

The General Manager  
Kempsey Shire Council  
PO Box 3078  
West Kempsey  
NSW 2440

Mr Dick Pearson  
Secretary, SKAAG Inc.  
30 Waratah Drive  
Yarravel  
NSW 2440

2 October 2018

Dear Mr Milburn,

**Subject: Breach of Agreement Conditions by AIAC**

I write to you on behalf of Save Kempsey Airport Action Group Inc. (SKAAG Inc.) regarding the Australian International Aviation College (AIAC) continued breach of operating conditions at Kempsey Airport.

Putting it bluntly, residents have had an absolute gutful of AIAC's blatant disregard for any conditions placed on their circuit training operations and the lame excuses put forward when conditions are breached. It is clear that AIAC has no intention of complying with any conditions, be they embedded in development consents, other formal agreements or any voluntary 'Fly Neighbourly Agreement' that may emanate from the current KARG process.

Residents have also had a gutful of Council's relentless push to embed industrial scale circuit training as a feature of Kempsey Airport, as evidenced by your individual initiative to negotiate an agreement with AIAC to ensure it 'retains a presence in Kempsey' despite such operations falling foul of the NSW EP & A Act (1979).

As you are aware, AIAC yet again breached a condition of the agreement struck with Council on 16 July 2018 by conducting circuit training operations on Monday 1 October 2018, being the NSW Labour Day public holiday.

This follows other breaches of conditions embodied in the now expired DA T6-15-381 and the abovementioned 'agreement', viz;

- Good Friday 2017      Excuse: None
- Easter Monday 2017      Excuse: None
- Australia Day 2018      Excuse: New flight scheduler unaware that 26 January was a Public Holiday
- 22 July 2018      Excuse: New flight instructor unaware of night curfew as per Agreement

I would also remind you that this latest breach follows an event involving a twin-engine Diamond DA42 aircraft conducting circuit training operations at Kempsey Airport on 27 September 2018. I acknowledge that Council is still investigating this event with a view to determine if the aircraft concerned belonged to AIAC and if so, whether the event breached either the 'agreement' and/or Council resolution to the Mayoral Minute regarding visiting aircraft as recorded in the minutes of the June Council meeting.

What action is Council taking to address the continual non-compliance with the conditions contained in the 'agreement' established with AIAC?

We look forward to your earliest personal reply.

Yours sincerely,

Dick Pearson  
Secretary, SKAAG Inc.  
Email: [savekempseyairport@gmail.com](mailto:savekempseyairport@gmail.com)

CC: All Councillors