

From: AVG Correspondence <AVG.Correspondence@casa.gov.au>

Date: Fri, Jan 22, 2021 at 2:23 PM

Subject: CASA Response - F20/798 - Liz Gallie - Mission Beach Cassowaries Enquiry re heliport proposal for Mission Beach. [SEC=OFFICIAL]

To: missionbeachcassowaries@gmail.com <missionbeachcassowaries@gmail.com>

OFFICIAL

Good afternoon,

I refer to your email to the Civil Aviation Safety Authority (CASA) about the development of a helipad at Mission Beach. I understand you are seeking clarity surrounding the development applications (DA) and civil aviation requirements.

Firstly I would like to explain that CASA has no remit in land development application approvals and/or the process of aircraft permissions in using the facilities. This is because CASA has responsibility under civil aviation legislation in overseeing aviation safety. Land development and the designation of land is under other legislation and usually with the authority of local council and state authorities. It is also well to note, CASA cannot enforce requirements and/or conditions placed on land development application through state or council authority. These are matters for the local and/or state authority.

CASA has responsibility set out under the Civil Aviation Act 1988 which is in promulgates regulations to enable aircraft to fly safely in Australian airspace. CASA oversees aviation activity for compliance with civil aviation regulations. There are civil aviation requirements for aircraft using a helipad/heliport. In using a helipad/heliport, the civil aviation regulations emphasise the pilot's responsibility in ensuring the place is safe to be used for the purpose of landing and take-off. The requirements is relevant to aircraft type and conditions at the time. The regulations do not specify a flight path in using a helipad/heliport because the pilot must determine the safest route in landing and take-off, as stated above, depending on conditions at the time. The helipad/heliport operator generally specifies operating procedures for aircraft using the landing site, and this will include flight paths relevant to safe routes and can be in consideration of impacts of aircraft with sensitive areas, such as national park and residential areas.

On impact of aircraft and noise abatement. CASA does not regulate aircraft noise and/or environment impacts. It is usually a matter managed within the land development application with impact statements. On these matters you should refer to the local council authority. While CASA cannot enforce fly friendly agreements we encourage consideration by council authorities and with the helipad operator and local residents. Information about fly neighbourly agreements is attached.

CASA publishes information for helipad operators and pilots with guidance about a means of compliance with the civil aviation regulations. The civil aviation regulations in using a helicopter landing site are stated in the guidance material. The Civil Aviation Advisory Publication 92.2 should provide information to assist your enquiry. The landing page is [92_2.pdf | Civil Aviation Safety Authority \(casa.gov.au\)](#)

I trust this information is helpful and feel free to contact me either via this email address and/or on the telephone number below should you need further clarification.

Kind regards,

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From: Mission Beach Cassowaries <missionbeachcassowaries@gmail.com>
Sent: Wednesday, 20 January 2021 2:41 PM
To: Aerodromes <Aerodromes@casa.gov.au>
Subject: Urgent information required re heliport proposal for Mission Beach.

To whom it may concern,

A development application for an MCU for an aviation facility at Mission Beach has raised considerable concern from the community. Mission Beach has a tourism reputation of being a quiet peaceful village destination for visitors wanting a nature experience with the chance of seeing a cassowary.

The location of the proposed aviation facility site is situated on cleared land surrounded by a high biodiversity rainforest catchment area where at least 4 major cassowary corridors converge.

A residential area connecting to the Mission Beach village has a boundary to the rainforest/cassowary habitat area. Residents have bought their houses because of the natural vegetation boundary and peace and quiet of the locality.

The community is very confused as to their rights. The DA and Planners report leave a lot of questions being full of inconsistencies and contradictions skewed in favour of development approval.

The development is being assessed by the local council ONLY on the impacts of the development of a hangar and associated helicopter facilities servicing the proposed heliport NOT on the impact of the helicopters during take off, landing and during flight.

The graphic provided by the proponent showing the flight path does not show the correct path which would impact on a greater number of residents than shown. In any case the residents do not want a helicopter facility in this location. We are being told there is no requirement for a helicopter service to be located within a designated air service area of which there are three appropriate places within the Cassowary Coast already.

The proponent, Mission Helicopters, owned by Ray Cronin of Kestrel Industries, has informed

the public he has a right to use the land he now owns to use his helicopters anyway and doesn't need any permits beyond what he already has. As he is a significant player in the aviation industry we assume he is correct but we would like clarification on this please.

We are to understand CASA are the sole assessment body of impacts while aircraft are in flight. We understand CASA have rules about noise levels but the community believe even the CASA accepted noise level would have an unacceptable impact on their current expectation of a quiet peaceful neighbourhood.

The council will be meeting tomorrow to make a decision on this DA.

Could you please let me know what the rules are about locating a facility in such a locality which the DA confirms will be using highly specialised craft such as heavy lift, cranes, fire fighting, emergency services, training as well as passenger transfers operating from 7am to 6pm 7 days a week?.

The community has set up a website with all the information regularly updated. www.aviation-facility.weebly.com

As this is a matter of urgency would it be possible for someone to call me please to discuss this further.

I appreciate your time and advice.

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Kind regards

Liz Gallie

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