

Director – Industry Assessments  
Development Assessment  
Department of Planning and Environment  
Locked Bag 5022  
Parramatta NSW 2124

18 October 2023

To whom this may concern,

**RE - Emirates One&Only Resort, Wolgan Valley Modification Application No MP06\_0310-Mod-3**

We write to you regarding a modification application by Emirates Hotels (Australia) Pty Ltd that seeks to temporarily increase the number of helicopter movements to/from its resort Emirates One&Only Wolgan Valley, until such time as two-wheel drive (2WD) access is restored to Wolgan Valley.

Wolgan Valley Eco Tours is opposed to the proposed modification application no. MP06\_0310-Mod-3 (referred to as MOD3) lodged by Emirates Hotels (Australia) Pty Ltd.

As per the application, the proposed modification would permit:

- daily helicopter trips – increase to a total of 15 trips per day (15 in, 15 out); and
- weekly helicopter trips – increase to a total of 105 trips per week (105 in, 105 out).

Whilst temporary in nature (5 years+ contrary to the 2-4 years indicated in MOD3) our concerns are on the significant increase in maximum flight movements from 5 trips per day (5 in, 5 out) (referred to as MOD2 in the modification application) to a total of 15 trips per day (15 in, 15 out) along the Carne Creek section of Wolgan Valley through Gardens of Stone National Park, Gardens of Stone State Conservation Area, Wollemi National Park and the Greater Blue Mountains World Heritage Area.

As a business that prides itself on the delivery of high-quality minimal impact ecotourism experiences and is reliant on the protected area that surrounds the resort, it's our experience and those of our guests that noise knows no boundaries, even within the resort's existing license and respective flight path. Whilst it is perceived the existing flight path approved by the NSW Department of Planning & Environment (NSW DPE) under the former Part 3A of the *Environmental Planning & Assessment Act 1979 (NSW)* contains noise to the smallest possible extent, protected areas do not guarantee wildlife, businesses like our own and several other small local businesses who specialise in ecotourism and adventure tourism, as well as park users from its effects.

As the site is surrounded by the Greater Blue Mountains World Heritage Area (GBMWhA) and several national parks and state conservation areas, it is presumptuous of the proponent to state that 'it is unlikely that there will be cumulative environmental impacts arising from the proposed modification'. MOD3 fails to identify and assess environmental and socio-economic impacts outside of the project site in the surrounding protected areas in particular chronic noise exposure on wildlife and the park user experience including those experiences delivered by ecotourism businesses like our own, from increased flight movements along the Carne Creek section of Wolgan Valley.

We acknowledge that biodiversity values were assessed by the proponent under Section 1.5 of the *Biodiversity Conservation Act 2016 (BC Act)* and any additional biodiversity values established under



Clause 1.4 of the *Biodiversity Conservation Regulation 2017*, however these biodiversity values were based on data collected as part of a Flora and Fauna Impact Assessment prepared by AMBS in 2005, which subsequently led to approval of MP06\_0310 and later MOD2. This flora and fauna impact assessment identified an Eastern Bent-wing Bat (listed then as vulnerable under the repealed Threatened Species Act and now BC Act) flying over the site, and no further threatened species within the project site.

As stated in the Modification Report MOD3 (2022), the proponent states that 'It is possible that additional threatened fauna species previously recorded within the locality (within 10km) could also occur on the site' (p.28) however it has been some 18 years since a full flora and fauna assessment was undertaken by a qualified ecologist. In that time we have seen legislative change with the repealing of the *Threatened Species Conservation Act (NSW)* with the *Biodiversity Conservation Act (BC Act)* in 2016, the listing of additional flora and fauna species under the BC Act and the *Environmental Protection & Biodiversity Act 1999 (Cth)* including the vulnerably listed Glossy-black Cockatoo (*Calyptorhynchus lathami*) and critically endangered Regent Honeyeater (*Anthochaera Phrygia*) which occurs within 800m of the MP06\_0310 and MOD2 helipads, as well as significant investment made by Emirates itself in environmental rehabilitation and restoration of the site as per its own 10-year Conservation Management Plan. This would undoubtedly lead to an increase in biodiversity and the subsequent occurrence of threatened species including the Regent Honeyeater through its conservation efforts.

As it stands, in its assessment of environmental impacts, the Modification Report MOD3 (2022) prepared by Pitt & Sherry for Emirates Hotels (Australia) Pty Ltd, is not reflective of the current environmental conditions and biodiversity values that have emerged on site in 18 years. If creating a delicate balance between tourism and preservation and protecting the natural environment is central to the core operating vision of Emirates One&Only Wolgan Valley, then all current biodiversity values and potential impacts prescribed under the BC Act and BC Regulation need to be carefully considered.

Based on this, Wolgan Valley Eco Tours is opposed to the proposed modification application no. MP06\_0310-Mod-3 lodged lodged by Emirates Hotels (Australia) Pty Ltd.

As per submission requirements of the NSW Department of Planning & Environment, Wolgan Valley Eco Tours has not made any reportable political donations in the last two years and acknowledges and accepts the Department's disclaimer and declaration.

We thank you for your attention on this matter.

Kind regards,

Kristie Kearney

Owner & Head Guide