

Appendix 5 – Summary of Submissions

Summary of issues raised in favour

Four submissions were received in favour of the application. A summary of the key points is provided below.

- The development would be great for employment.
- The development would be great for the community in general and provide socio economic benefits to the Bega Valley through the generation of business income and increased tourism.
- The aircraft are very quiet and slow.
- Aeroplane travel provides a real benefit to society.
- Flight training prevents aircraft accidents.
- Flight training operations create many commercial and employment opportunities beyond instructors and students. The flight school will need accommodation, meals, fuel, entertainment, cleaning etc.
- Families of students will visit for graduation ceremonies.
- The flight school would provide opportunities for relationship building with China, a country that is always looking for clean and green produce.
- The benefits of the flight school, in the form of increased tourism, would be felt more broadly in places like Merimbula, Eden and Mallacoota.

Summary of the issues raised against

The submissions have been grouped into the following categories for ease of reading and analysis. Given the volume of submissions and range of issues raised, some of the categories have been further broken down into subcategories.

Category	Page
Noise Impacts	3
Amenity Impacts	16
Suitability of the site to the development	17
Biodiversity Impacts	17
Social and economic impacts	21
Public interest	35
Visual impact	41
Inconsistencies with EPIs and DCP	42
Inadequate reporting on likely impacts	46
Pollution Impacts	52
Insufficient community consultation	56
Waste generation	57
Comment on Design	57
General Comments	58
Other Issues	58

Noise Impacts

The vast majority of objections received included discussion on noise impacts from the development in some form. The following sub-categories have been used to further group the submissions for practicality of assessment:

Appropriateness of the criteria and methodology

Acceptability

Adequacy of proposed mitigation methods

Inadequate reporting / lack of information

Comment on documentation accuracy

Broad-based statements

Overdevelopment

Lack of clarity / inconsistency in documentation

Compliance

Use of other airports:

- **Merimbula**
- **Mallacoota**
- **Moruya**

Noise Impacts: Appropriateness of the criteria and methodology

1. The Bega Valley Residents Against Frogs Hollow Flight School commissioned Wilkinson Murray Acoustical Consultants to undertake an independent assessment of the amended noise assessment report. The conclusions provided in the report follow:
 - The adoption of an $L_{Aeq,24hr}$ criterion of 48dB(A) for flight activities is not accepted. Given the type of development, a criterion of RBL plus 5dB(A) applying to the $L_{Aeq,15min}$ should be adopted.
 - Before the noise impact of the proposed development can be properly assessed, the following additional information would be required:
 - 7 days of continuous noise measurements at locations M1, M2 and M3 identified in the RTA 2018 report;
 - Identification of the revised noise criteria for the project, including a criterion of background plus 5dB(A) for flight activities;
 - Update of the noise impact of the maximum number of movements based on the criterion of background noise level (RBL) plus 5dB(A) during a 15-minute period;
 - Confirmation that the hours of operation identified in the RTA 2018 report can be complied with and that no night time flying would occur;
 - Assessment of the noise impact associated with training involving other airports/runways;

- Plan of Management identifying the method of ensuring that the maximum number of movements identified to comply with the criteria will not be exceeded; and
 - An assessment of the noise impact of traffic to and from the development for the night period when social activity may occur.
2. The Bega Valley Residents Against Frogs Hollow Flight School commissioned Barry Murray, Director at Wilkinson Murray Acoustical Consultants (WMAC) to speak at the Public Meeting held 29 August 2018. Key points of Mr Murray's speech are provided below:
- INP methodology – missed two dwellings right under the flight path.
 - From the first report which used the INP methodology, WMAC extrapolated from the data to ascertain that one movement per 7.5 minutes was appropriate to the site.
 - An amended noise assessment using the ANEF was provided with the SOEE Addendum.
 - People in areas not affected by aircraft noise are more sensitive to aircraft noise.
 - People who have chosen to live in the Bega Valley could be considered “environmental refugees”, meaning that they come for the peace and tranquility of the area.
 - The new Renzo Tonin noise assessment report converted the ANEF criteria to dB(A) criteria. The report states that $L_{Aeq,24hrs}$ can be obtained by adding 35 to the ANEF level. $13 + 35 = 48\text{dB(A)}$. Therefore $L_{Aeq,24hrs} = 48\text{dB(A)}$ was adopted as the noise criteria.
 - However the ANEF criterion is not appropriate for this type of development. This is a private development using small, light aircraft flying all day long, creating a more constant noise in the vicinity of the operation. I don't believe ANEF is suitable. I believe the INP methodology is appropriate.
 - The survey carried out by National Acoustics Laboratory (who developed the ANEF criterion), found that even with an ANEF 13 criteria there would still be a significant noise impact, with 10% of the population highly affected and 45% moderately affected. I.e. The criterion is not squeaky clean.
 - NSW EPA has published a number of guidelines for noise. The objective was so as to ensure that almost everyone would be totally satisfied by the incremental noise increase, if the development met the criterion.
 - In contrast, for public services such as roads and railway lines the EPA documents state there is a compromise between the need for the services for the roads and the railways, and the desire for quiet.
 - The EPA has no control over aircraft noise and they have not written a policy. However the same principle applies for aircraft noise and it is written in the Australian Standard 2021:2015, that the ANEF 20 is a compromise for the need for the services and the desire for quiet.
 - In this scenario, the squeaky clean criterion is the most appropriate. The second report has adopted an incorrect criterion. Given that it does not create a public service benefit, I reject the second report that adopts the ANEF criterion.

- Other training airports for flight training schools, ie. Tamworth. Flight training school was assessed under INP criterion.
 - What mechanisms can be used to mitigate noise? In the instance of a mine, shielding/barrier protection by the mine form can mitigate noise. Above a certain level, the operator of the mine should offer to purchase affected properties. In this scenario, the flight circuits are in the sky, so the only way to mitigate would be to minimise the flight movements or purchase all the properties around the subject site.
3. The noise report is inadequate and not properly conducted and uses an inappropriate noise criterion.
 4. The noise assessment report relies upon a set of base levels which may be applicable to an area where proximity to industrial areas is part of life, but it is not relevant for remote rural or wilderness areas. One of the reasons why remote rural areas surrounded by wilderness are so attractive to both residents and tourists is the lack of industrial noise pollution.
 5. The Australian Department of Industry states that “The ANEF system was developed as a land use planning tool aimed at controlling encroachment on airports by noise sensitive buildings”. It was not developed to assess the establishment of a new enterprise, like the proposed flight school, being developed amongst established noise sensitive buildings, or more importantly, the residents.

In the same document in the section 1.2 Conventional information—ANEF contours it states:

‘Unfortunately experience in recent years has demonstrated that the aircraft noise problem is not confined to areas inside the noise contours. In fact most complaints about aircraft noise at Australian airports come from people who live outside the published ANEF noise contours (ie the 20 ANEF).’

This shows how misleading it can be to rely on the contours to decide how a new aircraft industry will affect the community.

In section 6.4 Using relational indicators in noise forecasts it states, ‘ANEF contours do not generally portray current or near term noise exposure patterns—they broadly reflect what the noise exposure patterns are likely to be at some time in the future when for example one or more new runways may be in operation. Therefore in many cases ANEFs are solely planning lines which even if they could be understood by the layperson have little or no relevance to current noise exposure patterns.’ and ‘By the same token it would be very misleading to use the indicators in circumstances where such detailed flight path modelling has not taken place or there is great uncertainty in traffic forecasts.’ (The Appendix A—The Australian Noise Exposure Forecast (ANEF) System Last Updated: 9 July, 2014)

By the applicant's own admission, the Noise Impact Assessment in the DA states that there is no ANEF for the Frogs Hollow airfield. There is also no detailed flight path modelling. In fact, there are many flaws with the Noise Assessment.

6. The EPA states that the Noise Policy for Industry should not be used for “air corridors”. I do not believe that this proposal is for an “air corridor”. A circuit is not transporting a pilot or passenger from one point to another and the flying training within the Designated Training Area is not in an air corridor. Therefore I believe that the noise criteria should be set at 5dBA in accordance with an industry. Further, the Australian government considers that aircraft activity is an industry; ie. “The Australian Airline *Industry*”. RAA also state that they are an industry, which is evidenced in their mission statement.
7. The report manipulated the data giving questionably unreliable results.

8. Leq is a logarithmic scale measuring equivalent continuous sound level. A doubling of a sound level results in a measured increase of 3dB. Thus, in the country with relatively low ambient noise, increasing from one plane to two would add 3dB. To have 4 planes overhead adds 6dB and 8 planes 12dB. It has been shown that a 3dB increase in sound is noticeable. In the city, on the other hand, because there are more plane noise equivalents it would take many more planes to increase the noise by a factor of 2 and therefore adding a few planes does not stand out as much. Likewise, this doubling rule applies to time but here halving the time adds 3dB.

The second Noise Report used the same data as in the first report and calculated a Leq₂₄ from the original Leq_{15min}. In measuring the Leq₁₅, only one plane was flown in one circuit as I read it. Therein lies the problem of compounding error. One plane completes the circuit in 6 minutes or less than half the 15 time measured. Thus, the time of actual activity was half of the stated and 3dB should have been added to the registered level. They do not do this that I can see but the calculations are not provided. Then, to compound this error the same principle is ignored when calculating the Leq₂₄ from the Leq₁₅ (without adjustment?). Here again, the actual flying time is 11 hours or less than half of the 24hr used and so an additional 3dB should be added. A truer picture would have been to measure 6 planes doing continuous circuits for the full 15 minutes and then calculate the Leq for the 11 hours activity (ie – using 24 hrs dilutes the measurements).

Additionally, the assessor failed to test C-weighted measurements which are more sensitive to the low frequency noise of airplanes. This might have led to an upward adjustment by 5 dB to the numbers measured under modifying factor corrections in the NSW Industrial Noise Policy.

The assessment records an unacceptable level at 200' as measured at M4. Thus, a large part of the neighbouring properties' land would be lost to them as the landings/take-offs would be below this level while traversing their property.

It will impact these areas as the sound of airplanes has been found to be more annoying than automobiles and can travel 10km due to its low frequency components. At 4000', or 1.2km (even 10000' or 3km) the sound will be heard and it will be annoying. If SAFCA intends to have one plane for every 11km² the entire valley would be blanketed with noise.

The country is different to the city as any new sound introduced into the quiet stands out more than in the city. This goes back to the logarithmic principles discussed above.

9. The noise assessment report considers noise over a 24 hour period, when in fact it should be over the operating hours of the proposal (ie. 11 hours).
10. The noise criteria of 200 flights within 24 hours does not appear to be representative and is in fact an underestimation of the proposed intensity of operations at Frogs Hollow, which is more like 40 flights in 2 hours, or 120 flights in 12 hours.
11. Despite that I own an approved 10 lot subdivision on the western side of the airstrip, there were no receptors placed on the western side of the airstrip when the test was conducted or when it was redone. The planes will not be higher than 500ft on the circuits above my house or my approved rural lot subdivision.
12. The noise assessment does not adequately consider the impacts upon all the sensitive receivers. There are 20 dwellings that are all closer to the flight path than the measurement location M2. For M3, there are 17 dwellings that are closer to the flight path than the measurement location. The position of the test apparatus was clearly not representative of the nearest receivers.

13. The noise assessment does not adequately consider the noise from multiple planes in the air at one time. The noise assessment can only be valid if at least 10 aircraft are used during testing.
14. The noise assessment doesn't detail or give due regard to the specifics of the test conditions.
15. The flight circuits are indicative only and aircraft do not fly along precise tracks. The aircraft will fly beyond the mapped circuits. The aircraft are light and will be blown off-course by the wind and over residents' homes.
16. The noise report has not given due consideration of wind and weather details at the time of testing.
17. The use of an 'A' weighting for decibels is appropriate for low noise levels only. At normal sound levels, the real sound level of the Rotax Type 912 engine at 200Hz is underestimated by 15 decibels when measured with 'A' weighting. Use of 'A' weighting is totally inappropriate for aircraft, which make a lot of noise.
18. When the test flight was undertaken on the 18 September 2017, the wind was 21km/hr from the NE, blowing the wind away from the receptors on the east of the circuits.
19. The noise assessment doesn't consider the noise from ground operations.
20. We live very close to the airfield. My children are very sensitive to noise as they have autism. My husband is an Iraq and Afghanistan wars veteran and suffers from chronic PTSD and the noise impacts will be unbearable for him.
21. The report significantly underestimates what the actual flying hours will be.
22. It is not morally acceptable to subject me to planes flying overhead all day, seven days a week.

Officers' Comment

Council recognises the complexities in measuring aircraft noise in the absence of an established legislated criterion and methodology, and for this reason engaged the services of an independent acoustical consultancy Marshall Day Acoustics.

A detailed summary of the advice received by Council is provided in response to the "likely impacts of the development" and the full advice is provided in Appendix 3.

Documentation released by Airservices Australia in their publication Circuit Training (Airservices Australia, 2016) demonstrates that aircraft do not fly along precise tracks, as shown below in Figure 10).

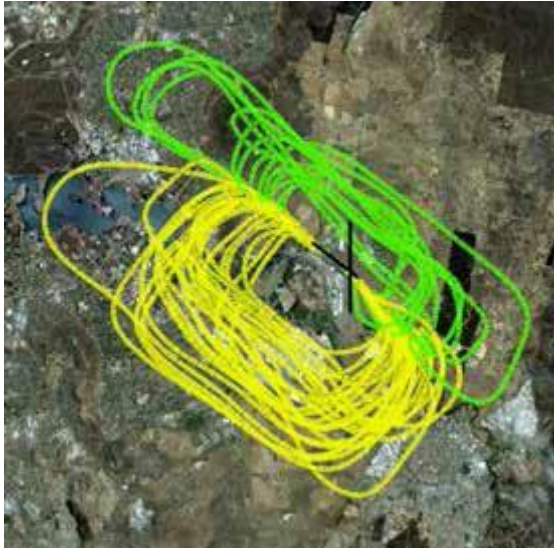


Figure 1: Typical variations in circuit pattern shown over a 25 day period.

Standards Australia Handbook: Acoustics – Guidance on producing information on aircraft noise (2016) states,

Aircraft in the vicinity of airports are generally required to fly in predictable and consistent patterns. This is achieved by the pilot intending to fly a defined flight path, often displayed as a line drawn on a map. However practically, it is not possible for an aircraft to fly precisely along those flight paths. The location of actual flight paths will vary due to aircraft performance, pilot technique, wind and other factors. As such, pure 'flight path' maps may do little to explain where aircraft actually fly.

The handbook recommends that aircraft flight paths be more clearly represented as a corridor indicating the extent of where aircraft could potentially track.

It is noted that if the flight path is subject to considerable variation, then the noise impact would also vary depending upon factors such as the track, height, wind strength and direction, thrust setting and payload.

Therefore the comments pertaining to inadequacy of assessment are considered valid given the limited noise measurement locations.

Noise Impacts: Acceptability

1. Despite the noise report indicating that the noise would/may be acceptable, the noise impacts would not be acceptable. The people of this area do not want to be harassed by constant and annoying noise (lack of regard for psycho-acoustic qualities).
2. In addressing the community's noise concerns, I believe the applicant has downplayed the impact. Alleged greater noise levels from highway traffic do not negate the impact of added noise by the flights.
3. Noise is considered offensive according to its: audibility, duration or inherently offensive characteristics. Given the audibility levels laid out in the noise assessment, the fact that the airfield will be in use 7 days a week creating an unacceptable duration of noise exposure to residents, and the inherently offensive characteristics of aircraft noise, there is no doubt the residents will be subjected to offensive noise.
4. 'Offensive noise' is defined in the Protection of the Environment Act 1997 as noise:

that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances: (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted’.

The World Health Organisation has found in the publication : Burden of Disease from Environmental Noise: Quantification of Healthy Life Years Lost in Europe by WHO Regional Office for Europe 2011, that;

“There is sufficient evidence from large-scale epidemiological studies linking the population’s exposure to environmental noise with adverse health effects. Therefore, environmental noise should be considered not only as a cause of nuisance but also a concern for public health and environmental health”

The relentless intense noise pollution expected from this development will lead to adverse impacts on amenity and health of residents.

5. I live approximately 6kms from the airfield and by then the plane should be at 4,000ft. An Ultralight plane did fly past recently and I recorded it flying past on my iPad. It was 4,000ft up and difficult to see but it could certainly be heard for a long time, almost 2mins. Comments suggesting that the public won’t be disrupted by the planes are incorrect; even at 4,000ft the planes will be intrusive. This is why the proponents are being asked to stay clear of National Parks where people are wanting a peaceful retreat. We as residents also want our homes to be places of refuge and not subjected to the invasive sounds of planes flying overhead.
6. Different people have different tolerances for noise and the report does not consider this.
7. The proposal will have a detrimental impact upon our health and wellbeing (including mental health from noise-related stress). Exposure to environmental noise is linked to adverse health effects.
8. The noise impacts will be significant/devastating to those living in Newlyn’s Estate and surrounding residents.
9. At 4000ft the aircraft are still audible in the sky and the noise is unbearable. Consideration has not been given to how aircraft noise travels. Aircraft noise cannot be compared to road noise (see <http://www.canberraairport.com.au/wp-content/uploads/2013/09/The-truth-about-aircraft-noise1.pdf>).
10. The noise from constant flight circuit training will detract from our desire and capacity to farm in the Bega region.
11. The noise impacts will be unacceptable for those who work night-shift and need to sleep during the day.
12. The loss of amenity from aircraft flying circuits overhead would result in surrounding residents having to stay indoors (significant loss of rural amenity) and this is not an acceptable impact.
13. The noise impacts will result in sleep deprivation, leading to more serious health impacts.
14. Livestock and agricultural productivity will be negatively impacted by aircraft noise.
15. Noise sensor M4, positioned at the North end of the runway registered numbers incompatible with dwellings at 200’. Wouldn’t the accommodation and classrooms be even closer and thus more affected?

16. One of the east/west runways fails to meet the noise test.

Officers' Comment

Significant concern exists in the community regarding the acceptability of the level of noise that is proposed as a result of the development.

Council Officers are not able to comment on the acceptability of the noise impact, as the noise assessment reports submitted to date do not adequately detail the likely noise impact upon the community. Assessment of the noise impact from the proposed take-offs and landings and flight circuit training has been attempted for Frogs Hollow, but is not considered adequate to describe the likely impact at this location. Assessment of the impact upon the broader locality to 5kms has not been provided, although it is noted in the National Airports Safeguarding Framework: Guideline A that the zone of influence could extend to 5 kilometres for any "type of aerodrome for which an ANEF chart is unavailable" (National Airports Safeguarding Advisory Group, 2012).

Assessment of the noise impact upon other sensitive locations such as residential areas, tourist areas, wilderness areas and National Parks, schools, hospitals and places of worship has not been undertaken and Council is unable to provide further comment.

The application was referred to NSW Department of Primary Industries for comment in relation to the impacts of noise upon livestock and nearby dairy operations and the following response was received:

As there is no information provided on the scale and area of the development, the development location, how close the aircraft are to dairy cows and the size of the aircraft etc: it is difficult for NSW DPI to provide accurate advice. However, the following general advice is offered.

Impacts on dairy cows and livestock

Generally, dairy cows and other livestock can cope with noisy machinery if regularly exposed. There will be stress at first to anything new, cows might be spooked and flighty, but they will settle with time. However, if the cows are within the immediate proximity to the planes (i.e. in the same paddock), they may not settle due to the continuous disturbance.

Somatic cell counts in milk are measured every milk pick up, and are an indication of the presence and level of mastitis causing pathogens in milk. They are generally not a sign of stress, unless the cow has an underlying bacterial infection. So the noise of planes itself should not cause elevated cell counts in milk.

Therefore, the likely impacts upon livestock grazing in adjacent paddocks are largely unknown and Council Officers are unable to comment on whether the impact is satisfactory.

Noise Impacts: Adequacy of proposed mitigation methods

1. Some of the proposed mitigation strategies are utopian (not viable nor likely).
2. The noise mitigation measures proposed to be employed at Frogs Hollow are unlikely to be effective, as flight paths close to the airstrip will be largely dictated by weather conditions, particularly wind direction.
3. It is not possible to create an adequate buffer between surrounding land users and the flight school impacts.

4. As there is no controlled airspace, planes could fly as low as 500ft throughout the Bega Valley, creating a constant noise.
5. The Socio Economic Impact Assessment suggests mitigation strategies that are used at Bankstown Airport. Obvious differences exist between the comparisons of Frogs Hollow to Bankstown airport:
 - Urban development has grown around Bankstown airport due to the ongoing housing pressure in Sydney. This is not the case for Frogs Hollow, where the proposed scale of SAFCA's operation dwarfs the current level of use.
 - Bankstown airport is controlled airspace, and as such are subject to strict controls over the movement of all aircraft. This is not the case at Frogs Hollow, which as uncontrolled airspace, gives SAFCA almost complete freedom to fly wherever they want, regardless of the mitigation strategies recommended in the Socio Economic Impact Assessment.

Officers' Comment

The Socio Economic Impact Assessment suggests mitigation measures proposed to limit the impacts of aircraft noise upon surrounding residents at Frogs Hollow. These include:

- the use of right hand circuits on runway 18 to limit noise impacts upon the higher density areas to the east and south-east of the subject site,
- avoiding overflying of urban areas,
- avoiding overflying of beaches except between Tathra and Bermagui,
- negotiating with National Parks to minimise impacts upon wilderness areas,
- and using designated approach points to minimise overflying of residences prior to entering the circuit.

The Statement of Environmental Effects Addendum report does not nominate adoption of the above mitigating measures proposed in the Socio Economic Impact Assessment.

Further information lodged with Council 18 October 2018 firmly states "There are no such things as designated flight paths for flight schools". It goes on to say that "Training aircraft operate freely within the training area adhering to the flight operation regulations as regulated by RA-Aus and CASA". This does not indicate adoption of flight paths to avoid sensitive receivers as mitigating measures, as proposed in the Socio-Economic Impact Assessment.

The nature of aircraft noise being a noise source located in the sky is that traditional noise mitigating measures such as earth berms are ineffective. Additionally, the likely noise impact of the aircraft flying at an altitude of 4,000ft is not known as it has not been assessed.

Council considers comparison within the SIA of the proposal at Frogs Hollow SSC (total population of 113 (ABS Census, 2016)) with similar scale development in urban areas such as Bankstown SSC (total population of 32,113 (ABS Census, 2016)) are questionable, with significant differences in background noise levels and character.

Noise Impacts: Inadequate reporting / lack of information

1. The flight school will result in significant noise impacts (and significant loss of amenity and change of character) over the Bega Valley's quiet places. The noise assessment fails to identify the noise impacts upon the broader region.

2. The noise from the flight school will severely impact the broader region, including Victoria and the Tablelands. There has been no analysis of this noise impact.
3. We live at Jellat Jellat and on a Sunday afternoon we can see and hear the light aircraft which fly from Frogs Hollow.
4. The report does not adequately consider the impacts of noise upon the flora and fauna in the broader region.
5. Ron Brent, Australia's first Aircraft Noise Ombudsman, has written an interesting article "The Truth about Aircraft Noise". In it he brings up some relevant points. He states that the ANEF does little to help the general public decide if they are able to gauge the noise generated by an airport. He also states that aircraft noise can't be equated to road transport noise. This is because road noise can be mitigated with sound barriers. Planes however fly above and its noise spreads out over a wider area and is heard for a longer period of time. Nothing can prevent the noise while you are outside. Another point is the fact that planes will not stick exactly to a given flight path. The circuits will vary as will their altitude causing planes to fly closer to houses than planned. The ANEF uses averages and does not take into account the fluctuation of louder sounds. The following quote from his article shows just how unfair it is for people already living in an area to be subjected to a new development when they bought in an area known and promoted as quiet and peaceful.

'References to the 'ANEF' can make it seem as though the noise is acceptable, but the experience of noise is such a subjective and personal matter that there can be no standard of 'acceptable' (other than silence) that will meet every individual's notion of acceptable. The experience of my office bears this out.' Ron Brent pg3 "The Truth about Aircraft Noise".

A paper from the Department of Infrastructure made this comment "The question of how many people should be subject to disturbing levels of aircraft noise through land use planning decisions clearly requires subjective judgements from land use planners as to what is an acceptable number of people expected to experience negative effects of aircraft noise, balanced against other relevant considerations." (Page 4

https://infrastructure.gov.au/aviation/environmental/airport_safeguarding/nasf/files/1.3_Guideline_A_attachment1.pdf)

6. I have racehorses on my property. The noise of the planes flying continually all day over my property would cause a great disturbance and spook my horses.
7. We are located 3Nm from Frogs Hollow and we have witnessed that in the past these aircraft do not get up to 4000ft before flying over us. There are hundreds of other homes within this 3Nm radius of Frogs Hollow.
8. Ultralights and Trikes make a particularly annoying noise and they are very slow.
9. We can see and hear aircraft in the circuit at Frogs Hollow from our residence at Buckajo. No attempts have been made by the applicants to measure or acknowledge the noise impacts in the surrounding hills.
10. In the past year I noticed an ultralight flying around Candelo. I could hear the aircraft even when I could not see it. The noise is worse on the calm winter days, which are the perfect days for flying.
11. We live within the extent of the photo of the Sensitive Receptors Map but our dwelling is not marked as a receptor. Flight circuit 36 and 27 fly up to and turn over our house.

12. We live within the extent of the photo of the Sensitive Receptors Map but our dwelling is not marked as a receptor. Our home is under two of the training circuits. 1059 Princes Hwy, Frogs Hollow.
13. The noise impacts will be continuous and this hasn't been considered in the noise assessment report.

Officers' Comment

Advice received from Marshall Day Acoustics follows:

The proposed development would have an adverse impact on the amenity of the area due to noise generation. Circuit operations and regular overflights at relatively low noise levels (when compared to noise levels in the vicinity of major airports) represent the key noise impacts associated with this type of development. Whether this impact is acceptable is dependent on whether an appropriate balance has been reached between any potential benefits of the development to the local or broader community, and the noise impacts on neighbouring communities.

In the absence of well-defined or regulated criteria to set noise limits for this type of development, determining whether this balance has been reached, requires a complete description of the extent and nature of the impacts on surrounding areas. In our opinion, the level of information that has been provided is not sufficient for this purpose.

Therefore Council considers that the application does not provide adequate information to assess the impacts of the development.

Noise Impacts: Comment on documentation accuracy

1. As an ex-RAAF pilot I am very well aware of the activities that take place at a flying school. Aircraft can be flying at any time during daylight hours and on occasions, either deliberately or because of misadventure, may also be flying at night.
2. The report does not give a sound value for the cumulative effect of several planes in the air at any one time flying circuits.
3. In the second Noise Impact Assessment, the consultant has only given sound values for short parts of the circuit. They have not reported on the entire take-off, cruising and landing of the aircraft as it is heard from each point. In fact they were asked on pg 18 of Addendum: Statement of Environmental Effects 'Please include the continuous noise measurements at receivers into the report.' Their answer did not address this request. 'The most conservative background noise levels that can be used (35dB(A)), according to the NPI methodology, have been adopted instead of using the measured background noise levels.' They missed the point that noise levels for the entire circuit is required when the planes are taking off, flying and landing, not the ambient background noise.
4. Why did they state that taxiing on the runway is inaudible yet didn't give take off measurements?
5. The cumulative impacts of the flight school operating in conjunction with the Go-Karts and Aeroclub have not been considered.

Officers' Comment

Council has sought advice from an independent acoustic consultant to provide advice on the accuracy

and adequacy of the noise assessment report.

Noise Impacts: Broad-based statements

1. The most offensive impact from the development is noise.
2. The noise from the flight school will severely impact the broader Bega Valley.
3. The aircraft noise from the airfield will be seven days a week, which will result in offensive noise as defined under the Protection of the Environment and Operations Act.
4. The flight circuits go directly over people's homes.

Officers' Comment

The matters above have been addressed in Council's report under Section 4.15(1)(b).

Noise Impacts: Overdevelopment

1. The flight school proposes to operate 76 hours per week.
2. The hours of operation are excessive.
3. Tables informed by BOM weather (wind) data show the unsuitability of Frogs Hollow and the other nominated airports for a high intensity flight school. Every hour lost to adverse weather conditions must be made up. The wind and weather days are severe enough to put the viability of the applicant's training schedule into total disarray and the mooted timetable in total doubt in light of the high volume, high intensity schedule planned.
4. The site is subject to fog, limiting flying hours and resulting in compounded noise and safety risks as hours are made up later in the day.

Officers' Comment

The matters above have been addressed in Council's report under Section 4.15(1)(b).

Noise Impacts: Lack of clarity / inconsistency in documentation

1. The site plan indicates that the development seeks approval for use of "single engine and Centre-Line Thrust Aeroplanes up to 2000kg MTOW", which is very different to the aircraft detailed in the other documentation. Such a difference in aircraft size and subsequent noise output renders the noise report invalid.
2. The first report noted test measurements were "disrupted" and consequently weren't provided/used. The second report however did use these measurements. I question the integrity of the report writer given that the first report had a more stringent noise criteria.
3. The Noise Assessment Report was not titled as to indicate that it had been amended. This oversight will undoubtedly result in the hundreds of residents opposing this DA being misled and not afforded the opportunity to comment on the changes.
4. According to SAFCA (Bega District News, 27 Oct 2017, p.11), when fully operational this development will have 60 aircraft in total, with 40 operational aircraft and 40 flight instructors. Therefore, it is conceivable to have all 40 aircraft in the skies at any one time doing dual

instruction, with the remaining 20 aircraft available to students who have progressed to solo flying.

5. The noise assessment report is prefaced by the statement that any third party given the document should also be provided with the details of the specific brief and limitations associated with the commission on which the document is based. We have not been provided with the latter.
6. The noise report does not provide the identity of the pilot that flew the test aircraft, which undermines any scientific credibility of the report. The aircraft could have been modified to reduce the noise. How was it determined that the throttle was in fact at the positions stated? The plane could have been flown by someone with a vested interest in the outcome of this application. I note that the consultant has not verified any of this information, which is clear from the large disclaimer at the beginning of the noise report. This shifting of responsibility from the author of the report and ambiguity in relation to the collection of data for the noise report is of major concern.
7. The aircraft was flown by Mitchell Boyle who is a Director of SAFCA, which is a conflict of interest. All data should be sourced from a totally impartial pilot. The report is of dubious reliability and should be further proven before its inferences are accepted.
8. The noise report includes a disclaimer that the assessor has accepted the assumptions of the client. It also includes a disclaimer that a third party should not rely upon the report.

Officers' Comment

Council has sought advice from an independent acoustic consultant to provide advice on the suitability of the criterion and methodology.

Noise Impacts: Compliance

1. It appears that the noise levels will only be complied with based on the flying school's ability to self-regulate. What guarantee does the community have that this will happen if approval is given?

Officers' Comment

The matter above has been addressed in Council's report under Section 4.15(1)(a)(i).

Noise Impacts: Use of other airports:

Merimbula

1. Increased use of the Merimbula airport will disrupt our standard of living further through noise pollution.

Mallacoota

1. The proposed methods of mitigating noise impacts upon the town of Mallacoota are not credible:
 - The suggestion that the pilots could use alternative flight paths into Mallacoota airport (that don't fly over the town) does not take into consideration the impact of wind direction and is not feasible.

- There is a residence within 500m of the airport, and the town's Historical Society Museum (a popular location for tourists and locals) is located at the airport.
- The airport is located adjacent to several of our most revered beaches and fishing locations, including Betka Beach/River, Quarry Beach, Secret Beach and Pebbly Beach.

Officers' Comment

The matters above have been addressed in Council's report under Section 4.15(1)(c).

Amenity Impacts

1. I live within the Designated Training Area and understand that I should not be affected by low flying planes, however the Socio Economic Impact Assessment identifies that in the wider locality, overflying by large numbers of aircraft would be expected have "significant adverse impacts on character and amenity". The report suggests there are opportunities to mitigate these adverse impacts with appropriate flight paths, avoiding certain sensitive areas; beaches, wilderness, tourist areas and towns. Does this mean that the rural and rural residential areas of the Bega Valley have to accept the burden of these mitigating measures? This would appear to be an unfair burden to be placed on one sector of the community.
2. Mitigation measures are only proposed for those further away from the airfield, whilst it is clear that loss of amenity for those in the immediate vicinity cannot be mitigated.

Officers' Comment

The matters above have been addressed in Council's report under Section 4.15(1)(b).

Amenity Impacts: Privacy

1. The fact that the pilots may be very intently focused upon piloting their aircraft doesn't mitigate the breaching of privacy by Go Pro recording devices and passengers/instructors, or the impact perceived by residents as being spied upon.
2. Youtube footage shows that recording from an aircraft is very intrusive.
3. Should a new business be given approval if it will impact surrounding properties to the extent they must change behaviour on their own private property? Is that reasonable?

I am not happy about the loss of privacy resulting from so many flights and I should not have to change my habits or the enjoyment of my private property just so a business can make more money. I moved to the country for the privacy and to not be overlooked. The scale of this project is driven by greed without any consideration to how this impacts the residents of this community. SAFCA argues the pilots will not have time to look around, however they are conveniently using a Go-pro to record the flights. I do not want my children to be filmed on our private property and I do not give my permission for filming during repetitive training sessions. Per Australian Common Law regarding intrusions into airspace 'Aerial photography, recording and surveillance carried out from a plane...may therefore amount to a trespass to land'.

4. The aircraft in flight will intrude upon our privacy through overlooking.
5. The overlooking is a form of "trespassing" as it interferes with my rights to private enjoyment of my house and land.
6. It is not possible to create a buffer between existing land users and the planes.

Officers' Comment

The matters above have been addressed in Council's report under Section 4.15(1)(b).

Suitability of the site for the development

1. The proposal would be better suited elsewhere.
2. Recent media reports have highlighted the need for more pilot training in response to a world-wide shortage of pilots. Indeed, an ABC report on Sunday July 22 highlighted the positive response of many communities to the possibility of hosting a QANTAS pilot training academy. Some 60 regional cities across the country made submissions hoping to be considered as a host city for the academy, indicating that there are many places that would welcome such a development. These include places with more appropriate terrain and better weather for aviation. (see <http://www.abc.net.au/news/2018-07-22/airline-passengers-facing-perfect-storm-as-pilot-shortage-bites/10012624>).
3. The location is not appropriate for the development proposal.
4. Moruya Airport recent Master Plan 2016 states it does not want intense circuit training.
5. The site is not appropriate for commercial use due to the location, trees, topography, proximity to houses and safety implications. The ideal terrain is lightly treed, flat, rural areas in order to prepare for possible engine failure, and this is exemplified through choice of RAAF bases for training purposes (ie. Bairnsdale for pilot training).
6. The site is an ALA only. CASA specifies that ALA's are not to be used for flight training (see CAAP 92-1(1) Guidelines for Aeroplane Landing Areas).
7. Education facilities should be located in towns with facilities for safety and social reasons.
8. The site experiences a significant number of days (60.7% measured between 7am and 6pm) with wind speeds over 22km/hr (above which are considered "unsafe flying days" for ultralight aircraft) which would make the site unviable for the proposed flight circuit training.

Officers' Comment

In its assessment, Council has provided an assessment against CASA's Civil Aviation Advisory Publication (CAAP 92-1(1)).

CAAP 92-1 (1) details under item 4 that "Aeroplanes engaged in the following operations may use a landing area: (a) private; (b) aerial work – excluding student solo flying and student dual flying prior to successful completion of the General Flying Progress Test; and (c) charter". The matter was raised in submissions that were forwarded to the applicant but was not addressed in the final response to the submissions (Appendix 14).

Civil Aviation Regulations 1988, Item 2 (7) (d) provides clarification of the meaning of "private" operations and advises that:

(7) For the purposes of these Regulations:

(d) an aircraft that is flying or operating for the purpose of, or in the course of:

(vii) flight training, other than the following:

(A) Part 141 flight training (within the meaning of regulation 141.015 of

CASR);

(B) *Part 142 flight training (within the meaning of regulation 142.015 of CASR);*

(C) *balloon flying training (within the meaning of subregulation 5.01(1)) for the grant of a balloon flight crew licence or rating; or*

shall be taken to be employed in private operations.

Council Officers are not able to comment on where the proposed flight school sits within this definition. It is noted that the RAA Operations Manual (Appendix 7Q) provides a definition for an aerodrome and notes “Aerodrome: For the purposes of this manual has the same meaning as airfield, airport and Aircraft Landing Area (ALA)”. Further conclusions are unable to be drawn.

Suitability of the site for the development: land use conflict

1. The proposal is inconsistent with/will negatively impact the tranquil lifestyle/peaceful rural amenity / character of the Bega Valley and surrounding land.
2. Many people//we choose to live in/visit the Bega Valley because of its natural beauty and the peaceful rural amenity (not to earn lots of money). (Some people will leave if this goes ahead.)
3. We live in Frogs Hollow and our granddaughters (who live next door) like to ride their horses. We are concerned about low-flying aircraft startling the horses, and we are concerned for the girls’ safety.
4. Pony clubs operate in the Bega Valley with young children learning how to ride safely. Have these been considered in the proposal?
5. Despite the flight school students being called “tourists”, they are not the same sort of tourists that usually frequent this area. The two are somewhat incompatible; one seeking rural tranquillity, the other intensive training in a noise emitting, motorized aircraft.
6. Council has approved multiple concessional lot subdivisions in the vicinity of the airfield and these past decisions limit the potential expansion of the airfield and operations.

Officers’ Comment

The matters above have been addressed in Council’s report under Section 4.15(1)(b).

Suitability of the site for the development: change of character

1. The massive upscaling of the current site is most definitely a change of character.
2. The flight school will result in a loss of rural character.
3. Should the proposal go ahead, the Bega Valley would be changed forever.
4. Currently Frogs Hollow is used by 1-3 flights per week. The proposal will result in a 1,400% increase in use of the site, with an equivalent increase in noise and pollution.

Officers’ Comment

The matters above have been addressed in Council’s report under Section 4.15(1)(b).

Suitability of the site for the development: overdevelopment of the site

1. The flight schedule proposed requires military precision. At full capacity there is only time for 3 x 14 circuits to be flown per 20 minute break in the take-off and landing schedule, or 42 circuits per day. However the requirement is much greater and it is not clear how these circuits will be accommodated. The intention is to use 5 other airfields that are each about one hour flying time away. Is the intention for the students to be based there? As these airfields are outside of the 25Nm radius, how will the students get there? Would this quantity of flight circuit training be permitted at these nominated airfields? Three of these airfields are beyond Brown Mountain and susceptible to winter weather.
2. The scale of the development is excessive/the proposal is an overdevelopment of the site.
3. The scale of the development is excessive and could not have been reasonably anticipated.
4. Council did not require noise mitigation in newly constructed homes for an aircraft operation of this intensity.
5. Some will argue the landowners should have known. Did the landowners receive notification informing them of the zone changes in 2010? Were they approached regarding the Landing Area Transitional Slopes across their land? Even if known, would a reasonable person ever imagine the intensity of this proposal? Again, any reasonable person would look to the nearby regional airport for comparison. It would be reasonable for landowners in the community to look to Merimbula Airport when examining what is an appropriate intensity of activity. One would think an airstrip would be smaller in scale than the Regional Airport. Merimbula Regional Airport has projected flight movements of 3,800 in 2033. This proposal would reach that limit in less than 10 days!
6. For that matter, if they looked to the entire region one would never anticipate the scale of this proposal. SAFCA proposes 200 flights or 400 flight movements a day using 40 aircraft. Compare this to the other flight schools SAFCA mentions being Adaminaby (2 planes), Moruya (7 planes total but only 4 two-seater and 1 flight instructor) and Merimbula which predicts a total of only 3,800 movements per year (approx. 5 flights per day) in 2033. Even Canberra Airport has a total of only 65,000 movements all up (89 flights/day) and 15,000 small plane movements (or 20 flights/day). Would you expect a grassy single runway airstrip in rural Australia to have 10x more flights than Canberra a day or 40x more than the Regional Airport?
7. The small airstrip should be preserved for future generations.
8. The site is not adequately serviced with reticulated water supply, and therefore there will be an inordinate reliance upon rain water and water cartage.
9. The proposal will be similar in scale to a small town.

Officers' Comment

The matters above have been addressed in various sections of Council's assessment report.

Biodiversity Impacts

1. The thoroughness of the flora and fauna survey assessment is doubtful given the small amount of time spent on site.

2. The site experiences flocks of birds which will be a hazard to the aircraft (risk of bird strike) given the proposed intensity of flight operations.
3. The proposal will scare away the birdlife in the Frogs Hollow area.
4. The proposal will scare away the birdlife in the Merimbula area.
5. The quantity and variety of wildlife in the Frogs Hollow area would be severely diminished due to the noise and activity.
6. The quantity and variety of wildlife in the Merimbula area would be severely diminished due to the noise and activity.
7. Consideration of the likely impacts upon biodiversity has only been provided in relation to Frogs Hollow airport. No consideration has been given to the impacts at other airports proposed to be used or in the Designated Training Area.
8. The Climate Change Refugia for Terrestrial Biodiversity Final Report published by National Climate Change Adaptation Research Facility, CSIRO and James Cook University, indicates that the South East of NSW has the most potential to resist climate change and hence needs the greatest protection.
9. The South Coast Regional Conservation Plan (RCP) guides natural heritage conservation on lands on the South Coast excluding National Parks and State Forests. It provides direction to local government on planning and development decision-making so that the biodiversity of the South Coast can be maintained or improved. It seeks to align restoration activities on the South Coast and to ensure that such activities complement future development that will be guided by the State Government's South Coast Planning Strategy. The entire region in which this proposal is positioned is within this SCRCP map and its operations would threaten many zones of protection for one reason or another, be it conservation of biodiversity, water or forests and flora. The operations of this company would inevitably cause considerable detriment and breach the conditions of the SCRCP due to the nature of the pollution and would be required to cease, with possible fines or worse applicable.
10. The proposal will result in creeping habitat destruction, as airports generally become ecological wastelands.
11. Trees should not be permitted to be cleared for the sake of consistency with the strict requirements put upon residents in the Newlyn's Estate.
12. A mob of 50 eastern grey kangaroos daily move through the area so there would have to be extremely good fencing around the strip.

Officers' Comment

Council has provided comment in relation to the Biodiversity Assessment Reports supporting the application in this report. The submitted biodiversity reports were reviewed by NSW Office of Environment and Heritage and Council has considered the advice provided in the referrals.

The applicant has provided a response in relation to the potential for bird strikes at the site:

The Biodiversity Addendum report, prepared by NGH Environmental, considers the potential for impacts to avifauna generally and specifically the potential for bird strike associated with the proposed development. The habitat values and disturbance regimes occurring at the site indicate the site would not be a high risk for ongoing bird strike.

Research found the occurrence of bird strike to be reasonably low in comparison to the

millions of flight hours that occur annually in Australia. A study was conducted by the Australian Transport Safety Bureau (ATSB) that found almost 1,400 bird strike incidents were reported in the 10 years to 2001. For general aviation (which is 'other' aviation not involving scheduled passenger transport), the rate of bird strike from 2006-2015 was less than 0.53 incidents per 10,000 movements. Based on these rates, less than 1 bird strike incident per year would be likely to occur in association with the proposed flight school.

The Biodiversity Assessment found that one threatened species had the potential to occur at the site (the Grey Falcon) based on records for the area. The Grey Falcon was not observed during either of the site surveys that were conducted. The Biodiversity Assessment considered the potential for impacts to all native avifauna that had been recorded within 10km of the subject site, which is the standard approach required by OEH. The Wedge Tailed Eagle was not a species that was identified in these background searches and was not raised by OEH as a species of concern.

As an added precaution, a collision risk mitigation strategy has been recommended in the Biodiversity Assessment Addendum report for implementation. This strategy would be consistent with the Airport Practice Note 6 'Managing Bird Strike Risk' (Australian Airports Association, 2015) and include a range of construction and operation phase measures to protect local bird populations, particularly threatened species, and protect the students, pilot and training aircraft.

Council has further addressed the risk of bird strike as an impact upon biodiversity in the assessment report.

Council has detailed in its assessment report that boundary treatments have not been detailed in the application.

Social and Economic Impacts

1. Bega Cheese has been a vital industry and employer in the region for well over 100 years. The company is known internationally for a food product produced in a fertile and clean agricultural region. To risk this reputation would be an economic disaster for food production in the area. We are hearing more often in the media, talk around food security, increased pressure on farming land from developers, as well as consumers concerned with the origins of their food. The town of Bega is unique in that it shares a name with an internationally recognised brand, while the region remains relatively untouched by urban and incompatible development that encroaches on large swathes of productive agricultural land elsewhere. Allowing this development to progress would be short-sighted when trends surrounding food origins, food security, and growing conditions are taken into account. Commercial farmers, small scale producers and organic growers have the potential to capitalise on the phenomenal work that Bega Cheese has done promoting this significantly important agricultural region globally.
2. The proposal will undermine the region's reputation for rich biodiversity and natural areas, which is a key tourism drawcard, and will have negative economic impacts.
3. The density of flight operations will negatively impact the National Parks and wilderness areas experience.
4. Intensification of the airfield will reduce the long-term capability of the land between Bega and Wolumla for housing densification.
5. The proposal will undermine the region's reputation for natural amenity and for sustainable and environmentally friendly development. The DCP notes that the quality of the scenic

landscape is a significant factor in the attraction of the area for tourism and in the lifestyle quality for residents. Constant aircraft movements would detract from this amenity.

Contrary to the assertion that it will improve tourism, the lack of peace and quiet, sense of eco-friendliness and visual impact of the planes will be a disadvantage to tourism in the area.

6. The proposal will undermine the region's reputation for sustainable agriculture, and will have negative economic impacts.
7. The proposal will damage the tourism industry.
8. The health impacts would have on-flow effects to the medical and hospital system.
9. The proposal to refrain from flight operations from 10 December to 10 February in order to minimise the impact upon the peak tourism visitation period would be ineffective. Tourism to the Bega Valley is a year-round activity which has grown in intensity year upon year.
10. The applicant claims that the major unquantified negative impact of the development would be on the local tourism industry. The document states that tourism to the local Shire is in the vicinity of \$30million. In the report it states that if all the tourism disappeared overnight because of the introduction of the flight school, then the value of the flight school 'industry' would be twice that of the tourism value we had just lost. It makes no sense and is without substantive evidence.
11. We are concerned that the loss of facility that will occur with this development will directly impact on the ongoing staffing issues of the South East Regional Hospital.

We are current owners of a rural block outside Candelo and have plans to build a house, and to possibly move permanently to the Bega Shire when our youngest has finished high school. We are both experienced, Australian trained specialist doctors, currently working in a similar sized regional centre in Victoria. Over 25 years we have seen many towns attract and lose medical staff for various reasons. We receive ten job offers each, per week from similar towns to Bega, to staff their hospitals. What would attract us to work and live in the Bega valley over these other places? The environmental amenity is 100% of the reason at this current time.

Doctors who are prepared to work in arduous on-call arrangements at rural hospitals like to have other benefits to enjoy when they are not working. The advertisement that is currently on SEEK.com for a staff geriatrician says "Bega is the urban centre of the Sapphire coast and home to many historical buildings, but it's also surrounded by lush dairying country and dotted with lagoons that are rich in bird life. Bega is a Coastal town surrounded by national parks." This is precisely what we were hoping for, bird life, national parks, proximity to the coast and rural peace and quiet.

Bega is not the only place that can offer this, but it currently has this in abundance. A noisy sky, as has developed over the last few years at Port Campbell with the tourist helicopters, invades bush walks in the National Park and enjoyment of bird life, and reduces the sightings of the raptors.

Not only do the medical staff like to enjoy the natural environment as a reward for challenging, very time consuming jobs, but so do the nurses, allied health staff, teachers and other professionals who may consider Bega as a destination to work and bring up a family. We have noticed over the years that doctors will not stay for very long in a country town unless there are a stable staff of nursing colleagues and good local schools with excellent teachers. Where is it that many of these staff tend to live? They purchase small rural holdings and lifestyle blocks close to the town, such as at Frogs Hollow, Candelo, and Wolumla.

This is not something that South East Regional Hospital would want in the current struggle to replace an expensive locum staff with permanent, stable residents. Health services and education are essential industries that are always worth prioritizing, as you will not get the growth of other industries and services if people perceive these services are lacking. This is from our own experiences on many committees for the specialist colleges over the years.

12. The Socio Economic Impact Assessment has not considered the impacts upon the developing cruise ship tourist industry at Eden Harbour. People will not want to visit Eden only to be inconvenienced by the noise of light aircraft every day.
13. Repeated and heavy use of ambiguous language through the entire Socio Economic Impact Assessment report points to many unfounded assumptions that are not based in fact, robust research or sound scientific method.
14. The assumptions of the Socio Economic Impact Assessment are substantially reliant upon the noise report, which is of questionable reliability.
15. Throughout the development and in the research of the Social Economic Impact Assessment the applicant has failed to seek public input on matters relevant to the development. Public involvement requires:
 - Notification (which was carried out by Council under their statutory obligations)
 - Consultation (a two-way flow of information and opinion exchange) which did not occur at all
 - Participation (involving interest groups) which did not occur.

At no stage was there consultation between the applicant and the affected community, despite attempts from numerous individuals and community groups to engage with the applicant. The applicant was contacted directly and via public media, but did not respond to invitations to participate in community consultation.

The sample size interviewed for the Socio Economic Impact Assessment is statistically insignificant and should be dismissed.

15. The proposal to allow aircraft to fly close to the coast between Tathra and Bermagui fails to recognise that this part of the coast represents some of NSW's most pristine yet accessible beaches and estuaries. The attraction to this area is for the unique experience of isolated natural environments where peaceful enjoyment of nature is the focus.
16. The Socio Economic Impact Assessment does not examine the potential for outward migration that will occur as a result of amenity impacts.
17. The Socio Economic Impact Assessment does not consider the negative impact of the flight school upon amenity migration, which is essentially the "sea change" or "green change" phenomenon which is a significant drawcard to the area which brings population increase, associated economic growth, and skill base increase. Such migration is the foundation of long term sustainable economic growth providing significant economic benefit to the community.
18. My father was one of the eight Bega Valley residents surveyed as part of the social impact assessment, along with two of our neighbours. I would like it noted that there were a total of three questions asked in addition to the basic identifying questions. For a proposal of this magnitude, this would seem to be completely inadequate and shows a complete lack of regard for the views of the wider Bega Valley community.
19. Has Merimbula airport been considered for this proposal?

20. Why has the mental health of close residents not been addressed?
21. The forecast average yearly wage is \$40k. Where are all those higher than average jobs? .
22. The report does not detail how many of the 201 FTE jobs will be associated with the construction phase and how many with the operations phase.
23. Experience with casinos and cruise ships have shown that visitors who come from other countries do not spend money locally.
24. The entire Bega Valley is within the Australia Coastal Wilderness Plan as part of the National Experiences Development Strategy which seeks to preserve the unspoilt nature of the area. SAFCA argues that other industrial businesses exist within the Wilderness Plan region. True, but these are confined to within property boundaries and they must be sympathetic to the aesthetics of the valley and not alter the character of the vistas. SAFCA states the branding of the Plan is not viable. However, National Parks (Victoria) submitted they rely on the 'wilderness branding'. National Parks (NSW) expressed concerns the flights would 'detract from the visitor experience'. Sapphire Coast Tourism expressed concerns for the unspoiled image of the South Coast.

The 'experiential' tourism market is about an authentic experience in close communication with the nature and culture of an area that cannot be found elsewhere. SAFCA's claim that they cater to this market is false. Certainly, the tourists on the ground do not want irritating aircraft noise piercing their quiet rural retreat. The students will live and study next to a runway. When flying they will be concentrating on learning to fly as they sit in a noisy airplane with ear protection on. That can be done anywhere. They are not sightseeing. There is little evidence to suggest they will have family visit or travel once they complete the course.

As for the Chinese tourist market, the China Tourism Strategy NSW states: "The most compelling proposition for Australian destination promotion in China is 'City plus Nature' or 'Accessible Nature' and the broader element of 'naturalness'".

Thus, on the Local, State and Federal level the most important feature we, the Bega Valley, can offer toward boosting the tourism market is its unspoilt natural beauty. .

25. SAFCA intends to attract the majority of investment from Chinese investors. Thus the bulk of the 'tourism dollar' will simply return overseas. .
26. Anecdotal evidence from residents near other flight schools, most bought out by Chinese airlines, reveal little community interaction and negligible increase in tourism dollars simply because the students are focused on their studies.
27. The Socio-Economic Report is dishonest and misleading. For example:
 1. The report assumes the figure of 200 jobs even though this is not guaranteed
 2. It claims SAFCA would be one of the largest employers in the area when in actuality 200 jobs would equate to 1.6% of the work force
 3. Sapphire Coast Tourism gave a figure of 5,000 for tourism jobs comprising 40% of total jobs in the Bega Valley and the Business Forum was optimistic for the area's future growth.
 4. The Report, on the other hand, claims a 'ten year downward trend' in tourism jobs based on one data set which reveals a decrease in jobs of 38 over 10 years and overall tourism jobs just under 3000.

5. The Report then discounts that same data set as unreliable and introduces other data estimating tourism jobs to be 1000. They conveniently use this lower number to calculate the 20% growth from SAFCA ($200/1000=20\%$ v $200/3000=6\%$ and $200/5000=4\%$) which is a dishonest manipulation of the data.
28. In the Cost Benefit Analysis, the Report uses a weekly wage of \$770 (community teaching) for all 200 positions, despite the majority on offer being for maintenance, cleaners, cooks and gift shop workers, to arise at \$8million job benefit (JB) + construction job benefit (CJB) of \$0.7mil less a casual \$1.4million for the cost of the 3 crashes (CoC) expected per year less externality (E) gives \$7mil. Conveniently, they use the lesser paying category of general tourism jobs paying \$575/wk to calculate the overall tourism \$ wage value AND the lower number of jobs in their analysis as follows:

$200 \times 770 \times 52 = \$8M + CBJ - CoC - E = \$7M$ and $1000 \times 575 \times 52 = \$29.9M$ for a 23% increase.

This is inaccurate and misleading.

A more accurate analysis reveals:

$200 \times 575 \times 52 = \$5.9M + CBJ - CoC - E = \$4.2M$ and $3000 \times 575 \times 52 = \$89.7M$ for a 4.6% increase

OR using Tourism NSW figure of 5000 tourism jobs:

$200 \times 575 \times 52 = \$5.9M + CBJ - CoC - E = \$4.2M$ and $5000 \times 575 \times 52 = \$149.5M$ for a 2.8% increase ONLY

It is very likely, therefore, that the tourism jobs lost, as they admit will occur, will actually be greater than the ambitious top of 200.

29. The Socio-Economic Impact Assessment states "There are a number of nearby airfields with low levels of usage, including Mallacoota, Cooma Snowy Mountains, and Bombala. Additional usage of these airfields will generate additional income through landing fees, and so reduce the cost to the community of maintenance of the airfields."

Any additional income through landing fees would be offset by greatly increased maintenance costs to the community. No cost benefit has been done to support such claims.

No community consultation or consultation with local councils has been carried out to establish any financial agreements; this "positive impact" is hearsay.

28. The Report completely ignores the intangible and 'priceless' value of the rural amenity. People would not be building million dollar homes in the area if the amenity was of no value. The Cost-Benefit Ratio they provide is manipulated and should be ignored.

Per SAFCA's Socio-Economic Impact Assessment there will be a 'significant intensification of the existing use'. Just looking at their Scoping Table 2.1, one can clearly see the number of potential adverse impacts outnumber the potential positive impacts and any positive is neutralised by a negative.

29. The Socio-Economic Impact Assessment states "There are likely to be particular areas in the wider locality, including tourist destinations such as beaches and wilderness areas like national parks, where overflying by large numbers of aircraft would be expected to have significant adverse impacts on character and amenity".

The Wilderness Act 1987 No 196 Part 3, Division 1, Section 9 states – “A wilderness area shall be managed so as to permit opportunities for solitude and appropriate self-reliant recreation.” It is agreed that “overflying by large numbers of aircraft would be expected to have significant adverse impacts on character and amenity” and all such overflying should be prohibited to preserve and permit opportunities for solitude and appropriate self-reliant recreation as per the Wilderness Act.

More specifically, Nadgee Nature Reserve Plan Of Management, NSW National Parks and Wildlife Service June 2003 states: “The scenery of the reserve is outstanding and its naturalness and sense of isolation contribute to making the reserve a rare and special area. It contains the only declared coastal wilderness area in NSW and the most isolated beaches and undisturbed estuaries in NSW. The wilderness area will be managed to protect its natural heritage and value for solitude and self-reliant recreation.”

The coastal wilderness walks to the south of Eden have enormous potential for eco-tourism development that would be economically and environmentally sustainable, generate significant direct employment and considerable economic runoff. The 2-3 day 30km Light to Light walk and 55km 4-5 day Nadgee/Howe walk are among the finest coastal wilderness walks in the world. They are comparable to the famous Overland Track in Tasmania that attracts almost 22,000 bushwalkers from across the world annually. Similar well-managed walking trails are the mainstay of both Tasmania and New Zealand’s booming tourism industries. In a world where a true wilderness experience is becoming increasingly rare there is a remarkable opportunity to generate employment, extract significant and real economic value whilst conserving a greatly undervalued coastal wilderness.

Given the areas incredibly rich indigenous history and the potential to link to the current development of the Bundian Way, such development would especially suite employment for indigenous community members. Relative to the outlays, the returns would be a significant boost to the area. As Merimbula airport develops the potential for genuine international tourism becomes real, this is the perfect draw card. Essential to such development is protection natural heritage and value for solitude and self-reliant recreation. “Significant adverse impacts on character and amenity” from large numbers of overflying aircraft are contrary to this objective.

30. Section 8.3.1 of the Socio-Economic Impact Assessment states:

“Manufacturing is a significant employer in Bega Valley LGA, at levels well above those for NSW, so it is evident that the wilderness coast branding is compatible with a range of uses and there is no reason to believe it will not be compatible with the proposed flying school as a specific land use.”

This statement displays a misunderstanding of wilderness values and the attraction of National Parks and wilderness areas to tourist and locals alike. Solitude and enjoyment of the wilderness coast is not impacted by land based commercial activities in the same way that overhead aircraft impact the character of the pristine natural landscapes in particular relation to noise and the visibility of aircraft.

31. The need for staff to be brought in from other areas will increase demand for rental housing (which is already very limited in the Bega Valley), and will drive rental prices up in a devastating way for local residents.
32. As 200 new people move to the area to fill the jobs, it will further impact upon housing affordability.
33. There is zero benefit for the town of Mallacoota from this proposal.

34. The Designated Training Area now also includes the Bega Valley's important tourist areas. The argument that there would be no impact on the tourist industry due to Frogs Hollow not being located on the coast is negated by the Designated Training Area including these coastal areas.
35. The amenity (and reliant tourism economy) of Moruya would be seriously impacted by the increased use of the Moruya Airport for training purposes.
36. The development will have a negative impact upon our community as people become angry and frustrated about the proposal.
37. The East Gippsland Shire and businesses in the area are promoting the near pristine coast and hinterland, including two designated Wilderness zones, one joining the Nadgee Nature Reserve at the NSW border, and the Croajingalong National Park, a World Biosphere Reserve for Tourism, and numbers are increasing significantly. This proposal would have a negative effect.
38. The proposal would jeopardise the tourism economy of Mallacoota, which relies upon its reputation of being situated within unspoilt wilderness, which the town is wholly reliant upon. Any proposal to mitigate against this noise impact on people enjoying their Mallacoota holiday is nonsensical, as the planes will be heard coming in to land by the residents and visitors of Mallacoota regardless of which flight path they take.
39. The applicant has indicated that they propose, in the future, to apply to RAA to upgrade to the full Recreational Pilots Licence course. This course will allow them to operate aircraft up to the 2000kg weight class. SAFCA's advertising intimates the aircraft will be changed after approval to either the Diamond DA-40 or DA-42.
40. Why hasn't the applicant clearly provided the data sets, logic or precedents it is using, for the community to examine?
41. The proposal would negatively impact future planning and development in the area, and lower the socio-economic demographics of the region.
42. The proposal does not intend to "develop" the Frogs Hollow for the benefit of Australian citizens. Instead they will push the locals out from using the airstrip recreationally to benefit China.
43. The report has attempted to quantify the potential economic impacts. The actual impact is, of course, impossible to quantify at this point in time.
44. The report considers the numbers of people that the aircraft will overfly, but it does not consider the 'type' of people, which are peace-seeking tourists and naturists.
45. The Socio-Economic Impact Assessment provides mitigation strategies that have not been adopted in the report and are in direct conflict with the details provided in the SOEE and SOEE Addendum; they are suggestions only. They are not enforceable or measurable.
46. Section 1.7 of the Socio Economic Impact Assessment states "the major potential impact of the proposal on the existing tourist industry and calculations support mitigations to minimise impact of the proposal on existing tourist industries so as to maximise total benefit to the community".

This is tantamount to saying that the socio-economic balance as regards existing tourist industries is dependent upon the implementation and success of the recommended mitigation measures. We submit that this is entirely unsatisfactory. A clear economic case should be

demonstrable and it should not require propping up by reference to measures that in the main are incapable of enforcement by Council; are mere recommendations; are subject to choice by the operator; may be unachievable or unworkable; may be ineffective in achieving the stated outcome; depend upon cooperation and goodwill by other parties; are vague and uncertain; and may never be implemented”.

47. There are no possible strategies that can mitigate against the loss of amenity for those in the immediate vicinity.
48. I believe the applicant has exaggerated the forecast benefits of their project while downplaying the negative impacts.
49. Any claims in relation to employment in particular should be treated as highly aspirational, and not in any way reliable. Should they not eventuate, there is no remedy available to the community.
50. While it is a certainty that the flight school will impact negatively upon the community in the form of noise, it is not as certain that the economic impacts will be felt by the community. We have sufficient evidence to now know that the “trickle-down effect” is often illusory.
51. It is dishonest to attempt to characterise the nature of the proposal as a tourism venture.

A flight school aimed at international students is not tourism, it's international education.

“SAFCA claims it is an ‘edu-tourism opportunity’ and thus aligns with the National Strategy for International Education 2025. Apparently the applicant did not read the definition of edu-tourism that they cited. Edu-tourism refers to a job matching program that seeks to help students find employment while addressing skills shortages during the peak summer tourist season.

The Strategy emphasizes the employability of students upon their return home as a measure of quality. The certificate offered by SAFCA does not hold a CRICOS code as it is not recognised internationally per CASA and would therefore be utterly useless in China.”

52. I don't accept the reasoning behind the statements in the Socio Economic Impact Assessment.
53. The summary of the Socio Economic Impact Assessment in the SOEE Addendum fails to address the main findings of the negative impacts.
54. Any proposed development should consider the need to preserve the amenity and unique features that attract people to this region. The only benefits that the developer is claiming will flow from the flying school are economic. Claims that are not supported in the amended DA by any evidence or analysis of local capacity or training needed to support a range of jobs, most of which require highly specialised qualifications.
55. The Socio Economic Impact Assessment report fails to identify any real social or environmental benefit for the community. “we live in a community not an economy” (#568)
56. The Socio Economic Impact Assessment document draws vague conclusions that lack detail, such as:
 - The proposal will result in “a positive impact on tourism” but does not detail what this means for the people who regularly visit the area
 - The region will be exposed to a “very large Chinese market” without consideration of the local economy's capacity to meet this perceived demand

- The proposal “will result in diversification of tourism industries in the Bega Valley” without considering what those industries may be or consultation with tourism operators, or what the opportunity cost may be to future development that may be more in keeping with the Bega Valley Shire’s LEP.

57. The document doesn’t analyse the negative effects on existing tourism.
58. The proposal would impact Bermagui with constant planes flying overhead, while not providing any benefit to our community, given the distance by road to Frogs Hollow (75kms).
59. It is not clear what underpins the claim of the proposal resulting in a net annual benefit of \$6.8-7million per year.
60. The document does not discuss compensation or mediation procedures for negatively impacted residents, tourist operators, dairy farmers or organic growers.
61. The people of the Bega Valley are against the proposal and therefore will not welcome the students or make them want to return to visit with their families.
62. We remain unconvinced that the economic benefits outweigh the social costs to our community (including worries and problems for residents).

“The proposed flight school is diametrically opposed to all the valley offers to its community”.

“No amount of money can pay for the permanent loss of amenity all residents will experience”.

63. “How can the income from the development offset the loss to all accommodation providers and eateries when all students and a number of staff, will be accommodated 24/7 on-site at Frogs Hollow, with all meals provided. Once these aircraft hit the air, the regular tourists from across Australia will no longer come to enjoy the serenity and beauty of the Bega Valley”. I believe that the proposed 23% loss of tourism is an extremely conservative estimate.
64. 44% of Chinese visitors in Tourism’s 2014 survey cited Australia’s unspoilt natural environment as the single best feature of Australia. The Wilderness Coast branding is something for the future as well as the present. “This development kills the future”.
65. The claim that friends and relatives of the students will come to visit the Bega Valley may well be true, however it does not mean that the jobs related to that tourism would be held by Australians as they would need to speak Chinese, and there are not many local people with that skill.
66. The claim that the development will provide full time employment for an estimated 200 people is not backed up by any evidence. Given the Australian Government Skills Shortage List and the specialist requirements of the required staff (ie. Bi-lingual Mandarin Chinese/English speaking professionals with Aviation qualifications), it is highly improbable that local people could fulfil the highly specialised job requirements.

Given the international pilot shortage, it is also highly unlikely that instructors would be available locally or even within Australia.

Catering would need to be put in the hands of Chinese Nationals given the immense differences in cultural differences in food preferences.

Training is not locally available to develop these skills should trainees be taken on.

Jobs for locals will be limited to low paying ancillary staff that does not require Chinese language.

The claims of 200 new jobs is not credible, and should be supported with a business case to be believable given the ratio of 1 staff to each 1.8 students.

67. There will be minimal economic benefit to our region/to locals.
68. The development will be self-sufficient and therefore there will be no broader economic benefits to the local community. The volume and type of food required by the students and staff will not be locally available. Bottled water will be brought in from other regions.
69. The benefits will only be experienced by the Company directors, shareholders and investors, to the detriment of the wider Bega Valley.
70. The community have expressed their displeasure at this proposal and the community should be heard.
71. The proposal will likely result in the displacement of the Frogs Hollow Flyers and Bega District Model Club.
72. The proposal will further detract from the desire of young dairy farmers to join the industry.

Officers' Comment

Where relevant to the Section 4.15 Matters for consideration - general, the matters above in relation to socio-economic impacts have been addressed in Council's report under Section 4.15(1)(a)(iii) and 4.15(1)(b) and 4.15(1)(c). Further comment regarding matters not addressed specifically in the report is provided below:

- Concerns pertaining to the reputation of the Bega Valley as a pristine agricultural region are considered to be valid.
- The matters raised in relation to impacts upon coastal and wilderness area are considered to be valid.
- Comments made in relation to the tourism period extending outside of the traditional summer holiday periods are considered to be valid and reflect attempts by the tourism industry to expand tourism into non-traditional periods.
- Comments made in relation to potential outward-migration as a result of the proposal are considered to have validity.
- Comments made in relation to inward-migration slowing are considered to have validity. Inward migration is only discussed as a positive impact due to labour moving into the area. A reduction in inward migration is possible due to changes in amenity and character.
- Concerns that revenues would be directed overseas is an assumption and a private matter that is not a matter for consideration under Section 4.15 of the EP&A Act.
- Although 200 jobs may only represent 1.6% of the workforce, an employer employing 200 people would be one of the region's largest employers.
- Council's assessment of the SIA also identifies the intangible value of rural amenity that cannot be valued as an important asset with real value. The CBA process is not capable of including anything that cannot be valued.
- Council is not able to comment on the validity or value of the Recreational Pilots Certificate in China. This is not a matter for consideration under Section 4.15 of the EP&A Act.

Socio Economic Impact: financial impacts on private entities

1. The proposed development would have a drastic negative impact on our activities and location at Four Winds Concerts Inc:

Four Winds is an internationally acclaimed arts organisation based in pristine bushland in the Bega Valley Shire. Our main performance space is an outdoor amphitheatre world renowned for its exceptional setting.

Our purpose is to use music as a powerful force to fire the imagination, foster creative vision and talent, to enrich lives and encourage active participation. We know that through achieving our purpose we are contributing to building community cohesion and resilience.

We are a presenter of music performances and events. Our activities take place out-doors and 'nature' is a core tenant of what makes our offer unique and is a pillar of our internationally regarded brand.

We work in harmony with the environment; we are not permitted to disturb our neighbours and we demand a level playing field for any other noise generating activities in our area. Noise constraints which we happily comply with already impact our ability to grow our business, but we live with that because we understand and respect the environment in which we work. Noise generated in the area diminishes and devalues our business.

We contribute millions of tourism dollars into the Shire. Over the 2018 Easter Weekend alone the incremental spend of our audience was in excess of \$1million direct into the local economy. Encouraged by the Bermagui Chamber of Commerce and Destination NSW, Four Winds has gradually expanded the length of the Easter Festival in order to bring tourists earlier and keep them here longer. We know that our audiences and artists come here as opposed to other locations because of the opportunity to perform and discover fabulous music and musicians in an exceptional site, set in pristine nature.

Throughout the year local, national and international artists work at Four Winds in residence, making recordings, developing new work and performing – utilizing both our indoor and outdoor spaces, inspired by nature. We do not engage 'fly-in-fly-out' artists and ask all artists to play an active role in engaging with our community whilst they are with us.

The Windsong Pavilion is sought after as a recording venue, not only because of the quality of the venue but because the ambient noise level is so low.

There is no doubt in our minds that the quality of our work and the experience of the thousands of visitors to Four Winds would be at best compromised and at worst ruined by any level of aircraft noise. There is no doubt that the training school and its proposed flight paths would disrupt performances and any outdoor activities and greatly compromise our business.

Noise pollution at the level indicated would have a massive negative impact on our ability to deliver our promise; we lose our unique selling point because we cease to be an exceptional location, which our audiences come here for. If they stop coming, the town loses millions of dollars in spend and creative and cultural activities for our community and young people get vastly reduced – if they continue at all.

The presence of aircraft noise would also rule out recordings or broadcasts from the Festival which are a major way in which we reach audiences who otherwise cannot attend. The Windsong Pavilion would almost certainly lose its reputation of being an ideal recording venue overnight if the training school was to go ahead.

Aircraft noise would ruin our place, our events and activities and could potentially close us down through loss of audiences; our outdoor events are where we generate funds to support

our whole program. Our major selling point – the quality that makes Four Winds different from any other music festival in Australia – is our exquisite site.

A Flying School would be a major noise and environmental pollutant and is a jarring contrast to everything that has been developed at Four Winds which is sympathetic to the environment, works in harmony with it and brings great joy and tangible benefit to people's lives.

We market the untouched nature of our surrounds. All the advances we have made in recent years to increase the cultural tourism market would be jeopardised by the proposed Flight School, both because of noise and the polluting effect of toxic aircraft fuel emissions on our whole pristine environment. There is little comfort to be had from the applicant's consultant's report that states that there could be a 'marked increase in airborne chemical particulates'.

Even if flight times were restricted, it's not possible to be 'half pristine' – it's either pristine or it's not.

As part of the consideration of 'net community benefit' it is essential that the potential losses are also taken into consideration – losses caused by the considerable negative impact that the flying school would have on Four Winds activities and the diminishing of the benefits we contribute to this community.

The community benefits delivered by Four Winds cannot all be easily quantified. There are tourism benefits and incremental spend from our audiences that directly assist the full range of local businesses. But the benefits are far greater than this when you add in the extent of the impact on our community, including our young people, through their exposure to our high quality 'music-in-nature' experiences and the engagement with our Indigenous community.

The Bega Valley is changing. Primary industries such as logging, fishing, farming have been in decline for many years. These industries are being replaced by creative industries of which Four Winds has been a leading light for many years, along with the Cobargo Folk Festival (held outdoors) and Sculpture Bermagui (held on the main headland in Bermagui as well as the Community Centre). These industries are at the heart of cultural and eco-tourism, that is the fastest growing industry in our region. The proposed Flight School is completely incompatible with these outdoor creative endeavours on the Sapphire Coast.

2. I find the complete disregard for agriculture in the Socio-Economic Impact Assessment to be unsatisfactory and insulting. No methodology, data or information has been provided as to how the assessment has been conducted that resulted in the following statement:

"The Socio-Economic Impact Assessment found there to be no evidence of impact on agriculture from operation of the proposed flight school in the immediate locality."

Instead, there are a series of quotes from one paper that support their argument, for example:

- Thresholds for discomfort for cattle were noted at 90-100 dB...
- Noise developed during transport was shown to increase the heart rates of free-ranging cattle while cattle habituated to the sounds of cars and trucks will readily graze along highways and seldom react. Sheep appear to adapt to increased noise levels...
- Scientific sources indicate that noise in farm animal environments is a detrimental factor to animal health. Especially longer lasting sounds can affect the health of animals.
- Noise as high as 80 dB had no negative effect on dairy cows...

- A majority of the studies reviewed suggests that there is little or no effect of aircraft noise on cattle. Adverse effects of low-altitude flights have been noted in some studies but have not been uniformly reproduced in other studies.

From the same paper I was able to find quotes to support my argument that this development will be detrimental to animal health in the region, such as:

- Dairy breeds are more sensitive to noise than beef breeds.
- Farm owners concluded that aircraft overflights can affect feed intake, growth, or production rates in domestic animals
- The exposure of farm animals to noise has been identified as a potential stressor...
- Scientific sources indicate that noise in farm animal environments is a detrimental factor to animal health. Especially longer lasting sounds can affect the health of animals. Noise directly affects reproductive physiology or energy consumption
- Neural and neuroendocrine systems are possible mechanisms for the effects of noise on feed efficiency. Sound emission at the frequency of 2 kHz in noise of 75 dB, 85 dB, and 95 dB was found to contribute to appetite reduction of animals
- Algers and Jensen (1991) found reduced milk yield in dairy cows exposed to 1.4 h of 80-100 dB of noise twice daily.
- Somatic cell counts increased with an increasing intensity of vibration but not with acoustic noise.

Given this, I believe it is imperative that the impacts on agriculture and in particular dairy farming need to be addressed with an extensive impact assessment and independent review. The developer has simply pulled some words from a document that I had originally submitted to support my first objection; it seems they haven't even bothered to look for any further supporting evidence in the literature. This is not acceptable given that they are proposing to build a multi-million dollar business. It is up to them to prove through due scientific diligence that their proposal will not negatively affect my existing agricultural business or the many others that typify this region.

Given the very high economic value of the agricultural industry to the Bega Valley region, a considerable body of evidence should be required to prove that the aircraft would have no impacts upon this important industry.

3. Our concerns around milk quality and milk production are not unfounded and come from first-hand experience. Our farm is currently ranked by Dairy Australia in the top 100 farms in Australia for milk quality in 2018 (2). We know through years of hard work to obtain this award that stress on dairy cattle is a huge factor in milk quality and milk production. Our aim with our herd is always to provide low-stress environments for our cattle, both on farm and in the diary, particularly as they have to be handled twice daily for milking. Continual aircraft noise, or any low-flying aircraft, or unexpected noise would be an outside influence that we would have no control over and see this as having the potential to have a huge impact on our business.
4. The Statement of Environmental Effects claims that there is no intensive plant agriculture or commercial cultivation of produce:

“Intensive agricultural activity

A site inspection and a review of aerial imagery in the area did not identify any intensive plant agriculture operations in the surrounding area. Several properties in the locality appeared to be used for livestock grazing and production (beef cattle). Most of the properties within 2km of the airfield (and not associated with the airfield) are large rural residential lots mainly ranging from 5 to 15 hectares in size. There is no visual evidence from public roads and from aerial imagery that any commercial cultivation of produce has been established.”

We reject and challenge this statement outright. Our dairy farm is a commercial farming operation growing high quality pastures to produce milk for Bega Cheese, 365 days of the year. Our dairy business alone injects over \$1,000,000 annually into the local economy, without considering any other dairy farms that will be impacted by this development. Dairy farming is intensive agriculture, both pasture-based and cattle-based, and as the mainstay of the agricultural industry in the valley, should be considered within the scope of potential impacts of this proposal. The applicant does not recognise that there are many dairy farms just out of the arbitrary ‘2km zone’ they have placed around the airstrip, not to mention an entire region that thrives on intensive commercial agriculture. Given that the applicant now admits to a ‘Designated Training Area’ that covers the entire region, they should be looking at how the aircraft will impact agriculture on that scale, not simply the land use within 2kms of the circuit training area.

5. Directly to the north of the Frogs Hollow site (2.56km from the airfield) is the dairy “Kanoona”, the property of A&M Shipton. The Shipton family have been diligently working to improve their herd and consequently the quality of the milk produced by that herd. This diligence has paid off with their venture being recognised as one of the top one hundred producers in NSW. Recently they won a 2018 milk quality award. The proposal will jeopardise this venture.

Dairy farming is intensive agriculture, both pasture-based and cattle-based, and as the mainstay of the agricultural industry in the valley, should be considered within the scope of potential impacts of this proposal.

6. I am concerned about the financial impacts upon me and my family (as residents, as tourism industry operators).
7. The proposal will negatively impact land values in surrounding areas due to noise and safety impacts.
8. No detail has been provided regarding future development limitations upon surrounding land users resulting from this proposal.
9. Once our land has been significantly devalued from this proposal, will our rates see an equivalent significant decrease?

Officers’ Comment

Council has sought advice from an independent acoustical consultant who has advised that there is insufficient level of information in the noise assessment to describe the likely impacts at each of the sensitive receivers. Therefore it is not possible for Council to comment upon the likely noise impact upon Four Winds. Council acknowledges that this venue represents a significant investment by community/philanthropists/government agencies into the region, and is one of three primary cultural organisations in the Bega Valley.

Council observes that impacts upon land values is not a matter for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979.

Council recognises that it is not unusual for airport operations of significant intensity to preclude

certain uses upon land within the vicinity of the airport. These use restrictions may relate to noise impacts from the airport, or incompatible land uses to flight operations, such as uses that attract birdlife such as land fill sites.

Public Interest

1. The applicant has not detailed how the negative impacts of their own development might be mitigated against, avoided or planned for.
2. The export of skilled foreign pilots to a foreign country is not valuable to the community or Australia.
3. Per SAFCA reports we can expect 3.6 accidents per year and 3 serious injuries per year. From this we can expect 1.6 per year of these to occur away from the runway. Are you OK with the risk of 1.6 accidents occurring over the Princes Hwy possibly leading to a head on collision? Is it right to place local residents and visitors at this risk for the benefit of overseas investors and overseas students? It is not in the public interest.
4. The proposal is not in the public interest.
5. The proposal is discriminating against Australians by not offering Australian citizens the same opportunities.
6. The proposal will result in more trucks and traffic on the roads.
7. The proposal will increase demand for water.

Public Interest: Not necessary

1. The development does not need to be located at Frogs Hollow or in the Bega Valley. It is not a service for local residents. It is not critical infrastructure.
2. The development will only provide a service to foreigners.
3. Bega Valley is not a dying town. We do not need this project.

Public Interest: Safety

1. As an ex-RAAF pilot, I am aware that flying schools are a likely source of aircraft crashes. A significant percentage of aircraft crashes occur just after take-off or as a consequence of poor landing skills.
2. The entire population of the Bega Valley is 33,000 spread over a very large geographic area. Yet somehow it is considered that an airport can operate here with the kind of air traffic volume one would expect in a big city, replete with all the services such a population pool brings. Is there going to be a permanent fire crew stationed at the proposed airfield for the inevitable incidence of fires?
3. The engine to be used in the 3 airplanes is the Rotax 912 (80hp). This engine has the following warning about engine failure on its specification sheet:

This engine is for use in experimental and ultralight uncertified aircraft only and only in circumstances in which an engine failure will not compromise safety.

(<https://www.rotax-owner.com/en/support-topmenu/technical-information/rotax-engine-specifications/5-912-specification/file>)

Is this really wise?

4. Risk of driver distraction – RMS NSW raised concerns for driver distraction by aircraft using the secondary runway as these will cross the Princes Hwy at altitudes lower than 500’.

SAFCA dismisses this concern by stating that larger airports have larger highways next to them. That is not a satisfactory response. That is a very different scenario with different variables than a high speed two-way rural road that might suddenly see a small airplane make an erratic move, as learner pilots do. Looking up while driving on a multi-lane motorway may lead to the neighbouring lane honking at you as you drift near their lane, but it would result in a head on collision on the Princes Hwy.

The main runway will also require turns and transitioning heights directly over the Hwy. We are talking about high intensity circuit training over the highway! Again, a learner pilot could easily make a sudden move and that might be all it takes. My daughter will pass Frogs Hollow along Princes Hwy twice a day on her school bus. I am worried about new visitors to the area being distracted. As a parent, I am fearful of this. It is not what I expected moving to a regional town. Sign litter along the road may help but it will not eliminate the risk.

Would you put your child at risk? I will hold any person of authority intentionally ignoring this danger responsible should any event occur causing her, or anyone, injury.

5. The statistics relied upon to quantify the likely number of accidents has relied upon one document, the Australian Transport Safety Bureau’s (ATSB) Aviation Occurrence Statistics. The statistics disregard the occurrences labelled “incidents”. The statistics pronounced rely upon use of the “flying school factor” which has reduced the percentages of accidents without suitable justification. The statistics do not consider that an emergency landing could be a situation that could be considered as potentially causing a fire. Accidents caused on the airfield are not considered as potentially causing a fire. I doubt the credibility of this analysis.
6. The applicants’ “plans are remarkable for a mechanistic schedule for shifting the maximum number of ‘units’, with a plane taking off and landing every 2.5 minutes until 40 students are airborne, the landings needing to be similarly synchronized. Then there is only 20 minutes until the whole process starts again, with a similar break between the second and third sessions. There seems to be no room for contingencies, let alone differences between human beings. The concern seems to be getting the maximum number through, money earning capacity being emphasized way above safety. As a teacher, I find such an approach to teaching human beings dubious, especially when the subject of the lessons potentially has such dire life and death consequences.
7. The subject site is bushfire prone and there is only one road available for evacuation away from the threat, despite that over 360 students will be living on site. The evacuation time allowed for this development is 3 hours, which is too slow.
8. A 3% increase in crash fatalities for the region is dismissed as a relatively small increase, but it is not. 3.6 accidents a year is a lot. We believe that any increase is not acceptable. The applicant has suggested that this increase in fatalities and accidents will be offset by the monetary gains of the development. What is a person’s life worth? What level of compensation is SAFCA proposing for anyone affected by a crash?
9. Where is the fire-fighting capability for the buildings that are up to 400m from the fire-fighting water supply?
10. We question the safety of having six aircraft in the training circuit at any one time.
11. Relying upon the statistics used to quantify the likely number of aircraft crashes is inappropriate. It is noted that there are no other recreational flight schools in Australia of this scale operating from an ALA. Also, the statistics do not take into consideration the use of very

small ultra-light aircraft, which are more susceptible to adverse weather, such as strong wind gusts. The statistics do not consider the high intensity schedule trying to operate within the context of a high-wind and fog-affected environment. The statistics do not take into consideration that English is not the first language of the students. How many of the flight schools included in the statistics have students taking off and landing every two and a half minutes? Why should we assume the flying training will be equivalent in standard and effect to those schools included in the data? How many flight schools are operating over high to extreme fire danger bushland?

12. Using the data supplied for recreational aviation, the expected number of accidents for 36,000 flying hours per year would be 8.9.
13. Having planes piloted by students constantly flying around the valley will compromise residents' safety. "The students have signed up to "risk their lives", we have not". #638
14. Ultra-light aircraft are more dangerous than GA aircraft.
15. The huge number of aircraft flying circuits and taking off and landing will pose a significant danger to surrounding residents and those in the Designated Training Area. The proposal to locate in a rural area is to avoid the costs of having to implement air traffic control.
16. What air traffic control measures will be in place to ensure the aircraft operate in accordance with regulations and safely?
17. The proposal for students to be flying over mostly bushland during their initial aircraft training is an unacceptable risk as an aircraft crash will often start a fire. The proposed use of Mallacoota airport is inappropriate as there are no safe landing sites in case of an emergency.
18. The proposal will increase the risk of bush fire in the region, with 3.6 aircraft crashes a year, high airfield maintenance requirements and due to a large amount of fuel being stored on site. Many parts of the region are highly inaccessible to fire-fighters.
19. Use of the Mallacoota airport for flight circuit training would result in some of the aircraft accident risk being apportioned to the Mallacoota area. Any aircraft crashes in the Mallacoota area would be more likely to occur in bushland. A potential crash into dry bushland in proximity to our town is a huge risk. Bush fire is an ever present threat to the Mallacoota community. One bush fire caused by an aircraft crash could undermine all the economic benefits claimed by the applicant.
20. If a bush fire starts by a faulty powerline, insurance companies have to pay hundreds of millions in compensation. Who would pay for an aircraft disaster caused by an inexperienced pilot?
21. There is limited water available at the site to fight a bush fire. The storage of water for firefighting has not been adequately explained.
22. The report does not adequately consider the impacts of bird strikes outside of the immediate site.
23. The DA notes one of the potential dangers from increased flights at the site is the increased risk of collisions between birds and aircraft, noting that these strikes can be a significant threat to aircraft safety. Ongoing collisions or collisions with flocks can also be significant for bird populations. This danger is not addressed at all in the proposal, save for a personal communication to the assessor by the applicant of the proposal that 'there have been no previously known issues with bird collision from the current Frogs Hollow aviation club'. (Reported pers. comm. N. Boyle, Sept 25,2017).

A heightened risk of bird strike from increased flight traffic is a serious safety issue, yet the Statement of Environmental Effects makes no effort to validate or investigate this claim, and should be dismissed as 'anecdotal' commentary, not evidence. Moreover, consulting solely with members of the current aviation club is not evidence; historic and verified data on bird strikes, and a projection of their likelihood, is essential. Given that the percentage increase in aviation hours as opposed to current usage is huge, this reassurance from the applicant is untested and therefore has no validity.

A notable omission from the Flora and Fauna report is the absence of Wedge Tailed Eagles known to inhabit and nest in the Frogs Hollow and surrounding areas. Wedge Tails are protected species and given their habits and size, any collision with a plane would be disastrous for both parties.

24. The proposal will result in an increased risk of a mid-air collision between a student pilot and a commercial aircraft on its approach or departure to/from Merimbula airport.
25. The proposal will compromise the safety of the Merimbula community.
26. Who will insure my farm against loss in the case of a bush fire caused by an aircraft crash?
27. Who will be providing fire-fighting equipment?
28. Who will maintain the runways? These will deteriorate more rapidly with increased air traffic.
29. The entrance to the airport is close to a dangerous bend on the Princes Highway, and with a significant increase in traffic density, road safety will be compromised.
30. The increased safety hazard from increased flight movements have not been addressed in the report.
31. The reports do not detail flight paths or safety standards.
32. The aircraft at close proximity could cause the cattle to stampede, causing a safety hazard to road users and staff.
33. The large number of buildings proposed along the edge of the runway will pose a safety hazard to flight operations.
34. Student pilots are more dangerous than licensed pilots.
35. The students will use the same radio frequency as the commercial airlines and the additional radio traffic will be distracting.
36. The proposal will result in an increased risk of a mid-air collision between a student pilot and a commercial aircraft on its approach or departure to/from Merimbula airport.

Officers' Comment

Council has received a lot of submissions raising concern with the broader impacts from the proposal and that it is not in the public interest. Comment has been provided in Section 4.15(1)(e) of Council's report.

Council acknowledges the significant concern raised in the community in relation to the potential safety and risk implications of the proposed development, particularly with regard to the proposed intensity of operations, potential language barriers, and limited information Council has received in response to its referrals to CASA, Airservices Australia and RAA. Under Section 4.15 of the Environmental Planning & Assessment Act 1979, Council is not required to consider safety as a

matter of consideration. Council acknowledges that a raft of legislation and safety authorities have the role of regulating these aspects of the proposal and therefore cannot provide further comment on these matters. Council is required to consider the suitability of the site for the proposal and as part of this, the site has been assessed with regard to CASA's advisory publication CAAP 92-1 (1) and RAA's Operations Manual with regard to the requirements for aerodromes.

Council has received submissions from Mallacoota residents who detail that their community has not been invited to participate in the consultation process, yet the proposal to use Mallacoota airport would affect them and their economy, which relies upon access to a pristine wilderness experience. They note how landing fees are not collected at the airport and yet the proposal would result in wear and tear on the runways. Other concerns relate to the Mallacoota airport being surrounded by bushland, and the total reliance put upon their remote community to provide emergency services in the case of an accident at the airfield. Council notes that a public interest matter exists in this context and use of Mallacoota airfield as currently proposed may not be in the public interest.

Public Interest: National Security

1. The development has possible implications for national security.
2. The site is very close to the NBN Satellite Earth Station and the development could pose a security threat.
3. The site is very close to the Port of Eden and the development could pose a security threat.
4. The site is very close to the munitions depot in Eden and the development could pose a security threat.
5. The concept of Chinese Nationals filming their flight training around the Port of Eden could be considered as broad surveillance on behalf of a foreign government, and the data could be collected, stored, aggregated and analysed to obtain patterns of military naval activity.
6. Concern about Chinese ownership of Australian airports.

Officers' Comment

The concerns of the objectors have been noted. It is considered that the broader issue of national security would be well-regulated in other jurisdictions outside of Local Government.

Public Interest: Compliance/Regulation

1. Regulating the environmental impact of flying is very complex, and easy to ignore or not act. No one assessing or consenting to this application has the ability to give all the residents in this community the commitment that we are physically and cognitively safe, or that our natural environment, waterways and prime agricultural land will not be damaged or polluted by this proposal.
2. The proposal crosses a number of jurisdictions and there is no clear regulatory framework for a development of this nature. Council will not be able to regulate the proposal.

While Council is in a position to restrict aircraft movements on the ground (in regard to limiting hours of ground movements of aircraft as a condition of consent), Council is not in the position to control aircraft once in the air. Neither AirServices Australia nor CASA provide such oversight or control either. This is the case across the three affected Shire areas.

3. Who will monitor the flight school? It is not fair to put a compliance role on residents.
4. The Bega Valley is an unrestricted air space and, once approved, the potential exists for aircraft to fly over the entire valley. Other residential areas, which should also be considered as affected, must include the areas adjacent the air navigation lanes for the airstrip movements and transiting to target sites for air navigation exercises.

"The area currently used as aircraft training areas in the Bega Valley for engine failure recovery and spiral dive recovery is Jellat Jellat (requiring passage over Bega). Initial navigational flights will occur close to the host airstrip (Frogs Hollow, Kanoona, Buckajo and Black Range) while more advanced (Group B and C) students will be trained over the course starting at Wolumla, along the coast to Eden, back to Bega, out to Tathra and back to Wolumla." All aircraft navigation work occurs between 500 and 1000 ft above ground level (AGL) and not at 4,000 ft AGL as suggested by SAFCA.

After passing initial flight training and shown their capability to pilot the aircraft, students will be able to operate over all parts of the Bega Valley but no further afield than 25 nm or (46.3 km) radius of the airstrip for Groups A and B (Recreational Pilot Certificate (RPC)) students. This is at odds with the expected use of Bombala, Cooma (including Polo Flat), Murrumbidgee (Vic) and Merimbula. See SOEE Addendum Attachment 2 Bega Valley localities affected by RPC training.

After successfully passing RPC testing, students become Group D (Recreational Pilot Licence (RPL)) and are permitted fly further than 25 nm but no further than 100 nm. This represents a radial arc of up to 186 km radius starting in the south at Lakes Entrance (Vic), arcing through Corryong, Talbingo, Gungahlin (A.C.T.) and across to just South of Sussex Inlet.

As the subject airspace is unrestricted, it is outside Council's, the New South Wales State and Australian Federal government jurisdiction. This means there are no actual "flight paths" and as such SAFCA is not obligated to adhere to their own documentation. Once the application is approved, they are free to change the direction, aircraft, height of operation and frequency of aircraft movements.

SAFCA claim "the student pilots would reach a height of 500 ft prior to the turn crosswind and then typically extend the crosswind leg to exit the circuit once they had reached an altitude of 1,000 ft. From there, they would ascend to their flying altitude of between 4,000 ft and 10,000 ft". This is contrary to RAA regulations restricting recreational students to visual flight rules (VFR) flying between 500 ft. (AGL) and 1000 ft. (AGL).

In section 9.10 "Visual privacy impacts from overhead aircraft" of the Addendum to the DA, SAFCA state "standard flight training would be conducted at a height of 4,000 ft". We are currently subjected to irregular flights by a powered parachute and an ultra-light flying at 500 ft (AGL) and have no come-back as this is unrestricted airspace. With the number of aircraft proposed by SAFCA, the situation will quickly become untenable.

With this development, there will no come-back for the community via Council or any other legislative jurisdictions once approval is given. SAA and the SAFCA management are fully aware of this ungovernable situation.

Other developments of this nature (Camden, Kempsey, Jandakot, Essendon and others) are all in restricted airspace and cannot be changed without public and jurisdictional consultation. The Frogs Hollow area is not subject to such rigid governance. The closest to jurisdiction over the area is governance by the RAA and CASA's Civil Aviation Advisory publication "Operations in the vicinity of non-controlled aerodromes CAAP 166-01" published April 2017 which while SAFCA is aware, the developer regards as advisory only and unenforceable.

5. The land is currently an Aircraft Landing Area (ALA) and is not currently governed by Council, Government or the Civil Aviation Safety Authority (CASA) and the air-space is not controlled.
6. The airspace will be unregulated so the operators are free to change the circuits once the DA is approved.
7. I am concerned about night flying.
8. There is no guarantee that this aircraft type will be used indefinitely into the future. Noisier aircraft could be used in future.
9. The pilots will likely not comply with the designated flight circuits or altitude.
10. The flights will extend beyond 6pm in the summer.
11. The applicants would be very poor corporate citizens and have shown a callous disregard for the wellbeing of those who would be affected.

Given the lack of consultation prior to lodgement of the DA, even to those most impacted by the proposed operations at Frogs Hollow, I doubt that the operators of the flight school will be open to hearing the concerns and complaints of the community once operating.

In relation to the proposed mitigation strategies, "The success of any altruistic undertaking is wholly dependent upon the goodwill of all parties involved, and apart from questions of independence and resources, third party incentive and motivation are not manifest in this case".

Officers' Comment

The matter of compliance and regulation has been address in Council's report under Section 4.15(1)(b).

Visual Impact

1. The proposal will result in an unacceptable visual impact from the Princes Highway
2. The flight school will detract from the natural beauty of the Bega Valley.
3. SAFCA would like you to believe that the airplanes would be few and far between and at 4000ft+ not causing any noticeable effect. The reality is very different.

The Visual Assessment uses 4000' only and is misleading. In reality, 1km of each circuit is below 500', 1km is transition to/from 1000' and the remaining 1km holds at 1000' unless departing. During the flight sessions over the valley, SAFCA states it will fly at higher altitude but does not guarantee this.

One reason people move to or visit a rural area is the enjoyment of the open country roads with windows down listening to nature. Even the Princes Hwy weaves through pockets of trees and open fields with cows grazing and flocks of birds overhead. I pass Frogs Hollow 2-4 times a day at least. Intense circuit training with continuous low flying aircraft would destroy this image for me, and likely any tourist travelling in the area. Circuit training has no place in this idyllic picture and runs contrary to BVSC LEP of maintaining unspoilt rural vistas.

The applicant plays down the impact by claiming only the 88 residents immediately adjacent would be affected. However the Socio-economic impact assessment admits that the overhead flights, even at 4000', would negatively impact the amenity at beaches and thus tourism, the wildlife in the national parks, and people living in urban areas. The solution

provided is to concentrate flight paths over rural residential land. If the applicant decreases flying over one area to mitigate the impacts, it will only increase the impacts over other areas and it is admitted that 'these areas may see planes overhead every 2 minutes even outside the circuit training'. I live just outside Bega in an area of 350 people. A constant flow of airplanes would drive me insane.

Officers' Comment

An assessment of visual impact has been undertaken and is detailed in Council's report under Section 4.15(1)(b).

Environmental planning instruments (EPIs) and Bega Valley Development Control Plan (DCP)

1. The proposal fails to satisfy social, economic and environmental standards set out in Sustainable Development principles under Sections 5(i) & (vii) and 79C(1)(b) of the EP&A Act.
2. I disagree with the statement that the scale of the project does not matter in characterising the development.
3. The proposal fails fundamental "Net Community Benefit" planning principles.
4. It is highly doubtful that the students will not be taught conversational English, thereby resulting in the flight school not complying with the parameters of the definition.
5. As a language teacher I question the credibility of the applicant's assertion that students will be taught 'only' Aviation English.

It is noted that the students are not taught the English language, they participate in a mandatory Aviation English course to International Civil Aviation Organisation (ICAO) standards (Addendum: Statement of Environmental Effects p.48). This is stated as though Aviation English were a smaller sub-part of the language that would take less time to learn than the 'whole' of English. The addition of field specific content to English Language Proficiency courses does not usually mean students learn less and therefore need less time. It usually means that the language of the field inflects the curriculum, so that examples of communication, grammar, common usage and so on also serve as opportunities for the acquisition of field specific terms and vocabulary. In other words, students are taught English, and classes incorporate the vocabulary relevant to aviation rather than examples drawn from, say, recreational activities or other work places.

I found the Guidelines for Aviation English Training Programmes published by the International Civil Aviation Organization (ICAO) in 2009. They obviously consider students of Aviation English to be learning English. On the subject of time required, they have this to say:

In fact, the industry is currently experiencing a period of transition moving gradually from a budget-driven to an objective-driven concept of language training. In doing so, there is a growing awareness of both the considerable time required for significant progress to be made by any given language learner and also the considerable differences in the rates at which different people learn language. There is a consensus in current academic research that approximately 200 hours is required for a learner to make significant progress, e.g. to move from a mid-to-upper ICAO Level 3 to an Operational Level 4. Moreover, for many individuals, considerably more time may be required – possibly as much as 400 hours – to make the same progress (p.7).

From p.43 of the Draft Operations Summary, it appears students will have 37 days of 7 plus hours of Aviation English tuition a day, delivered every weekday for 7½ weeks, to give them a minimum of 280 hours. So it is possible that students who arrive with English skills equivalent

to mid to high level 3 will achieve sufficient language skills to undertake licence training (pilot licences require a minimum level 4).

However, I've had a fair deal of experience teaching English to adults, and I doubt the writers of the ICAO document would have been thinking of the 200 hours being delivered over such a short timeframe. Some students would thrive in that sort of environment, but many would not. It appears the students are expected to just assimilate language at the rate dictated by their schedule.

While the applicants admit most students' initial language levels might be low, the students are given only slightly more than the minimum hours it takes to move from mid to high level 3 to level 4, and moreover, given those hours with virtually no time for individual reinforcement of what they have learnt. The applicants have not said anywhere, however, that mid to high level 3 Aviation English, or an equivalent General English Language Proficiency level will be a prerequisite for students who enrol in their course.

So, according to the ICAO's expectations of language learners, many students who arrive with relatively high levels of English will still require more than a hundred hours further language learning than what will be provided. Virtually all who arrive with lower levels, say equivalent to the general English proficiency at ICAO Level 1 or 2, will be left floundering with much lower levels than that required for safe flying. They will have paid their money. Will they be denied flying lessons for another six months or a year (or two) until their English level is satisfactory?

In summary, the proposed language teaching schedule, according to language learning needs outlined by the ICAO above, would leave untold numbers of the students below a sufficient proficiency level for a pilot's licence. The push-through rate seems to be the main concern, not individual student progress or safety. In addition, the repeated assertion that the students will not be learning English betrays a worrying ignorance of the kind of communicative competence required for safety and emphasised by the ICAO.

6. Student accommodation is not consistent with the purpose of an air transport facility. The students should be accommodated within a residential zoning.
7. The proposal is not consistent with the planning legislation.
8. The proposal is inconsistent with Council's LEP – Aim of the Plan.
9. The proposal is inconsistent with Council's LEP:
 - The proposal will impact upon EEC (Lowland Grassy Woodland) and broad-leaved peppermint trees (Eucalyptus dives). There is also a risk to birdlife in the area due to bird strike from aircraft. This doesn't meet the LEP objectives of protecting the natural resources of the area, specifically the conservation of biodiversity.
 - The proposal will not contribute to the existing character of the area, which is dominated by rural land occupied by cropped and grazed paddocks, paddock trees and sparse development.
10. The proposal is inconsistent with Council's DCP – Desired Future Character of the Landscape.
11. The subject site is currently defined as an airstrip. It is a single runway. A single runway refers to function, ie. how many runways can be used simultaneously. It has minimal infrastructure onsite and is used for private aviation only. .

12. The addition of one runway seems to have catapulted this airstrip into a facility with associated communication and air traffic control facilities and structure. I disagree that flight training fits within the definition of an airport.
13. The use of the airfield is currently recreational only and this proposal will change its use to commercial.
14. I disagree with the conclusions in the SEPP 33 assessment. The development is potentially offensive.
15. The proposal is inconsistent with the South East and Tablelands Regional Plan 2036 and the South Coast Regional Strategy (2006-31). The applicant claims that the proposal supports the regional plan of growth in tourism, but they fail to state that the Regional Plan describes a city and country component.
16. The suggestion that Council zoned the land SP2 foreseeing a development of this type and scale is fanciful.
17. When Council rezoned the site SP2 Air Transport Facility, the Council did not seek easements over the adjoining properties to the South, West and East of the runways for the Landing Area Transitional Slopes required, indicating they were not planning on high intensity use of the airstrip. When rezoning Frogs Hollow, Council already had plans for the expansion of Merimbula Regional Airport. Nowhere else are plans mentioned for a second airport within 25Nm of Merimbula Airport.
18. SAFCA hopes to house 360 students at one time onsite for short-term living as part of the training course. That would make the accommodation a dormitory, except that SAFCA is not an educational facility. Perhaps it is a very large boarding house? Or a large motel? None of these are permissible in SP2 or in the surrounding RU1.

Per the SP2 zoning, use must be for the purpose shown – an air transport facility – including development that is ordinarily incidental or ancillary to the ‘air transport facility’ itself. An airstrip would prohibit accommodation. Even if the term airport (usually applied to a larger public airfield) was used, accommodation is usually found in the vicinity of an airfield not part of or adjacent to it as is proposed. Thus it is not ordinarily incidental or ancillary to the air transport facility itself. The flight training school would be, but not the accommodation.

SAFCA supports their argument by noting that the ISEPP mentions accommodation. However, in the same LEP Practice Note PN 08-200 referred to, in discussion of the permissibility of private infrastructure it clearly states that unless the project is specified, which air transport facilities are not, the infrastructure remains regulated under local LEP’s including whether development consent is required. Thus, this is a moot point.

19. The current use of the airstrip is recreational only and any commercial use is prohibited/has been moved to Merimbula.
20. I disagree with the conclusions in the SEPP 33 assessment. The development is potential hazardous.

Officers’ Comment

Council has undertaken a detailed assessment of the requirements of any Environmental Planning Instruments and Development Control Plans of relevance to this application. A summary is provided under Section 4.15(1)a(i), (ii) and (iii). A more detailed assessment can be located in Appendix 1.

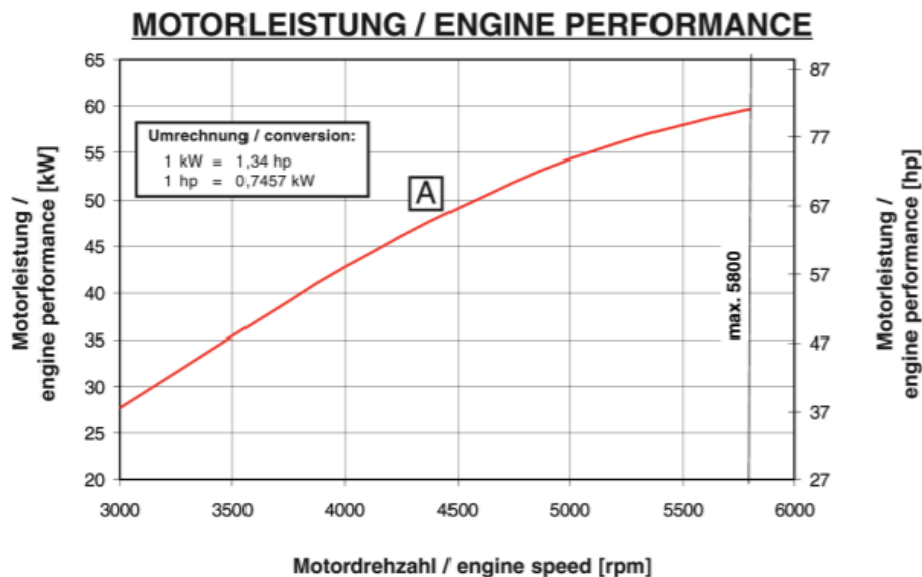
EPIs and DCP (continued): comment on Sustainable Design Management Plan

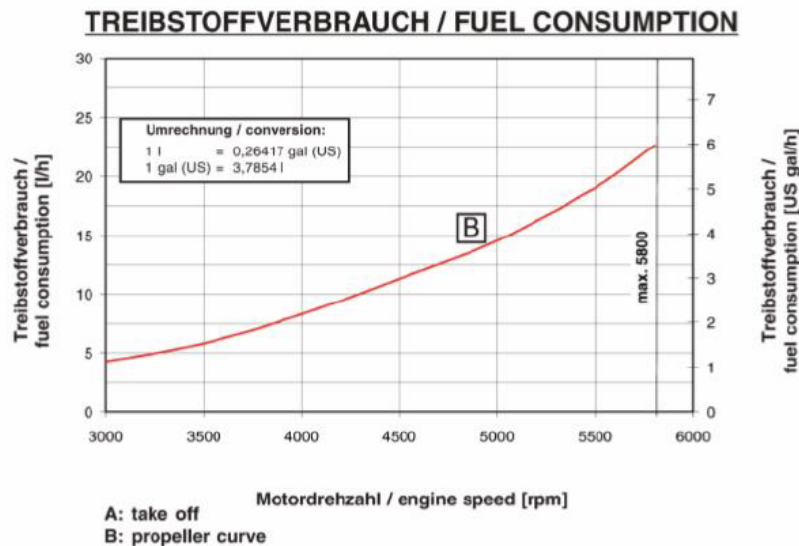
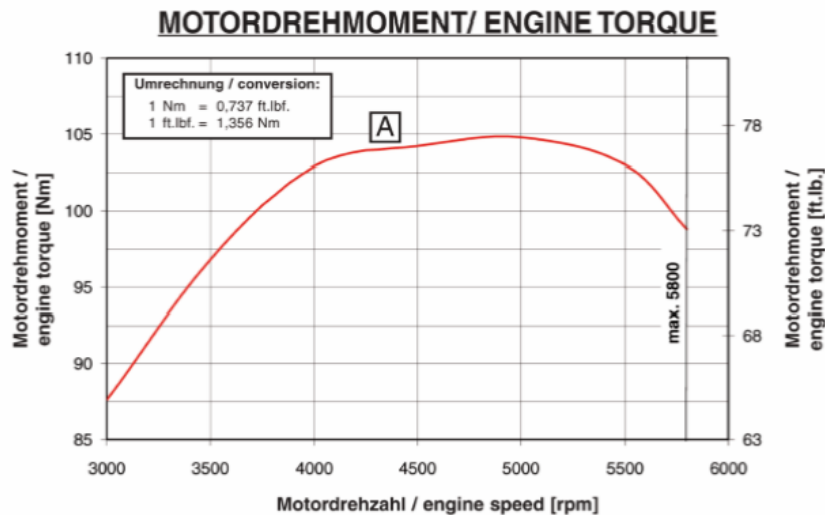
1. The applicant has not detailed their commitment to provide sustainable energy. Only a vague statement about it being provided in the future has been given. Surely a project of this size ought to be able to commit to mitigating its reliance on the electricity grid and offsetting its energy usage.
2. The proposal is not sustainable and will result in an unacceptable level of carbon emissions.

The report does not provide any detail in relation to the likely carbon emissions.

3. The applicant has argued that commuter vehicles and fireplaces contribute to an equivalent amount of carbon emissions each year. This is a poor argument as vehicle use and fireplaces are necessary for heating and to travel to work and school, whereas the flight school is not a necessary development in this region.

The calculation of 6000 tonnes of emissions is accurate and was calculated using 75% power of the Bantam. At 75% power the engine will use 16.3L of fuel per flying hour. The applicant did their calculation on 60% power, which is unlikely, particularly when aircraft subject to wind movement are required to increase power to maintain the direction of flight. See excerpt from the Rotax product sheet below.





<https://www.flyrotax.com/produkte/detail/rotax-912-ul-a-f.html> as quoted by developers

I doubt the credibility of the figures presented in the documentation.

4. The design does not comply with Council's sustainable development requirements and the development will be highly energy intensive.

Officer's Comment

An assessment of the Sustainable Design Management Plan has been undertaken and is detailed in Council's report under Section 4.15(1)(a)(iii).

Inadequate reporting on likely impacts

1. The proposal will result in significant spread of weed seeds including the noxious African lovegrass.
2. Will the flight school operate on public holidays?
3. The report fails to detail the likely impact of reduced rain water flows and increased waste water to the adjacent water courses.

4. The water assessment report has not considered the water required for the washing of aircraft and cleaning of windows.
5. The proposal will have secondary impacts upon the health and emergency services workers.
6. Insufficient consideration has been given to Aboriginal Cultural Heritage.
7. RAA mandate 40 hours per student flying time for a Recreational Pilot License (or 25 hours for a Recreational Pilot Certificate), excluding any additional training and retesting of failed students. However national statistics of current aircraft colleges of the nature proposed in the DA is that up to 82% of students initially fail their flight examinations, which is in conflict with SAFCA's stated retesting rate.
8. The applicant has assumed that there will be no significant impact upon the runways from sustained aircraft use, but this is not backed up with any evidence.
9. SAFCA assumes full access to 6 other airfields with all but one located outside the restricted training zone and roughly an hour flying time away. SAFCA has not provided any specifics on how they will use these airfields nor have arrangements been made with them that I am aware of.

CASA and RAAus limit training for the Recreational Pilots Certificate (RPC) to 25nm from the originating aerodrome. In order to satisfy this regulation, the students must get to the outside locations by bus or as a passenger with the instructor. By establishing the outside airfield as the originating aerodrome, they may then start circuit training.

By re-establishing the satellite airfield as the originating aerodrome, SAFCA is setting up a new base of operations. This is not the same as a student flying in, doing a few circuits and then heading off. They are effectively setting up satellite flight training schools without submitting a DA for these bases.

This results in

- i. the same number of flights or congestion at Frogs Hollow (the instructors will still need to leave and return there),
 - ii. a 'significant intensification' at multiple surrounding airfields and
 - iii. an intensification of flight traffic along the most direct flight paths.
10. If I put in a DA for a business that was permissible with consent under the zoning but my business included multiple large cranes near the boundary that would have an ongoing need to continuously swing over the boundary line into the adjoining property I would be refused. I would need the consent of those landowners. If I did not obtain consent I would be committing a Trespass even though the cranes did not touch the ground.

The SP2 zone refers to infrastructure and business activity within the boundaries of the SP2 zone only.

As the SP2 zone was new, in Council's conversion to RU1 for the surrounding land they would have needed to obtain or place easements on the adjoining RU1 land for the Landing Area Transitional slopes required. The Landing Transition Area at Frogs Hollow extends 600-700 meters into the adjoining private property at 3 of 4 points. See sketch at: <https://cdn.fairfaxregional.com.au/Bega%20flight%20school/Master%20plan%20runway.pdf> I do not believe this was done and SAFCA has not provided evidence suggesting easements are in place.

With respect to the business venture, normal planning considerations should be applied. Thus, the intrusion of this business across neighbouring properties and its impact on the amenity of surrounding areas should be a factor.

Scale does matter if it imposes on surrounding area. This proposal is markedly different in that it is not confined to the SP2 zone and its presence outside the zone is not sympathetic with the aesthetics of the area and does not meet the objectives of the BVSC LEP.

SAFCA intends to trespass on neighbouring properties with its business. Aircraft would be flying very low over property boundaries interfering with reasonable enjoyment of their land. According to existing common law, private airspace above one's property extends to the height 'necessary for the ordinary use and enjoyment of the occupier' and 'intrusions into airspace may amount to trespass to land if the intrusion is at a height potentially necessary for the ordinary use and enjoyment of the occupier' (<https://www.alrc.gov.au/publications/3-overview-current-law/existing-common-law-causes-action>) In the case of aircraft, 'it would additionally depend on whether or not the height of the intrusion is reasonable in all circumstances. Mere compliance with Air Navigation Regulations, which are aimed at safety issues, would not necessarily excuse the use of an aircraft to interfere with the occupier's use or enjoyment'.

CASA air regulations relate to the safety of air traffic, but Common Law applies to the full use and enjoyment of private airspace which would apply to ALL land within the adjoining RU1 zoned properties. The Civil Liability Act 2002 (NSW) states that 'no action lies in respect of trespass by reason only of the flight of an aircraft over any property at a height above the ground that is reasonable'. The intent of CASA regulation, with respect to take-off and landing heights is to prevent a claim of trespass if a plane must fly through the airspace for safety reasons. It does not grant a private business automatic and unfettered access to private property – an important distinction.

The question comes down to what is reasonable. The Noise Assessment demonstrated that any height below 200ft would be outside acceptable standards. The intensity of this proposal would see a constant stream of very low flying (below 200') planes across the adjoining properties. Is that reasonable? Common activities on a rural property include horse riding, camping or even flying a kite. What if, for instance, a young child wished to ride a horse around their property? Low flying aircraft could spook the animal resulting in serious injury. Should the landowner just give up the use of portions of their property because a new business wants to start? Is that reasonable? What other business would be given consent if it directly affected adjoining properties to this extent?

Continuous low flying (<200') planes over private property would interfere with the enjoyment and use of private land and therefore constitutes trespass.

11. The documents and reports that have been submitted are inconsistent and incomplete when describing the mechanics of the flight training, flight paths and how they plan to meet the requirements for 1200 students.
12. Why didn't SAFCA submit the Master Plan that was completed by JJRyan Consulting in 2015?
13. The application proposes an intensity of flight movements greater than any other facility other than the major airports of Sydney and Melbourne. Australia's current largest airflight training college is at Moorabbin, with an annual intake of 800 students. This proposal would be even larger.
14. The most intense aspect of flight training is the flight circuit, which is the mainstay of early training. The Recreational Pilot Certificate (RPC) is the early training component. With the largest throughput of students in Australia at 1200 per year, SAFCA proposes to have more

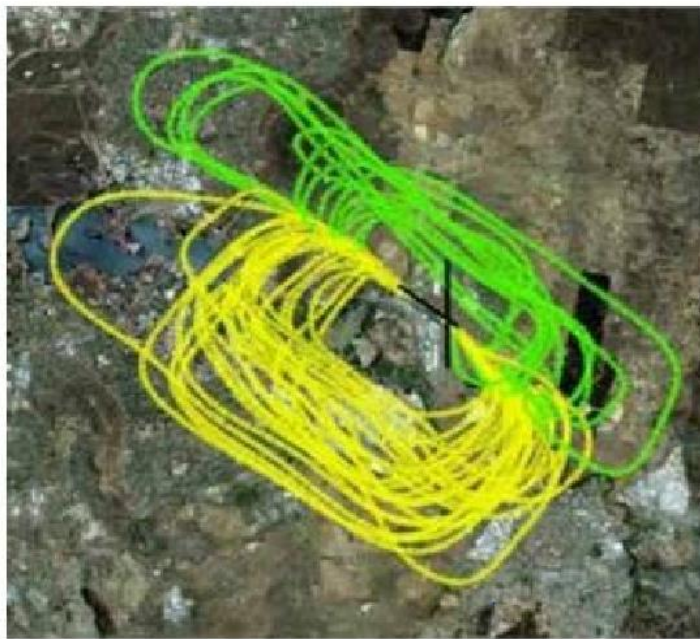
students per year for shorter periods doing more intense flying than other flight training operations. Despite this, the applicant has not provided a Masterplan for review, despite the proposal being 40x greater intensity in flight movements than Merimbula Regional Airport, and 10x greater intensity than light aircraft flight movements at Canberra Airport. Using data from AirServices Australia Movements at Australian Airports 2017, the flight movement intensity proposed places Frogs Hollow as the 10th busiest aerodrome overall and 5th busiest for light aircraft in all of Australia. Yet Frogs Hollow is not even listed as an aerodrome by AirServices Australia.

15. With the exception of Merimbula and possibly Bombala, all the other nominated airports to be used for flight circuit training are impractical for intense training given that the proposed Rotax aircraft carries a maximum 50L fuel tank, and with it using more than 16.3L/hr cruising at 120km/hr, the aircraft will consume a significant amount of its fuel travelling to and returning from each venue. The proposed use of these other airports would be uneconomical.
16. With the exception of Merimbula, all the other nominated airports to be used for flight circuit training are outside the range of the Recreational Pilot Certificate students and as such would contravene CASA's legislative restrictions on those students.
17. Airports exist far beyond their boundary fences. This matter has not been adequately addressed by the applicant.
18. The applicant has not addressed the impact of aircraft upon local dolphin pods or whales. The coastline is locally known as the "Humpback Highway" for the southern migration of whales. A significant tourism industry is developing around this annual event. The application makes no mention of how impacts upon migratory whales or the associated tourism industry will be managed.
19. I question whether due process and procedural fairness is being followed, particularly with regard to the proposal for flight circuit training to be carried out at other airports/airfields without giving the communities an opportunity to object. Has the DA been lodged in the other cited Council areas?
20. Has the applicant notified the other airports to gauge support or capacity for the additional air traffic?
21. Will surrounding residents be able to smell the food cooking at the airport?
22. Will there be bright lights on all night?
23. The applicant does not detail the amount of pollution that will be generated by this proposal. We are told: "The emissions created by use of the Princes Highway has a significantly greater impact on localised air quality and is almost 10 times greater than what is anticipated by the activities of the proposed flight school". Therefore we can deduce that the emissions generated will be more than one tenth of the emissions generated by all the traffic on the Princes Highway. We are also told that the emissions generated would be equivalent to approximately 498 light passenger vehicles, but it does not say how far those 498 cars would travel or how often.
24. Despite being unacceptably vague about the quantities of pollution, we can still see that it would mean a significant increase in pollution for wilderness areas.
25. Currently we have such large amounts of pest feral and native animals that the NSW government has modified the laws governing the culling of these animals on rural properties. However, firearms are not permitted to be used under flight paths. Our land is located under the proposed flight circuits. If we are not permitted to cull these animals through the use of

firearms, then the pest species will become an even larger problem. What do you suggest we do to manage our land?

26. By law, pilots cannot fly over populous areas at less than 1000 feet or any other area lower than 500 feet. The prescribed training circuits are set at exactly these altitudes, with no allowance for human error. Do we really expect trainee pilots, with no experience, to be able to fly around the designated flight circuit without lateral or vertical deviation? The attached image shows the variation from the “designated” flight circuits flown at Peterborough Airport in Ontario, Canada. Similarly for Frogs Hollow, the noise impacts cannot be clearly limited to the neat flight paths shown in the diagrams provided and will extend beyond these “paths”.

Aircraft Noise Impact



27. The report inadequately addresses the likely impacts of the development. Insufficient information has been provided to make a reasonable assessment of the impact the proposal may have on the wider Bega Valley.
28. The documentation does not detail the intensity of training and the proposed location of training to attain the following competencies: low level flying, stalls, recovery, forced landings, cross country, instrument navigation. It is not clear whether a night rating is required to meet the requirements of the RAA licences/certificates.
29. The report does not provide enough detail regarding the likely extent of flight circuit training or impacts at other airports. I question whether the JRPP would be able to make a determination on the DA given that the impacts at other airports have not been adequately considered/detailed.
30. The proposed flight training at the additional six airports has not been transparently communicated in the application. The SOEE and SOEE Addendum are deliberately misleading about the extent of the flight training area, which extends far beyond the 25Nm radius indicated.

31. Given the 12 knot (22km p/h) wind restrictions on take-off of the proposed aircraft, it is quite likely that winds above this will 'trap' aircraft at these "nearby airfields". Given the exposed coastal locations and prominent winds at these airfields, this is a probably scenario. No examination of this situation has occurred, no contingency is in place and there are no facilities to cope with such a likely event.
32. It has been noted by Mallacoota residents that there is significant problem with Kangaroos on the Mallacoota airstrip. This issue poses significant safety concern given the high volume of movements proposed.
33. The amenity of Mallacoota (and surrounding UNESCO listed World Biosphere Reserve, Croajingolong National Park and wilderness areas, some located under the flight circuits) would be seriously impacted by the increased use of the Mallacoota Airport for training purposes.

People make big sacrifices to live in such remote areas and therefore they feel that they have a right to demand that it not be spoilt.

34. I object to the safety risks from a proposed flight school undertaking a significant amount of flying training at the Mallacoota Airport. The airport is less than 5kms from the town.
35. The flight path to Mallacoota airport goes right over the town.
36. I am concerned about the potential impacts upon the biodiversity in the Mallacoota area, including upon the red-capped and hooded plover. Have any investigations been made as to the impact upon them? Hooded plovers (endangered in Vic) nest annually on the ground next to a runway at Mallacoota Airport.

The vegetation near and around the airport is home to the Ground Parrot.

37. I choose to live in Mallacoota because of the tranquillity, serenity and natural beauty of the Croajingalong environment. I have lived on Gabo Island for many years also, and have been impacted by virtually every light plane that goes up and down the coast, circling and buzzing the light station to the detriment of mine and my guests' personal space, privacy and tranquillity. People come to these pristine environments for quiet times; to get away from the hustle and bustle. By introducing these flights, they will have a detrimental impact upon ecological tourism in this area. Consider the impact upon the Wilderness Coast Walk from Mallacoota to Wonboyn; an iconic walk that encapsulates pristine marine and bush eco-systems that are peculiar and special to this remote coastline, unchanged since Cook sailed past.
38. The proposal would subsequently jeopardise the economy of the Bega Valley should the health and success of Mallacoota be negatively impacted.
39. The report does not detail consideration of the current users of the Mallacoota airport (recreational and emergency services)
40. Does the flight school expect the township of Mallacoota to supply the emergency services that will be required for practice landings and take-offs? The emergency services are entirely run by volunteers and are not resourced to deal with aircraft incidents/accidents. The airport is located very close to the ocean and the Coast Guard is not resourced to deal with an aircraft down in the ocean.
41. The approach to the Mallacoota airport is over the only access road into and out of Mallacoota and if there was an incident it could cause the road to be closed.

42. I am unclear about the proposed flight paths and type of aircraft flying to Mallacoota. The school is located less than 6kms from the runway. I do not feel that the risks to Mallacoota have been adequately considered. I am unclear about the community benefits (social and economic) to Mallacoota. Inadequate noise impact assessment has been carried out for Mallacoota, in what is one of Victoria's and Australia's finest wilderness areas.
43. The Designated Training Area and use of other airfields have not been fully assessed within the SOEE, with regard to biodiversity, visual impact and noise. In relation to biodiversity, the increased risk of airstrike with threatened and migratory birds such as the Sea Eagle and White-throated Needletail needs to be addressed. The proposed flight area has now introduced National Parks, Wilderness Areas and Coastal Wetlands to the potential impact area. The airstrike risk is potentially greater due to the increased number of airplanes within these areas that contain existing airports such as Merimbula.
44. The SOEE does not consider the likely impacts upon the certified and registered aerodromes, where potential impacts relate to use of the same airspace as commercial flights, resulting in potential delays or collisions.
45. The subject site is located in close proximity to the NBN Co Satellite Earth Station at Wolumla. NBN Co have raised concerns with the proposed flight school. The applicant has stated "these provide internet connectivity for a comparatively small number of users, in rural and remote locations". Regardless how small the number of users is, what they are discussing is public infrastructure which is vitally important for many businesses. Remote areas are reliant upon NBN during time of disaster such as bush fires for alerts and information. Everything must and should be done to ensure that public infrastructure that is vital in emergencies is protected.

Officers' Comment

An assessment of the likely impacts of the development has been undertaken and is detailed in Council's report under Section 4.15(1)(b).

The applicant has provided information with regard to the visual flight rules and communication between aircraft in flight in the SOEE Addendum (7) and in their response to submissions (Appendix 14).

Pollution Impacts

1. What chemicals and what quantities will be stored on site to fight a fuel fire?
2. Given the limited supply of water, any bushfire would have to be tackled with firefighting foam, which would result in contamination of the surrounding environment.
3. Pollution from the proposal will result in ill-health.
4. The proposal will result in negative impacts upon organic farmers and reduce the potential for an increase in organic farming operations. The Socio Economic Impact Assessment report claims that the level of organic certification within the Bega Valley cannot be ascertained. However advice from SCPA South East Producers Association reveals that there are 12 organic producers certified through SCPA Organics. There is another large producer on West Kameruka Road with a 20ha Australian Certified Organic fruit/horticulture farm, as well as several other organic farmers within a few kilometres of Frogs Hollow. The nearest organic farm is on Old Mill Road, Wolumla, less than 2km from Frogs Hollow.

There is a growing trend toward organic produce and an increased development of smaller niche producers that are biodynamic/organic. Many of the producers are currently "in

conversion” and moving towards organic certification. Pollution impacts to water and air quality from aviation activities will prevent future growth within the certified produce industry restricting economic development. To restrict the ability of large or small farmers to progress their business in this direction is not only short-sighted but is contrary to the Bega Valley LEP Clause 1.2 (g).

Many residents are also seeking a cleaner way of life and choosing to grow their own food organically as well. This development is not compatible with this trend. This is reflected in the Draft Community Ambitions in the BV Council Community Strategic Plan which included that by 2040:

“we are leaders in sustainable living and support innovative approaches to resource recovery and the production of alternative energy and food”.

This development is contrary to this key objective and is not in the interest of the community.

A copy of advice received from Australian Certified Organic is provided:

Hi [REDACTED]

I am writing in response to your enquiry with Australian Certified Organic to have your property certified to the Australian Certified Organic Standard and the National Standard for Organic and Biodynamic Produce.

Having an airstrip next to your property with a high number of flight flying over your property at low range every day is a potential contamination risk and therefore a risk to the organic integrity of your products and land.

You would have to manage this risk accordingly.

According to section 4.7 of the Australian Certified Organic Standard 2017 (http://austorganic.com/wp-content/uploads/2017/08/ACQS_2017_V1.pdf) residues of synthetic chemicals should not be present on certified products. Ongoing monitoring of this contamination risk will be required. If the pollution can't be controlled with appropriate management practices, the affected area will have to be excluded from certification.

If there would be some oil or fuel spilled on your land, the affected area would have to be removed from organic certification for at least three years before regaining organic certification status.

Please let me know if I can assist with anything else.

Kind Regards,

Barbara Segmueller, *B. Natural Resource Sciences*

Certification Technical Officer

Australian Certified Organic

P 07 3350 5706 | F 07 3266 5996 | www.aco.net.au

5. Even though my land is not currently organically certified, no one will ever be able to be organic with the flight circuits above my farm and approved 10 lot rural subdivision. The future purchasers of this land will never have this opportunity. If this proposal goes ahead, no one within the Designated Training Area will be able to obtain organic certification.
6. Disregarding the impact upon food gardens because there are none visible to the eye on satellite images within proximity of the subject site does not give consideration to the many vegetable gardens and fruit trees which will be adversely affected by aircraft emissions.

7. The DA claims that unleaded fuel is proposed, however there are no restrictions on the use of AVGAS fuel for training aircraft.
8. Background contamination levels in the Bega Valley are likely to be currently low given the relatively small amount of traffic experienced here. Road vehicles result in increased contamination loads of lead, copper and zinc. Therefore the percentage increase of air pollutants will likely be larger than simple projections and measurements would predict.
9. The applicant has an obligation to assist residents in mitigating the pollution from this development.

Officers' Comment

The application has clearly detailed that unleaded fuel is proposed to be used. An Air Quality Assessment report (Appendix 13) has been provided in support of the application. Council has provided comment on this report in Section 4.15(1)(b).

Pollution: Water Pollution

1. The proposal will result in water pollution (including tank water, which for many residents is their sole supply of potable domestic water) in the region and at the site, (water is our most precious natural resource).
2. It is not reasonable to put the responsibility for clean water onto residents by suggesting they should have first flush diverters. Not only does this not deal with the wider contamination issues, it makes cleaning up after the proposed flight school the responsibility of the community. Not only is this unjust, but on what basis is it assumed that all properties will have a first flush diverter system?
3. The recommendation to use a first flush system for water caught from rooftops suggests that the aircraft emissions will pollute our land and affect our livestock, and subsequently flow into our waterways. The creek under the proposed flight paths will be polluted. This water flows into the Bega River and enters the Bega water supply at the harvesting point near Bega west.
4. We chose to live in the Bega Valley rather than the city for various reasons (with its many sacrifices in relation to career and job opportunities) but crucially we do not choose to live in a city with the smog, traffic, noise and other pollution that is an expected part of city life. We make our sacrifices in return for the amenity of rural life that we value more; clean air and clean water are critical amenities for residents of the Bega Valley.
5. The report does not adequately consider the impacts of air pollution from emissions upon the water catchment areas.

Officers' Comment

The application has clearly detailed that unleaded fuel is proposed to be used. An Air Quality Assessment report (Appendix 13) has been provided in support of the application. The report details that given that the engines are similar to a small car, the likely emissions around the site from the proposed quantity of circuit training would be similar to the impacts from a local road. Council has provided comment on this report in Section 4.15(1)(b).

Pollution: Air Pollution

1. There will be a significant increase in unwanted air pollution and emissions.

2. The report does not adequately consider the impacts of air pollution from emissions upon the flora and fauna in the broader region.
3. The development will result in increased carbon emissions.
4. The amount of air pollution within the valley can be quantified per aircraft or group. The Rotax 912 engine datasheet indicates that at 75% power the aircraft will consume 16.3L of unleaded fuel per hour. (See Ecoscore website for the conversion rate <http://ecoscore.be/en/info/ecoscore/co2>) The proposal will result in 5,689,362kg per annum.
5. It is our heritage to have access to clean air, natural beauty and freedom to connect with the 'great outdoors'. Beside this harm to the economics of the Shire, the level of aircraft activity over National Parks and Reserves, as well as extensive areas of carbon sequestering native forest which is the habitat of numerous threatened species, is contrary to any and all sustainable forest management recommendations. Also threatened would be waterways collecting high levels of pollution from constant injections of fuel particulates, albeit unleaded petrol not aviation fuel. This would inhibit the natural drawing down of carbon, impact supply of clean air and water to residents, farms and native fauna and flora.

Forests are living planetary organs which ensure homeostasis and so, the conditions for life. Forests are living, breathing entities drawing down atmospheric carbon dioxide, storing it as terrestrial carbon, and breathing out oxygen. Globally, forests have been depleted to 1/8th their size from the beginning of the Industrial Revolution yet they are vital for climate stabilisation. Climate disruption compounds and accelerates threats to habitats and biodiversity, and is the single biggest global threat to human health and the planet's economic future.

This proposed project and its ensuing activities would generate high levels of air pollution such as fuel particulates, thus reducing the forests' ability to capture and store carbon. The forests of southeast NSW store more carbon than first thought so the carbon deficit from such pollution is underestimated, as are the deficits associated with the logging process.

6. SAFCA would contribute an 11% increase to the Bega Valley's carbon emissions according to their calculations which are based on student flying time only.
7. No assessment has been made of the interaction between the regular heavy inversion layers in Frogs Hollow and aircraft pollution (smog potential). Regular inversion layers in Frogs Hollow that hold fog, low cloud smoke etc. will also hold aircraft exhaust pollution. See image documenting the inversion layer:



Given the intensity of operations proposed for Frogs Hollow airfield and the developers' claim that planes doing circuit training will not fly beyond a 2km radius, the potential for exceedingly high, localised, air pollution is real. If this concentrated localised air pollution (aircraft emissions) is exacerbated by the regular and prolonged localised fog inversions (as smog), it has the potential to cause severe health impacts and/or disease clusters in the longer term. The health impacts of smog inversions are well documented:

<https://sciencing.com/temperature-inversions-influence-air-pollution-10038430.html>

Officers' Comment

The application has clearly detailed that unleaded fuel is proposed to be used. An Air Quality Assessment report (Appendix 13) has been provided in support of the application. The report details that given that the engines are similar to a small car, the likely emissions around the site from the proposed quantity of circuit training would be similar to the impacts from a local road. Council has provided comment on this report in Section 4.15(1)(b).

Insufficient Community Consultation

1. Insufficient community consultation has been carried out. What little has been carried out is so minimal that it could not possibly provide a meaningful insight into the views of the broader affected community.
2. The applicant has shown a callous disregard for the wellbeing and concerns of the community.
3. The concerns of the community, which are very real to the community, are being trivialised and dismissed by the applicant.
4. A large majority of the population will be affected by this proposal; why was the door knock survey undertaken in the Socio Economic Impact Assessment report limited to just residents around Frogs Hollow given the impact to the wider community?
5. Mallacoota residents have not been consulted, although they stand to be greatly impacted by this proposal.
6. Council should have advertised more prominently the fact that an attachment (the SAFCA Draft Operations Summary) had been slipped into the documentation which significantly

amplifies the scope of the proposal, creating a Designated Training Area of 40km radius and affecting a lot more people than the DA as originally lodged, would have.

7. No consultation with REX or Free Spirit Airlines has been carried out.

Officers' Comment

Consideration of the extent of community consultation that has been undertaken is detailed in Council's report under Section 4.15(1)(a)(iii).

Waste Generation

1. How much of the waste from this development will Council have to deal with?
2. Will the water fountains provided for drinking include plastic cups?
3. The likely amount of waste the proposal will generate is unacceptable.
4. The kitchen is not big enough to accommodate the number of proposed students, meaning that meals will be pre-packed and the waste footprint and food miles will be excessive.
5. The Waste Facility at Wolumla is already at capacity.
6. Waste management has not been adequately addressed by the applicant. The proposed use 4 x 500ml bottles per person per day will result in a significant amount of plastic waste. The location of bins has not been shown on the plans or details of how waste will be managed at the site. This will put unanticipated demand on Council's Central Waste Facility at Wolumla.

Officers' Comment

Consideration of potential waste generation is detailed in Council's report under Section 4.15(1)(a)(iii).

Comment on Design

1. Why are so many hangars needed? It is unusual to have every single plane inside a hangar.
2. Inadequate consideration has been given to provision of water for everyday domestic use, such as washing, showering, food preparation and toilets.
3. The student accommodation will be located adjacent to the runway, and the amenity will be significantly affected by noise and pollution.
4. The total area of the buildings is approximately 3ha. Is this correct?
5. The site is not serviced by reticulated water and sewer; is it proposed that Council will fund the works needed to allow this proposal to proceed?
6. What if the "right of way" to the site is revoked?
7. The design is plain and uninspiring.
8. The design should include tennis courts, volleyball courts and a swimming pool.

Officers' Comment

The design of the proposal has been assessed against the relevant legislation and has been addressed in Council's report under Section 4.15(1)(a)(i) and (iii).

General Comments

1. There is nothing new in this report that changes our/my original objection/s.
2. The further information provided increases my alarm/dismay at the proposal.
3. I strongly object (with no further reason given).

Officers' Comment

Council received 725 written submissions during the assessment of this application. Some of the submissions provided general comments expressing concern with the proposal without going into finer details.

Other Issues

1. SAFCA Director C. Hong owns multiple businesses all dedicated to bringing Chinese workers to Australia. She touts the benefits of having Chinese employees in Australian companies. Why should we expect she will do different with this one?
2. If the flight school business failed (due to changes in international relations or flying legislation), the Bega Valley would be left with a significantly changed site that would have limited future usage capability.
3. As has been the case in other situations where the potential risk has been stated by applicants as being minimal to none, let them lodge a security bond. These funds can then be accessed if an accident occurs or predicted and observable damage sustained to the ecological services delivered by forests, or measurable detriment to the tourist other industries become evident. A reasonable sum might be AUD20million, held in an independent account overseen by the BVSC or other suitable body.
4. Why was Mr. Stoner, a former State Minister for Trade and Investment, at a meeting with SAFCA Directors (then called SAA) in Frogs Hollow at a time he was the member for Oxley? Bega is not anywhere near his district. In the local Bega paper Mr. Stoner is quoted as saying:

"China can be difficult – it's about knowing the right people and making the right connections," he said.

Mr. Stoner further expressed that the "ideal investor would be someone who can see some strategic advantage in what is proposed for Frogs Hollow".

(<https://www.begadistrictnews.com.au/story/2901049/chinese-flight-college-plan-for-frogs-hollow/?cs=507>)

Mr. Stoner is now a Director in the company. To what strategic advantage does he refer?

Why were Mr. Stoner and Ms. Hong in New Zealand looking 'at our planes being built' months before the DA deadline last year? (A picture was posted to the SAA FB site).

These points have raised questions in the community of a potential bias and/or predetermination beyond what might be considered normal confidence.

5. Why hasn't the applicant marketed the investment opportunity to Australian investors? Why only Chinese?
6. The developer could sell the site with approval, providing no certainty for residents.
7. The developer is backed by a foreign consortium.

8. In order to undertake flight training under RAA rules, each student is required to hold a valid Australian Driver's License.
9. The development may in time further intensify.
10. Once trained, will the pilots then take jobs from Australian pilots?
11. Foreign investors would start buying up real estate and properties in the area.
12. When you are considering this proposal I hope you will consider the Kempsey airport and the problems they are now dealing with. They were wanting to expand from 2,868 flights per year to 28,687 flights per year, from 6am – midnight, 365 days per year. (NB. The application has now been withdrawn).
13. The development will set a precedent.
14. I object to the land being sold to China.
15. The financial backers do not live in the Bega Valley (and will not be subject to the negative impacts).
16. The developers are dishonest. They have stated that SAFCA is Australian owned, however there are websites (Caroline Hong's and ex MP Andrew Stoner's) which are pitching for Chinese investment into the SAFCA flight school. I question how accountable the eventual owners will be to the local community.
17. Where will all the pilots required for this enterprise come from? It is not feasible. The pilot trainers will not speak Chinese.
18. Should the development be approved, the applicant should be allowed a trial period only to allow impacted residents a better understanding of the impacts of the development.
19. The development will become a pathway for migration.
20. The recreational pilots license/certificate is not recognised as a qualification in China. The training has no CRICOS code and is regulated by a hobby organisation. The proposal doesn't make sense and is strange enough to raise legitimate questions that should be considered by Interpol.
21. Why was the field rezoned SP2 when Mr Stoner was in politics at the state level?
22. SAFCA claims it will provide a student visa. The RPC training does not carry a CRICOS code and therefore does not qualify for a student visa. Does SAFCA know of a loophole?

The RPC is not recognised in China. Selling false hope is not good for int'l relations
23. If SAFCA cannot obtain use at the other sites it cannot possibly meet its flight training requirements for 1200 students.

Officers' Comment

Council has undertaken a detailed assessment in accordance with Section 4.15 of the EP&A Act. The matters raised above do not fall into the criteria for assessment and Council cannot consider them as part of its assessment, however it is noted that for clarity the applicant has provided detail in relation to some of these matters in their application.