



Mr Jeffrey Peng
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Sunday 17 May 2026

Dear Mr Peng,

Objection to proposed modification 4 of Emirates Wolgan Valley Resort (MP06_0310)

Summary

Wilderness Australia objects to the proposed increase in helicopter movements to 30 per day (210 per week). This proposal if approved would cause a noise significant impact on park visitors and wildlife in the adjoining World Heritage Area and Gardens of Stone State Conservation Area (SCA). The Emirates/Ritz-Carlton resort's justification for a five-fold increase in flights is premised on the assumption that 2WD access will remain closed for many years. This assumption is incorrect. Wolgan Gap Road is scheduled to open to 2WD traffic by the August of 2026, rendering this modification unnecessary (Lithgow Mercury, 7 May 2026).

This proposal is only a slight reduction in helicopter flight frequencies from the withdrawn Modification 3. It should be deemed a 'designated development' due to its potentially significant environmental impacts. Increased flights over a World Heritage Area and a State Conservation Area (SCA) will impact visitors and wildlife; these should all be classified as 'sensitive receivers' as they lack the noise shielding provided by residential buildings.

Furthermore, the potential reduction in visitation to the Gardens of Stone SCA due to helicopter noise pollution may result in a net economic loss for the region's tourism industry once the Gardens of Stone gains a reputation for constant noise.

The applicant's history suggests that this 'temporary' modification may become permanent. Given that the proponent has not met previous consent obligations regarding land exchanges, the Department should not rely on the promise to terminate these flights once 2WD traffic access is re-established.

The proponent should be requested to consider withdrawing this proposal, and resubmitting it with an environmental impact statement addressing all impacts and providing a valid justification for it if they wish to consider pursuing the matter.

Intent and Logistics

The proposal effectively seeks to transform a resort helipad into a heliport, that requires designated development processes. The Justification Statement (section 9.1.13) implies the proponent intends to transport patrons by air, suggesting they may not intend to use the Wolgan Gap Road for guests even after it reopens.

Notably, the Modification Report fails to mention that all linen, food, employees, and materials will still be transported via the Wolgan Gap Road once it reopens in August 2026. Lithgow Council has advised that the 'Interim works to open Wolgan Road is anticipated Q3 2026. At completion, the works will allow access for up to 12.5 metre trucks and most two-wheel drive vehicles¹.' The obvious conclusion is that if the road is sufficient for heavy logistics, it is sufficient for guest transit.

The Emirates drove guest into the Wolgan Resort before the Wolgan Road was closed, as part of the resort experience. The resort was successful for years before the road closed. Driving guest into the resort can be expected to be viable mode of guest transport when the Wolgan Road is reopened.

Inadequate Noise Assessment

The noise impacts cited rely on two reports (Appendices 4 and 7) containing data predating the creation of the Gardens of Stone SCA. These reports fail to adequately consider visitors to the World Heritage Area and conservation area. The proponent has undercounted the impact on these sensitive receivers by overlooking half of the World Heritage Area, as the Gardens of Stone National Park is part of that property, and using obsolete data.

Modification 4 should be refused as it is unnecessary, misleading in its intent to permanently convey guests by helicopter, and inadequately supported by not providing an Environmental Impact Statement (EIS) for potentially significant environmental impacts.

Need for an Environmental Impact Statement

While Planning Regulations may not explicitly trigger an EIS for this modification, one should be required given the potential impact. Current noise analysis (in Appendices 4 and 7) focuses on residential environments, which is inapplicable to visitors and wildlife in the Greater Blue Mountains World Heritage Area and the Gardens of Stone SCA. New policies must be developed to address noise in natural settings, particularly those in a World Heritage Area, requiring a level of scrutiny beyond modification processes.

Persistent Efforts to Increase Flight Movements

The original Emirates Resort Master Plan (section 5.7) limited flights to a maximum of **four per week**, stating:

'... The majority of guests will arrive by 4WD... Mitigation measures will include limiting flights to daylight hours and running a maximum of four flights a week.'

Modification 2 increased this to 28 movements per week, except during peak periods when double that number of movements were permitted. Modification 4 now proposes 210. The proponent's strategy appears to be a gradual replacement of vehicle transport with helicopters, at the cost of the public's acoustic amenity in the adjoining World Heritage listed national parks, the Gardens of Stone State Conservation Area and also in the lower Blue Mountains towns and World Heritage listed national park.

¹ <https://council.lithgow.com/download/138640/?tmstv=1772502782>

The Proposal is No Longer Required

The Wolgan community has secured a cost-effective solution for the Wolgan Road reconstruction. As of May 2026, an interim strategy has been approved by the Council and the State Government. The \$50 million project will stabilise the corridor to a tolerable risk level, establishing a managed single lane of traffic by mid-2026. This mirrors the successful risk management approach used by the Blue Mountains City Council for Megalong Road.

A tender for strategic designs closed on 30 April 2026. Given that residents have successfully moved machinery and livestock via the road during its closure, the resort should support these ground-link efforts rather than pursuing air transport.

Failure to Meet Consent Obligations

The applicant has failed to meet critical environmental obligations of the development consent. The resort was originally permitted to occupy part of the Wollemi National Park based on a land exchange agreement. According to Figure 2 of the Modification Report, these exchanges have not been delivered.

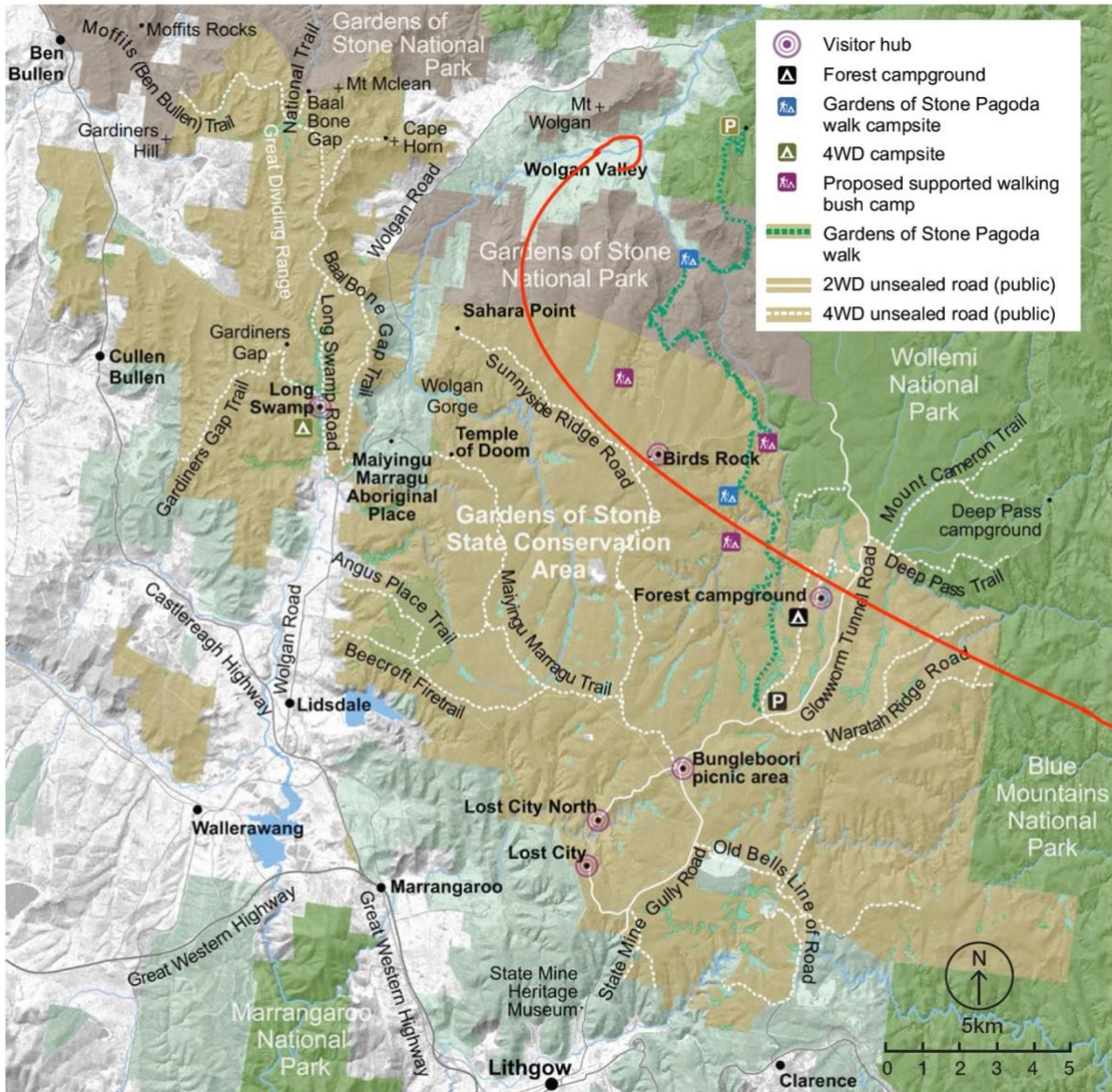
In 2007, the then-head of the National Parks and Wildlife Service (NPWS), Dr Tony Fleming, stated the lease was expected to run for only 2–3 years pending land transfers. Decades later, the applicant remains in possession of national park land. Wilderness Australia has no confidence that the 'temporary' helicopter increase will not become permanent given these unfulfilled legal obligations.

Adverse Environmental Impacts

The Modification Report understates the impacted World Heritage Area by half by omitting the Gardens of Stone National Park. The total area of noise audible within the World Heritage property is 527.73 ha, not 269.84 ha.

The revised flight path over Newnes Plateau passes directly over a NPWS public campground (under construction, but nearly completed) and the Gardens of Stone Pagoda Walk. It will ruin the acoustic amenity in Forest Camp, the Birds Rock Lookout and the Bird Rock Precinct, as well in Acoustic Canyon, which is near the Wolgan Valley escarpment and has outstanding geodiversity features. Furthermore, the NPWS is currently constructing high-standard walking tracks and proposing commercial tourist accommodation in the Carne Creek catchment. These 'bush luxury' experiences—and the public campsites—will be significantly degraded by helicopter noise, likely resulting in negative social media coverage and a decrease in returns on the NSW Government's \$50 million capital investment in visitor facilities.

Experience Co's plans to sell to Intrepid Travel its lease option for three controversial glamping resort proposals among pagoda landscapes now risks becoming a stranded asset. The Emirates' Wolgan resort already has permission for up to 10 helicopter flights a day. Future visitors to the proposed glamping resorts are not going to pay \$1,000 a day to put up with such frequent helicopter noise intrusion.



Approximate location of the proposed flight path overlaid on the Birds Rock visitor hub, Forest Campground, and Pagoda Walk campsites (including the three proposed glamping resorts). The flight path passes over or is in close proximity to Birds Rock Lookout, Public Walk Campsite 1 and Forest Camp. **Source:** Gardens of Stone SCA Infrastructure Master Plan, p. 38 and approximate flight path was overlain on this figure by K. Muir, as the proponent failed to consider these potential impacts.

Risk Analysis and Regulatory Oversight

The report fails to identify potential hazards along the flight paths. The risk of inbound and outbound helicopters colliding, as tragic happened at Sea World on the Gold Coast QLD in 2023, has not been assessed. The risk of helicopters colliding with the surrounding sandstone cliffs is not assessed. Additionally, Newnes Plateau sits 1,100 metres high (500 metres above the valley floor), yet operational details are too vague for the Department to regulate effectively in relation to park visitor facilities (see above).

Reference to the Fly Neighbourly Agreement (FNA) is insufficient as it has not been updated to include the Gardens of Stone SCA. Furthermore, the claim that operations will be 'inaudible or only barely audible' contradicts the experience of park visitors. Figure 9 of the Modification Report apparently fails to model noise at the elevation of Birds Rock Lookout (1,181 m), which will be overflowed at a lower level than the model apparently estimate as it does not seem to fully account for this specific terrain detail.

The most sensitive noise recipients would be visitors to the Gardens of Stone SCA visitors to Gardens of Stone Pagoda Walk, the proposed glamping resorts and NPWS campgrounds and the impact of helicopter noise of these recipients is not considered in the modification report on noise assessment appendices.

The Modification also relies on the proposed Fairmont resort helipad (that proposed a much lower level of helicopter activity of up to 20 flights per week) to examine impacts on national parks. This proposal was refused consent due to environmental impacts and can not be relied upon for guidance, as its circumstances are completely different. The Fairmont is located on top of an escarpment, while the Wogan Resort is in a valley. In effect there are no valid data and no evidence in the modification, regarding the impact on the most sensitive users, the visitors to the World Heritage Area and the Gardens of Stone State Conservation Area.

The Gardens of Stone SCA and World Heritage Area will be compromised if subjected to regular helicopter noise pollution, leading to a loss of any sense of peace and quiet. The United States Department of Agriculture Forest Service 'Report to Congress: Potential impacts of aircraft overflights of national forest system wilderness' (July 1992) found that wilderness users were 10 dB(A) less tolerant of noise of aircraft overflying than in residential areas. This is an important finding as it identifies park visitors as the most sensitive noise recipients. The impacts on these recipients were not assessed in the modification report.

The "limits of acceptable" change methodology in relation to the acoustic environment of national parks and reserves should be considered as a suitable model for determining proposals that impact on the amenity of park visitors. Park visitors are directly impacted by helicopter noise and are unable to access noise mitigation measures such as dwelling insulation and double glazing windows.

Increased helicopter noise in the lower Blue Mountains due to the vertical 'sandwich'

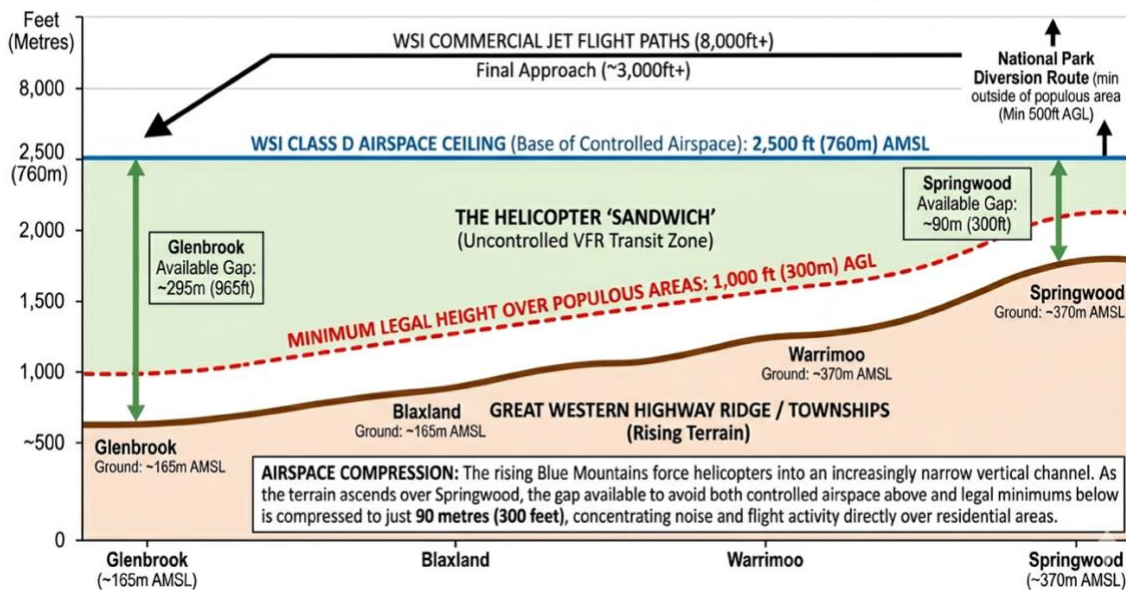
Increased helicopter noise from the 30 proposed helicopter movements a day will adversely impact residents in the lower Blue Mountains. As part of the new airspace design for Western Sydney International Airport (WSI), effective from 9 July 2026, helicopter pilots in the lower Blue Mountains will be required to fly in a narrow vertical 'sandwich'.

Wilderness Australia understands that from 9 July, helicopters will be required to fly at or below 2,500 feet (760 metres) AMSL (Above Mean Sea Level). Consequently, helicopters flying over Springwood must fly close to the legal minimum height of 300 metres above the ground for residential areas; by Glenbrook, the 'sandwich' has widened to only 600 metres above the ground.

As helicopters in the lower Blue Mountains usually follow the Great Western Highway for visual reference, it is likely that helicopters ferrying patrons to and from the Emirates Wogan Resort will cause an increased noise burden upon residents. The likely result is political protest and the diversion of flight routes over the national park where the minimum height limit is 500 feet (150 metres). This means the World Heritage Area will be further impacted in localities remote from the Wogan Resort.

If this analysis is partially in error, as the 14 day submission window did not enable Wilderness Australia to obtain confirmation from WSI of these flight details, then note that in any event these proposed increases in helicopter flights would be on top of the introduction of commercial jet flights to WSI. This modification proposal would be an unnecessary increase the already heavy aviation noise burden imposed on lower Blue Mountains residents by WSI. In balancing this impact against the dubious need for this proposal, greater weight should be given due to this cumulative aircraft noise impact than in the absence of jet aircraft noise. The proponent did not consider these impacts and this too should be taken into account when balancing impacts against alleged benefits.

LOWER BLUE MOUNTAINS AIRSPACE PROFILE: GLENBROOK TO SPRINGWOOD (EFFECTIVE 9 JULY 2026)



This AI generated profile indicates that the proposed 30 helicopter movements per day from the Wolgan resort would be concentrated into a narrow vertical 'sandwich' causing noise significantly impact residents of Springwood and nearby townships if the traditional visual reference of the Gt. Western Highway is followed by pilots.

Conclusion

The 'burden of proof' lies with the proponent to demonstrate that a five-fold increase in flights will not damage the environment or the local economy. They have failed to do so.

Under Section 1.3 of the *Environmental Planning and Assessment Act 1979*, the Department must promote the social welfare of the community and a better environment through proper management. Approving this modification would ignore the Department's duty to protect public safety, the community and environment from airborne noise pollution. Remote impacts on lower Blue Mountains residents due to WSA airspace restrictions have been completely ignored.

Given the impending opening of Wolgan Gap Road, the outdated noise assessments, and the potential for high-level conflict with park visitors, the Department should refuse this modification.

Thank you for the opportunity to comment.

Yours sincerely,

Keith Muir
Hon. Project Officer
Wilderness Australia

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