:	Robert Donohoe <robert.donohoe@epa.nsw.gov.au></robert.donohoe@epa.nsw.gov.au>
Sent:	Thursday, 16 February 2017 8:36 AM
То:	Rachael Jeffrey
Cc:	Records Shared Mailbox; Erin Fuller; Graeme Budd
Subject:	RE: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on
	Noise Assessment

Hi Rachael,

I have conferred with our Noise Assessment Unit (NAU) and confirmed that the EPA will be the ARA for noisy onground activities at Kempsey Airport, including activities associated with the Pilot Training Facility.

NAU are undertaking a further review of the Noise Impact Assessment with regard noise emissions from ground based activities and will provide a response ASAP.

Regards

Rob

Robert Donohoe

Senior Operations Officer – North Coast

North Branch, NSW Environment Protection Authority

Ph: (02) 6640 2518 M: 0447 138 395

robert.donohoe@epa.nsw.gov.au www.epa.nsw.gov.au p@EPA NSW

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From: Rachael Jeffrey [mailto:Rachael.Jeffrey@kempsey.nsw.gov.au]
Sent: Wednesday, 15 February 2017 4:15 PM
To: Robert Donohoe
Cc: Records Shared Mailbox ; Erin Fuller ; EPA RSD North Coast Region Mailbox ; Graeme Budd
Subject: RE: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on Noise Assessment Importance: High

Hi Robert,

Thank you for the advice in your email below regarding DA T6-16-444 – Proposed Pilot Training Facility at the Kempsey Airport.

Since receiving the EPA's advice, Council contacted the Office of Airspace Regulation within CASA who advised that they <u>do not</u> have a regulatory role in regards to aircraft noise at airports or aerodromes. Following this, Council contacted Airservices Australia who confirmed that in fact they are the appropriate authority to refer the DA and accompanying NIA to for review of potential noise impacts for Aircraft when in flight, taking off, landing and taxiing.

Airservices Australia has just had a restructure so I am still unsure exactly who within their Department I need to speak to, but hopefully will be advised tomorrow.

After review of the document *Noise Guide for Local Government* (EPA, 2013) referred to in the below email from you, it seems the EPA is the ARA for:

Noise resulting from airports operated by NSW public authorities such as Councils – e.g. aircraft on the ground undergoing excessively noisy engine maintenance." (5^{th} item in the "Aircraft" section of Table 1.3 in the Noise Guide for Local Government (EPA, 2013)).

Can the EPA please clarify if they are the ARA for noise resulting from the Kempsey Airport (other than aircraft noise resulting from aircraft when in flight, taking off, landing and taxiing) as:

- 1. the airport is operated by Kempsey Shire Council; and
- 2. the proposal involves activities that may be noisy (including aircraft maintenance) as part of the pilot training proposed.

If the EPA is not the ARA for the Kempsey Airport can you please advise why – i.e. what policy/ document/ regulation/ legislation this is identified within?

If you have any further questions please give me a call on 02 6566 3283 or reply email.

Thanks.

Kind Regards, Rachael

Rachael Jeffrey Town Planner | Sustainable Environment | Kempsey Shire Council

22 Tozer Street | PO Box 3078 | West Kempsey NSW 2440 P 02 6566 3200 | E rachael.jeffrey@kempsey.nsw.gov.au | www.kempsey.nsw.gov.au

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For Kempsey Shire Council Records Only: Name: Robert Donohoe Company: EPA Address: File: T6-16-444



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Rachael Jeffrey Town Planner | Sustainable Environment | Kempsey Shire Council

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Consultant Reply: The report in question is an Aircraft Noise Assessment, therefore construction noise was out of scope. We understand, however, that this will be simply conditioned by Council.

Based on our consultant's reply to your item 2 (above), can you please confirm whether you would like to include a model of the cross (unsealed) runway into the current report? Council's original comment was only to advise on the use of the cross runway but did not specify if any update to the report would be required.

Regards,

Michael Bohlscheid Senior Project Manager



A PO Box 32, The Junction NSW 2291 T 0412 834 831 W principlepm.com.au

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From: Michael Bohlscheid [mailto:mick@principlepm.com.au]
Sent: Monday, 30 January 2017 9:55 AM
To: 'Rachael Jeffrey' <<u>Rachael.Jeffrey@kempsey.nsw.gov.au</u>>
Cc: 'Records Shared Mailbox' <<u>records@kempsey.nsw.gov.au</u>>; 'Erin Fuller'
<<u>Erin.Fuller@kempsey.nsw.gov.au</u>>; 'Douglas Bollard' <<u>doug.bollard@aiacollege.com.au</u>>; Malcolm

McNeil <<u>mm@thearchitects.com.au</u>>

Subject: RE: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on Noise Assessment **Importance:** High

Hi Rachael

We've spoken with Erin regarding this on Friday.

Our consultant will provide comments in reply today, with a view to answering items 1 to 8 below. We've also provided some further information on Friday with our updated SoEE.

In relation to item 9 (student numbers), we confirm that students will be trained in rotational groups, with some students undertaking theory and others undertaking flight training. 250 students will not be undertaking flight training at any one time. Refer to our updated SoEE for further information.

In relation to item 10 (construction noise), we would expect that this item is conditioned. We'd propose working hours be between 7am and 6pm weekdays and 7am through to 3pm on weekends as a minimum.

In relation to the late referral of the application to the EPA, we express our disappointment that this has not occurred earlier (as we had expected that the 21 day government agency review periods were all now completed). As communicated previously, a review of the application by the JRPP in February is critical to the overall timing of this development. Working back from the seasonal intake of students in January of each year, construction needs to be commenced mid-2017 in order to allow a January 2018 student intake into the new facility. A delay to the approval will delay construction phase design, procurement and commencement and will have a major business impacts on AIAC.

Regards,

Michael Bohlscheid Senior Project Manager



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From: Rachael Jeffrey [mailto:Rachael.Jeffrey@kempsey.nsw.gov.au]
Sent: Wednesday, 25 January 2017 3:39 PM
To: Michael Bohlscheid <<u>mick@principlepm.com.au</u>>
Cc: Records Shared Mailbox <<u>records@kempsey.nsw.gov.au</u>>
Subject: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on Noise Assessment Importance: High

Hi Michael,

As discussed, please see Council comments on the Noise Assessment (GHD, 2017) in regards to DA T6-16-444.

Additional information to be provided by Consultant.

 AS 2021-2015 Acoustics – Aircraft noise intrusion building siting and construction references a 20 ANEF contour line. This has not been referred to within the Noise Assessment or illustrated on the accompanying figures. Council requests both the 20 ANEF and 25 ANEF contours be illustrated on the figures within the Noise Assessment.

2. Advise on proposed use of unsealed airstrip. Different orientation will have different noise impacts.

3. Aircraft noise type Diamond DA 40NG require noise level certification from manufacturer for idle, plus full revs. What level was used in modelling? Is the level Sound Pressure Level (SPL) or decibels (Dba)?

4. What is actual measured background level (LA90) at nearest affected residence? The report does not indicate that any background noise logging or monitoring has been undertaken.

5. Locate nearest affected residence on circuit noise impact maps. No sensitive receivers have been identified within the report or illustrated on accompanying figures.

6. Locate all residences within 20 Dba contour line. What is the impact upon these premises? Is noise attenuation required?

7. How often will worst case scenario occur? Further explanation required as to what the worst case scenario is – i.e. still conditions/ windy/ night time? Figure 5 and Figure 6, 30 Dba contour extends over residential areas.

8. Certify that Noise Level Contours have been modelled in accordance with AS 2021-2016 Section 3.

9. Noise modelling has only been undertaken for up to 180 students, when the DA is for up to 250 students at any one time. Please provide an explanation for this?

10. Construction noise has not been addressed within the Noise Assessment.

It has also been brought to my attention that the EPA is the Authorised Regulatory Authority (ARA) for the Kempsey Airport as it is owned by Kempsey Shire Council. I have contacted the EPA regarding this and we are awaiting their response as to whether they want Council to handle noise management or the EPA.

Kind Regards, Rachael

Rachael Jeffrey Town Planner | Sustainable Environment | Kempsey Shire Council

22 Tozer Street | PO Box 3078 | West Kempsey NSW 2440 P 02 6566 3200 | E rachael.jeffrey@kempsey.nsw.gov.au | www.kempsey.nsw.gov.au

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For Kempsey Shire Council Records Only: Name: Michael Bohlscheid Company: Principle Project Management Address: File: T6-16-444



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Rachael Jeffrey

From:	Robert Donohoe <robert.donohoe@epa.nsw.gov.au></robert.donohoe@epa.nsw.gov.au>
Sent:	Wednesday, 1 March 2017 3:27 PM
То:	Rachael Jeffrey
Cc:	Graeme Budd; Erin Fuller; Records Shared Mailbox
Subject:	RE: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on
	Noise Assessment

Hi Rachael,

Please find below additional Environment Protection Authority (EPA) comments on the Kempsey Airport, Pilot Training Facility proposal.

As per the email of 16 February 2017, the EPA will be the ARA for noisy on-ground activities at Kempsey Airport, including activities associated with the Pilot Training Facility.

For ground based activities, an assessment against the NSW Industrial Noise Policy (INP) should be undertaken by the proponent to inform the proposal. The Noise Impact Assessment, as submitted to the EPA, does not include an assessment of ground based activities against the INP.

The alternatives for the consent authority are to request that the proponent undertake an assessment of noise generated by ground-based activities or recommend that conditions are imposed on the consent to regulate ground based activities (times and noise level) based on the lowest criteria in the INP, for example:

- Ground based maintenance activities, for example engine tests and fixed and mobile mechanical plant, that are audible at any sensitive receiver off the airport site, shall only be undertaken between 7am to 6pm Monday to Friday and 8am to 1pm Saturday.
- Ground based maintenance activities shall be undertaken in a manner that does not result in a noise level exceeding LAeq,15minutes 35dB(A) when assessed at any sensitive receiver, including a residence.
 NOTE: The assessment location to measure levels at a sensitive receiver shall be in accordance with the NSW Industrial Noise Policy.

However, given there is no assessment to indicate that these activities can be undertaken in a manner to satisfy the limit derived from the INP, the EPA recommends that the proponent should be consulted about the condition before it is imposed.

The consultation objective being to ensure that there are noise limit requirements in the consent that are achievable or can be mitigated by the proponent and any noise related consent conditions imposed are justifiable from a compliance perspective.

Please contact me if you wish to discuss the above.

Regards

Rob

Robert Donohoe

Senior Operations Officer – North Coast

North Branch, NSW Environment Protection Authority

Ph: (02) 6640 2518 M: 0447 138 395

<u>robert.donohoe@epa.nsw.gov.au</u> <u>www.epa.nsw.gov.au</u> <u>@EPA_NSW</u>

Report pollution and environmental incidents 131 555 (NSW only) or (02) 9995 5555





From: Rachael Jeffrey [mailto:Rachael.Jeffrey@kempsey.nsw.gov.au]
Sent: Thursday, 16 February 2017 9:22 AM
To: Robert Donohoe
Cc: Records Shared Mailbox ; Erin Fuller ; Graeme Budd
Subject: RE: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on Noise Assessment

Hi Rob,

Thanks for your help with this.

I also just wanted to let you know that the Northern JRPP determination meeting for this one has been delayed until around mid-March so not quite so much of a rush now. Of course though, the sooner we get EPA's comments the easier it is for us, particularly if there will be a request for further information from the applicant ⁽ⁱ⁾

Kind Regards, Rachael

Rachael Jeffrey Town Planner | Sustainable Environment | Kempsey Shire Council

22 Tozer Street | PO Box 3078 | West Kempsey NSW 2440 P 02 6566 3200 | E <u>rachael.jeffrey@kempsey.nsw.gov.au</u> | <u>www.kempsey.nsw.gov.au</u>

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For Kempsey Shire Council Records Only: Name: Company: Address: File:



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From: Robert Donohoe [mailto:Robert.Donohoe@epa.nsw.gov.au]
Sent: Thursday, 16 February 2017 8:36 AM
To: Rachael Jeffrey
Cc: Records Shared Mailbox; Erin Fuller; Graeme Budd
Subject: RE: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on Noise Assessment

Hi Rachael,

I have conferred with our Noise Assessment Unit (NAU) and confirmed that the EPA will be the ARA for noisy onground activities at Kempsey Airport, including activities associated with the Pilot Training Facility.

NAU are undertaking a further review of the Noise Impact Assessment with regard noise emissions from ground based activities and will provide a response ASAP.

Regards

Rob

Robert Donohoe

Senior Operations Officer – North Coast North Branch, NSW Environment Protection Authority Ph: (02) 6640 2518 M: 0447 138 395 robert.donohoe@epa.nsw.gov.au www.epa.nsw.gov.au 口@EPA_NSW

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From: Rachael Jeffrey [mailto:Rachael.Jeffrey@kempsey.nsw.gov.au]
Sent: Wednesday, 15 February 2017 4:15 PM
To: Robert Donohoe <<u>Robert.Donohoe@epa.nsw.gov.au</u>>

Cc: Records Shared Mailbox <<u>records@kempsey.nsw.gov.au</u>>; Erin Fuller <<u>Erin.Fuller@kempsey.nsw.gov.au</u>>; EPA RSD North Coast Region Mailbox <<u>north.coast@epa.nsw.gov.au</u>>; Graeme Budd <<u>Graeme.Budd@epa.nsw.gov.au</u>> **Subject:** RE: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on Noise Assessment **Importance:** High

Hi Robert,

Thank you for the advice in your email below regarding DA T6-16-444 – Proposed Pilot Training Facility at the Kempsey Airport.

Since receiving the EPA's advice, Council contacted the Office of Airspace Regulation within CASA who advised that they <u>do not</u> have a regulatory role in regards to aircraft noise at airports or aerodromes. Following this, Council contacted Airservices Australia who confirmed that in fact they are the appropriate authority to refer the DA and accompanying NIA to for review of potential noise impacts for Aircraft when in flight, taking off, landing and taxiing. Airservices Australia has just had a restructure so I am still unsure exactly who within their Department I need to speak to, but hopefully will be advised tomorrow.

After review of the document *Noise Guide for Local Government* (EPA, 2013) referred to in the below email from you, it seems the EPA is the ARA for:

Noise resulting from airports operated by NSW public authorities such as Councils – e.g. aircraft on the ground undergoing excessively noisy engine maintenance." (5th item in the "Aircraft" section of Table 1.3 in the Noise Guide for Local Government (EPA, 2013)).

Can the EPA please clarify if they are the ARA for noise resulting from the Kempsey Airport (other than aircraft noise resulting from aircraft when in flight, taking off, landing and taxiing) as:

- 1. the airport is operated by Kempsey Shire Council; and
- 2. the proposal involves activities that may be noisy (including aircraft maintenance) as part of the pilot training proposed.

If the EPA is not the ARA for the Kempsey Airport can you please advise why – i.e. what policy/ document/ regulation/ legislation this is identified within?

If you have any further questions please give me a call on 02 6566 3283 or reply email.

Thanks.

Kind Regards, Rachael

Rachael Jeffrey Town Planner | Sustainable Environment | Kempsey Shire Council

22 Tozer Street | PO Box 3078 | West Kempsey NSW 2440 P 02 6566 3200 | E <u>rachael.jeffrey@kempsey.nsw.gov.au</u> | <u>www.kempsey.nsw.gov.au</u>

Please note I work Monday to Thursday only.

For Kempsey Shire Council Records Only: Name: Robert Donohoe Company: EPA Address: File: T6-16-444



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From: Robert Donohoe [mailto:Robert.Donohoe@epa.nsw.gov.au] On Behalf Of EPA RSD North Coast Region Mailbox
Sent: Monday, 6 February 2017 9:24 AM
To: Rachael Jeffrey
Cc: Graeme Budd; Kempsey Shire Council
Subject: RE: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on Noise Assessment

Hi Rachael,

Please find below the Environment Protection Authority (EPA) response to the Kempsey Airport Pilot Training Facility proposal (T6-16-144).

• The proposal does not require an Environment Protection Licence from the EPA as it does not trigger schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act).

• The Noise Guide for local Government (EPA, 2013) -

http://www.epa.nsw.gov.au/resources/noise/20130127NGLG.pdf - identifies that responsibility for aircraft when in flight, landing, taking off or taxiing is the regulatory responsibility of AirServices Australia (NGLG – Table 1.3). More recently the Office of Airspace Regulation within the Civil Aviation Safety Authority has assumed a regulatory role. The EPA does not have a regulatory role for these activities and has not reviewed or assessed these proposed activities. Note the following International Civil Aviation Organisation definitions: 'Take-off' commences with the application of power to the aircraft once it is on the runway to bring the aircraft to the speed necessary to become airborne. 'Landing' ends when an aircraft leaves the runway or comes to a stop on the runway.

- Where identified as the appropriate regulatory authority (ARA) the EPA has a regulatory role for ground activities on airports operated by Public Authorities e.g. aircraft on the ground undergoing excessively noisy engine maintenance.
- Based on the detail contained in the proposal's Statement of Environmental Effects (SoEE), the ARA for ground activities undertaken by the Australian International Aviation College (AIAC) would appear to be Council. As such Council should satisfy itself that ground based activities that may potentially generate excessive noise impacts have been assessed against the guidance within the NSW, Industrial Noise policy (EPA, 2000).
- EPA draws Councils attention to the NSW Department of Planning and Environment website "Policy Directions for Plan Making" (<u>http://www.planning.nsw.gov.au/Plans-for-your-area/Local-Planning-and-Zoning/Policy-Directions-for-Plan-Making</u>) with specific reference to Section 117 D 2 directions relating to land use planning around aerodromes (i.e. acceptable zones around aerodromes for new residential and other sensitive development).

Please contact me if you wish to discuss the above.

Regards

Rob

Robert Donohoe Senior Operations Officer – North Coast North Branch, NSW Environment Protection Authority

Ph: (02) 6640 2518 M: 0447 138 395

robert.donohoe@epa.nsw.gov.au www.epa.nsw.gov.au
p@EPA_NSW

Report pollution and environmental incidents 131 555 (NSW only) or (02) 9995 5555





From: Rachael Jeffrey [mailto:Rachael.Jeffrey@kempsey.nsw.gov.au]
Sent: Tuesday, 31 January 2017 2:04 PM
To: Robert Donohoe <<u>Robert.Donohoe@epa.nsw.gov.au</u>>
Cc: Records Shared Mailbox <<u>records@kempsey.nsw.gov.au</u>>

Subject: FW: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on Noise Assessment **Importance:** High

Hi Robert,

Please see email below regarding noise for the above DA.

Kind Regards, Rachael

Rachael Jeffrey Town Planner | Sustainable Environment | Kempsey Shire Council

22 Tozer Street | PO Box 3078 | West Kempsey NSW 2440 P 02 6566 3200 | E rachael.jeffrey@kempsey.nsw.gov.au | www.kempsey.nsw.gov.au

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For Kempsey Shire Council Records Only: Name: Robert Donohoe Company: EPA Address: File: T6-16-444



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From: Michael Bohlscheid [mailto:mick@principlepm.com.au]
Sent: Monday, 30 January 2017 5:55 PM
To: Rachael Jeffrey
Cc: Records Shared Mailbox; Erin Fuller; 'Douglas Bollard'; 'Malcolm McNeil'
Subject: RE: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on Noise Assessment Importance: High

Hi Rachael

Our noise consultant has provided the following comments in reply:

 AS 2021-2015 Acoustics – Aircraft noise intrusion building siting and construction references a 20 ANEF contour line. This has not been referred to within the Noise Assessment or illustrated on the accompanying figures. Council requests both the 20 ANEF and 25 ANEF contours be illustrated on the figures within the Noise Assessment.

Consultant Reply: As far as I am aware, Kempsey Airport does not have an ANEF. It is the responsibility of the airport owner/operator (Kempsey Shire Council or EPA) to commission the production of an ANEF along with an Airport Master Plan if they deem it useful for land-use planning purposes. AS2021-2015 and the ANEF system is primarily used by councils as a land-use planning tool as it represents a forecast of aircraft noise levels at the airport <u>no less than 20 years</u> into the future, and is generally updated every five years along with the airport master plan. This aircraft noise assessment shows the predicted impact of the training

facility ONLY over the next two years (and furthermore in a different noise metric), and therefore comparing with an ANEF would not provide a useful or fair comparison.

2. Advise on proposed use of unsealed airstrip. Different orientation will have different noise impacts.

Consultant Reply: The unsealed airstrip will be used very minimally for crosswind circuit training at approximately one movement per month for each student. This is approximately 6% of all movements forecast to occur during 2017 and 2018. Assigning this small proportion of movements to the cross runway will slightly decrease the average impacts associated with the main runway.

3. Aircraft noise type Diamond DA 40NG require noise level certification from manufacturer for idle, plus full revs. What level was used in modelling? Is the level Sound Pressure Level (SPL) or decibels (Dba)?

Consultant Reply: As stated in the report, a certified noise level of 71.4 dB(A) was incorporated into the INM noise model (certified in accordance with ICAO Annex 16 procedures). The Integrated Noise Model (INM) adjusts this noise level based on the stage of flight and the thrust settings used for each stage, i.e. full thrust for takeoff, low thrust/idle for arrival and landing, full thrust again for takeoff.

4. What is actual measured background level (LA90) at nearest affected residence? The report does not indicate that any background noise logging or monitoring has been undertaken.

Consultant Reply: There is no requirement to measure background noise levels at the nearest affected residences when it comes to aircraft noise assessments such as this. This is due to the lack of standard in Australia for the assessment/prediction of aircraft noise and therefore no criteria to assess against. The noise contour maps and discussion section in the report describes the predicted impacts in the vicinity of the aerodrome. The Discussion chapter makes note of an approximate background noise level of 30 to 35 dB(A) based on typical rural areas.

5. Locate nearest affected residence on circuit noise impact maps. No sensitive receivers have been identified within the report or illustrated on accompanying figures.

Consultant Reply: We will amend maps to show nearest receivers.

6. Locate all residences within 20 Dba contour line. What is the impact upon these premises? Is noise attenuation required?

Consultant Reply: There is no 20 dB(A) contour line shown in the report. If you are referring to the 20 ANEF contour, please see answer to comment 1 regarding the ANEF. A 20 ANEF contour is not expressed as dB(A) and is NOT the same as a 20 dB(A) contour.

7. How often will worst case scenario occur? Further explanation required as to what the worst case scenario is – i.e. still conditions/ windy/ night time? Figure 5 and Figure 6, 30 Dba contour extends over residential areas.

Consultant Reply: Worst case scenario is the highest anticipated daily movements (daily being both day and night) for each calendar year as described in the Statement of Environmental Effects. A summary of movements modelled for each year is found in table 3-1 of the noise report.

Chapter 5 of the report acknowledges that the 30 dB(A) LAeq contour extends over residential areas, and it also states that according the to the World Health Organisation, there are no substantial biological effects observed from exposure to this level of noise. The report also goes to explain that this level of noise will most likely be masked by ambient background noise.

8. Certify that Noise Level Contours have been modelled in accordance with AS 2021-2016 Section 3.

Consultant Reply: AS2021-2015 Section 3 describes the process of calculating noise levels at nearby building sites and subsequent construction guidelines manually. GHD used FAA's Integrated Noise Model (INM)

which is endorsed by Airservices and the Department of Defence for calculating noise contours (and is the international standard software) and therefore the procedure in AS2021-2015 Section 3 is redundant in this case. The use of INM has been explained in the report.

9. Noise modelling has only been undertaken for up to 180 students, when the DA is for up to 250 students at any one time. Please provide an explanation for this?

Consultant Reply: Noise modelling was not undertaken based on the number of students, but rather on the number of anticipated aircraft movements for the next two years (explained in the report). The maximum student capacity of 250 students will not be all flying students. It is anticipated that 180 students will be actual flying students, with the remaining 70 being non-flying course students, (cabin-crew or maintenance training).

10. Construction noise has not been addressed within the Noise Assessment.

Consultant Reply: The report in question is an Aircraft Noise Assessment, therefore construction noise was out of scope. We understand, however, that this will be simply conditioned by Council.

Based on our consultant's reply to your item 2 (above), can you please confirm whether you would like to include a model of the cross (unsealed) runway into the current report? Council's original comment was only to advise on the use of the cross runway but did not specify if any update to the report would be required.

Regards,

Michael Bohlscheid Senior Project Manager



A PO Box 32, The Junction NSW 2291 T 0412 834 831 W principlepm.com.au

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Sent: Monday, 30 January 2017 9:55 AM
To: 'Rachael Jeffrey' <<u>Rachael.Jeffrey@kempsey.nsw.gov.au</u>>
Cc: 'Records Shared Mailbox' <<u>records@kempsey.nsw.gov.au</u>>; 'Erin Fuller'
<<u>Erin.Fuller@kempsey.nsw.gov.au</u>>; 'Douglas Bollard' <<u>doug.bollard@aiacollege.com.au</u>>; Malcolm
McNeil <<u>mm@thearchitects.com.au</u>>
Subject: RE: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on Noise Assessment

Importance: High

Hi Rachael

We've spoken with Erin regarding this on Friday.

Our consultant will provide comments in reply today, with a view to answering items 1 to 8 below. We've also provided some further information on Friday with our updated SoEE.

In relation to item 9 (student numbers), we confirm that students will be trained in rotational groups, with some students undertaking theory and others undertaking flight training. 250 students will not be undertaking flight training at any one time. Refer to our updated SoEE for further information.

In relation to item 10 (construction noise), we would expect that this item is conditioned. We'd propose working hours be between 7am and 6pm weekdays and 7am through to 3pm on weekends as a minimum.

In relation to the late referral of the application to the EPA, we express our disappointment that this has not occurred earlier (as we had expected that the 21 day government agency review periods were all now completed). As communicated previously, a review of the application by the JRPP in February is critical to the overall timing of this development. Working back from the seasonal intake of students in January of each year, construction needs to be commenced mid-2017 in order to allow a January 2018 student intake into the new facility. A delay to the approval will delay construction phase design, procurement and commencement and will have a major business impacts on AIAC.

Regards,

Michael Bohlscheid

Senior Project Manager



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From: Rachael Jeffrey [mailto:Rachael.Jeffrey@kempsey.nsw.gov.au]
Sent: Wednesday, 25 January 2017 3:39 PM
To: Michael Bohlscheid <<u>mick@principlepm.com.au</u>>
Cc: Records Shared Mailbox <<u>records@kempsey.nsw.gov.au</u>>
Subject: T6-16-444 - Pilot Training Facility, Kempsey Airport - Council Comments on Noise Assessment Importance: High

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Hi Michael,

As discussed, please see Council comments on the Noise Assessment (GHD, 2017) in regards to DA T6-16-444.

Additional information to be provided by Consultant.

 AS 2021-2015 Acoustics – Aircraft noise intrusion building siting and construction references a 20 ANEF contour line. This has not been referred to within the Noise Assessment or illustrated on the accompanying figures. Council requests both the 20 ANEF and 25 ANEF contours be illustrated on the figures within the Noise Assessment. 2. Advise on proposed use of unsealed airstrip. Different orientation will have different noise impacts.

3. Aircraft noise type Diamond DA 40NG require noise level certification from manufacturer for idle, plus full revs. What level was used in modelling? Is the level Sound Pressure Level (SPL) or decibels (Dba)?

4. What is actual measured background level (LA90) at nearest affected residence? The report does not indicate that any background noise logging or monitoring has been undertaken.

5. Locate nearest affected residence on circuit noise impact maps. No sensitive receivers have been identified within the report or illustrated on accompanying figures.

6. Locate all residences within 20 Dba contour line. What is the impact upon these premises? Is noise attenuation required?

7. How often will worst case scenario occur? Further explanation required as to what the worst case scenario is – i.e. still conditions/ windy/ night time? Figure 5 and Figure 6, 30 Dba contour extends over residential areas.

8. Certify that Noise Level Contours have been modelled in accordance with AS 2021-2016 Section 3.

9. Noise modelling has only been undertaken for up to 180 students, when the DA is for up to 250 students at any one time. Please provide an explanation for this?

10. Construction noise has not been addressed within the Noise Assessment.

It has also been brought to my attention that the EPA is the Authorised Regulatory Authority (ARA) for the Kempsey Airport as it is owned by Kempsey Shire Council. I have contacted the EPA regarding this and we are awaiting their response as to whether they want Council to handle noise management or the EPA.

Kind Regards, Rachael

Rachael Jeffrey Town Planner | Sustainable Environment | Kempsey Shire Council

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Please note I work Monday to Thursday only.

For Kempsey Shire Council Records Only: Name: Michael Bohlscheid Company: Principle Project Management Address: File: T6-16-444



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