

30 May 2024

Enquiries: Daniel Lamond
Our Ref: MCUI 2024_5608/1 (Doc ID 1228138)
Your Ref: AU015419 Air Services

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Impromptus Investments Pty Ltd (Tte)
C/- RPS AAP Consulting Pty Ltd
PO Box 1949
CAIRNS QLD 4870

Email: ian.doust@rpsgroup.com.au

Attention Mr Ian Doust

Dear Sir

INFORMATION REQUEST
(Given under Section 12 of the Development Assessment Rules)

Council refers to your development application that was received on 20 May 2024.

Applicant Details

Name: Impromptus Investments Pty Ltd (Tte)
Postal Address: C/- RPS AAP Consulting Pty Ltd
PO Box 1949
Cairns Qld 4870
Email: ian.doust@rpsgroup.com.au

Property Details

Street Address: 82-90 Mitre Street Craiglie
Real Property Description: Lot 901 on SP274759
Local Government Area: Douglas Shire Council

Application Details

Application Number: MCUI 2024_5608/1
Approval Sought: Development Permit
Nature of Development Proposed: Material Change of Use for Air Services (Private Helicopter Landing Area and Flight Use for a Robinson R66 Turbine helicopter).

Description of the
Development Proposed:

Material Change of Use for Air Services (Private Helicopter
Landing Area and Flight Use for a Robinson R66 Turbine
helicopter).

Additional Information Requested

The following additional information is requested in order to complete an assessment of the application:

Amenity and Need

Significant concern is raised with the development of a helipad in the environmental and conservation zones and in close proximity to established residential areas.

1. Provide a detailed assessment on the impact of the development on the amenity of the area, including the expected 10 movements per month.
2. Demonstrate there is a need for the proposed facility that would necessitate overriding the expected amenity of this neighbourhood.

Operating hours

3. The application refers to the use being sufficiently designed as it meets a Victorian State Code. That code refers to flights during the periods not to occur outside the hours of 7am to 10pm. Clarify the proposed hours of operation.

Flight Path

4. Concern is raised with the proposed flight path, especially as this is over foreshore areas where Council issues permits for activities such as paddle boarding and kite surfing. The proposed flight paths appear to be in direct conflict with these established and expected activities.
5. Concern is raised with the establishment of the proposed use in an urban area that is predominantly residential and includes an aged care facility.
6. Please provide particular details of the proposed flight path including take-off and landing paths for different wind direction conditions. Paths should clearly identify the vertical and horizontal paths and cater for a variety of wind directions and conditions.
7. Please demonstrate how the proposal complies with the CASA regulations for flights over built up areas.
8. Please advise on any conflict between the flight paths and the users of nearby areas, including residential and activity areas including noise distractions, down wash, creation of additional air turbulence and flight path conflicts.

Noise

9. The application relies upon the Victorian EPA Noise Control Guidelines in respect to noise impacts. Council does not accept the position that reliance on this sole parameter is necessarily appropriate. Consideration needs to be given to the Council's Planning Scheme that identifies the proposed use as impact inconsistent in particular zones and is therefore an unexpected development.
10. Provide a noise impact assessment for the proposal using a similar assessment methodology outlined in a recent judgement from the Planning and Environment Court (Court Reference: No. 34 of 2021, dated 28 February 2022, Mission Beach).

The noise report needs to make comment on requirements to ensure that noise arising from the take-off, flight or landing of helicopters must not emanate from the site to a degree that would, in the opinion of the Chief Executive Officer, create an environmental nuisance having regards to the provision of the *Environmental Protection Act 1994*, *Environmental Protection Regulations 2019* and *Environmental Protection (Noise) Policy 2019*.

11. Please provide an appropriate set of conditions for the use of the proposed facility having regard to the submitted noise report.

Impact on Flora and Fauna

12. Please provide a detailed assessment of flora and fauna on the site and surrounds and the impact of the development on these natural communities. This assessment must include on ground truthing.

Helipad Landing Area

13. The proposed landing area is significantly impacted by storm tide inundation. Please advise of any required upgrade to the ground surface to cater for storm tide inundation. If so, please advise of all details including the amount of fill required.
14. The area is mapped for acid sulfate soils (< 5m AHD). Please advise whether the landing pad area needs to be upgraded to cater for the weight and/or movement of the helicopter. If so, please advise of all details.
15. Please advise of details of the finishes of the landing pad area to cater for down wash impacts on the ground surface.
16. The application refers to the use being sufficiently designed as it meets a Victorian State Code. That code refers to flights during the periods not to occur outside the hours of 7am to 10pm. Please advise of all lighting requirements for the landing area and flight path to ensure safe landing and take-off during the proposed hours of use.

Storage & Fuel

17. Please advise of proposed details for fuel storage to achieve environmental protection.
18. The report makes mention of moving the fuel storage in case of fire. Please advise whether the site will be attended 24/7 for this removal to occur and secondly where the fuel storage vehicle will be moved to.

19. Please advise of all details for any taxing path between the landing area and the shed storage.

Due Date

The due date for providing the requested information is 21 August 2024 accordance with section 14.2 of the Development Assessment Rules, if you do not provide a response before the above due date (or a further agreed period), it will be taken as if you have decided not to respond to the information request and Council will continue with the assessment of the application.

Other

Please quote Council's application number: MCUI 2024_5608/1 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Jenny Elphinstone on telephone 07 4099 9444.

Yours faithfully



Neil Beck
A/Manager Environment & Planning