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NSW Major Projects

Re: Objection to Planning Application MP06\_0310-Mod-3

Dear Jeffrey Peng,

I am writing to formally object to the planning application MP06\_0310-Mod-3 submitted by Emirates for proposed modifications in New South Wales. The proposed modifications have raised several concerns, and I believe that the modification should not be approved for the following reasons:

**1. Lack of Broad Community Support and timing of consultation:**

Despite representations made by Emirates in their application, it has come to my attention that broad community support for the project has not been adequately demonstrated. Community input and engagement are vital for any project of this nature, and it is essential that the concerns and preferences of the local residents are taken into account.

It appears that consultation with the community took place during a period of significant stress following the closure of the permanent road when alternate access was intermittent and onerous. This may have affected the ability and availability of the community to provide informed and considered feedback. It is imperative that any decision on this project be based on consultation conducted under fair and harmonious conditions.

**2. 750% increase in Helicopter Traffic:**

The proposed increase from 14 trips (28 flights) per week to 105 trips per week (210 flights) in non-peak times, is a significant and concerning escalation of 750%. Such a substantial increase could have adverse effects on the environment, quality of life for local residents, and wildlife in the area.

The application focuses on the landing area, which while important, is not the only area that would be impacted by the proposed increase in flights. The landing area,

as outlined by Emirates, is cleared land, whereas the flight paths in and out of the valley, cross sensitive environments within both World Heritage Areas and National Park, most importantly the Carne Creek Canyon which the Emirates uses as a flight path to minimise noise impact on the main Wolgan Valley. The big question is what impact does it have on the wildlife in the Carne Creek Canyon.

The application by Emirates notes the ambiguity around the limits of legislation (The EPA's mandate, the *Environmental Planning and Assessment Act 1979* and the *Biodiversity Conservation Act 2016*) to condition helicopter trips and flight impacts. Regardless of the authority responsible, the flight path and impact on the environment and community must be considered as part of the application process

### **3. Environmental Impact:**

Emirates has applied for modifications under s4.55(2) of the *Environmental Planning and Assessment Act 1979*, which pertains to 'other modifications' instead of s4.55(1) 'modifications involving minimal environmental impact'. This implies that the modification already involves environmental impact above what would be considered minimal. Such a determination suggests that the proposed changes may have a greater environmental impact than is presented by Emirates in the application.

### **4. Biodiversity Development Assessment Report (BDAR) Waiver:**

The request for a BDAR waiver by Emirates is troubling. The guidelines for BDAR waivers explicitly state that they should only be granted when there is no significant impact on biodiversity values. The guidelines also outline that if there is doubt regarding potential impacts, or where information is not made available, a BDAR waiver will not be issued. Given the potential impact of the proposed project and the fact that Emirates has been advised by the Department to apply under s4.55(2), I object to the waiver and request that a comprehensive BDAR be conducted.

The Biodiversity, Conservation, and Science Directorate (BCSD) outlined in their submission a number of recommendations for Emirates to demonstrate when establishing whether or not a BDAR is required. These have been outlined in the application document from Emirates but have not been fulsomely addressed. This is deeply concerning given the BCSD are the NSW Government's experts in this area.

A thorough environmental assessment and BDAR are critical for ensuring a thorough and unbiased assessment of the project's environmental impact.

### **5. Insufficient Information on the impact on Bird Species (including Threatened Species):**

In line with the above objection regarding a BDAR waiver, there appears to be a lack of comprehensive information regarding bird species (including threatened species), their habitat, and daily movements in the area. There are a number of threatened bird species including Glossy Black cockatoos, Wedgetail Eagles, Regent Honey Eaters and Gang Gang Cockatoos, which are now regularly seen in the valley following a period of absence after the bushfires that devastated the region in 2019-2020. It is crucial to consider their habitat and behaviour when assessing the potential impacts of additional helicopter flights.

The Blue Mountains Conservation Society, recently published an article summarising the impact of helicopter operations and other aircraft on wildlife<sup>1</sup>. Information in the Blue Mountains Conservation Society's report, supports the position that the increased helicopter operations, as is proposed in planning application MP06\_0310-Mod-3, have the potential to significantly impact the local environment and community. The report outlines that research conducted worldwide has identified common impacts of aircraft, including helicopters, on wildlife:

5.1. Physical contact resulting in immediate death or injury.

5.2. Noise pollution, which affects habitats and protected areas, causing chronic noise exposure.

5.3. Sudden, noisy movements causing negative effects on wildlife, with helicopters having a greater impact than fixed-wing planes.

5.4. Rotor downwash generated by helicopters, leading to smothering blankets of airborne dust, reduced habitat values, and exposure to lethal wind velocities.

5.5. Impacts include direct physical damage, the triggering of the "fight or flight" response, and changes in the acoustic environment, which can affect birds, frogs, and other animals reliant on hearing and vocalisation.

5.6. Behavioural and physiological responses may result in collisions with aircraft, reproductive impacts, displacement from habitats, and long-term losses of individuals and species.

The report also highlights concerns related to noise pollution, disturbance to wildlife, and potential damage to the pristine natural surroundings. Additionally, the document underscores the importance of preserving the Blue Mountains' unique biodiversity and indigenous cultural heritage. It cautions against modifications involving such a substantial increase in helicopter trips and advocates for a comprehensive assessment, highlighting the need to consider the full scope of

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<sup>1</sup> <https://www.bluemountains.org.au/hutnews/hut-news-1907-impact-of-helicopters.pdf>

environmental and social implications. The report underscores the necessity of complying with guidelines and regulations aimed at minimising the ecological footprint of such projects.

In light of these concerns, I strongly urge you to reconsider the approval of the planning application MP06\_0310-Mod-3. It is essential that any project in this area adheres to the highest standards of community engagement, environmental preservation, and respect for indigenous heritage. Failing to address these concerns could have long-lasting, adverse consequences for the local community and the environment.

I kindly request that my objections be given due consideration during the decision-making process for this planning application. I am eager to engage in any further discussions or inquiries that may assist in achieving a balanced and sustainable outcome for all stakeholders.

Thank you for your attention to this matter.

Sincerely,

Ashlie Coates

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