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## EcoNetwork – Port Stephens Inc.

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6 July 2021

**Submission: DA 16-2021-387-1: Aircraft facility – helipad, dual occupancy and associated infrastructure including hangars, offices, carparking and civil works**

EcoNetwork-Port Stephens is a grassroots community-based environmental and sustainability network comprising 27 community and environment groups and eco-businesses with a focus on sustainable planning. We are non-party political and do not donate to political parties.

We are of the strong opinion that consent *not* be granted for an ‘aircraft facility – helipad’ proposed for 4136 Nelson Bay Road Anna Bay.

We believe the application to build four helipads and associated infrastructure, with up to 70 helicopter movements per day will introduce a noisy, intrusive, and unnecessary enterprise into a largely peaceful and natural environment. *Incredible by Nature* is Destination Port Stephens’ current slogan, inviting visitors to seek an appreciation of nature at its best. We recommend that if there is to be a commercial helipad, that it be located at Newcastle Airport, which is only 23km (20 minutes’ drive) further on.

Our objection to the proposal is based on the following:

1. The proponent is using the term helipad to comply with zoning RU2 – Rural Landscape, when in fact the operation as described bears closer resemblance to a heliport, which the zoning would prohibit.
2. Up to 70 flights per day will create a nuisance for residents, who already must contend with movements of RAAF aircraft.
3. Noise from take-off and landing helicopters is at odds with the serenity and tranquillity of the nearby cemetery, where graves are often visited by relatives to pay their respects.
4. Noise from take-off and landing helicopters will disturb native wildlife in adjoining vegetation.

## 1. Helipad v. Heliport

The Port Stephens LEP 2013 states as objectives of Zone RU2, to encourage sustainable primary industry production by maintaining and enhancing the natural resource base; to maintain the rural landscape character of the land; and to provide for a range of compatible land uses, including extensive agriculture.

However, it lists a number of activities permitted with consent, including helipads. It defines a **helipad** as a place not open to the public used for the taking off and landing of helicopters. It defines a **heliport** as a place open to the public that is used for the taking off and landing of helicopters, whether or not it includes a terminal building, or facilities for the parking, storage or repair of helicopters. Furthermore, it says heliports are a type of *air transport facility*.

The only relevant zonings that allow heliports are Zone IN1 General Industrial, Zone IN2 Light Industrial and Zone RE1 Public Recreation.

Applying the Port Stephens LEP 2013 definition, the proponent in the EIS makes the argument that what it proposes is not public in nature. It justifies this by saying that the operation of the site will not allow public persons to attend the site unless strictly in relation to the existing patrons, customers, and users of the private business operations (of the Nelson Bay and Soldiers Point marinas). Public users will not be able to book flights independent of the existing private business operations as they would with Newcastle Airport.

But the substantial nature of what is proposed and how the business is to be run to comply with the 'helipad' definition raises a red flag. No fewer than four helipads are proposed, with an ancillary building measuring 864 square metres and 8.5 metres in height comprising two helicopter hangars, an office with attached dual occupancy with two bedrooms, bathroom and open plan living, dining and kitchen area per level, plus car parking and an on-site waste management system.

The business proposes up to 70 flights (35 arrivals and 35 departures) per day operating Monday to Sunday from 8am to 6pm.

The proposed development is said to complement the private business operations of Soldiers Point and Nelson Bay Marina by escorting members or guests to the helipad site to go on flights throughout the Port Stephens and Hunter Valley Region for tourism, business, or recreational purposes. Likewise, guests or family members may arrive at the helipad site via helicopter and be driven to the marina sites.

However, with only 300 wet berths in total at Soldiers Point and Nelson Bay marinas, it seems highly problematic that sufficient demand would be generated to justify 70 arrivals and/or departures per day 6 days a week.

It raises questions about what the proponent's real intentions are. While the general public may not be able to book flights directly, what is to stop the business developing a workaround, whereby the public become private by making bookings legally via the marinas' private reservations system? That way the facility becomes a heliport in all but name.

In any case, once the operation gets under way and the tourism potential is demonstrated, the business could justify lobbying for a change in zoning to legitimise operation as a heliport.

## 2. Noise nuisance

After noise testing was conducted using a single helicopter at the location, the acoustics report concluded the proposal can operate within the ANEF 20 limit, the applicable assessment criterion for the proposal, under the proposed parameters and conditions.

However, the report itself says setting of noise impact criteria is not well defined under existing noise policies and guidelines. Furthermore, it appears not to consider the noise of different types of helicopters, the cumulative effect of more than one helicopter operating in the helipad vicinity, or the effect of different wind directions and atmospheric conditions.

It is proposed that the business operate 10 hours a day (8am-6pm) seven days a week. Seventy movements a day means seven movements an hour – on average. It means on any given hour there could be no movements or considerably more than seven movements. And over a week including Sunday there could be up to 490 movements a week.

The report has calculated noise impacts for a residence 230 metres from the nearest point of the proposed approach and departure paths. It does not seem to consider the wider noise impact on immediate neighbours and large residential areas within 2km of the site, nor of the addition to noise already made by over-flights of military aircraft based at Williamstown.

## 3. Proximity to cemetery

Local cemeteries offer a space that brings comfort to families and individuals as they struggle with their grief while remembering loved ones. The Anna Bay cemetery provides a serene environment in which to place flowers on important occasions and to spend time speaking on a spiritual level with the person that has passed. Bereaved persons have already expressed their concern that noise from the proposed heliport, which is only 100 metres from the cemetery will disrupt their visits. Having helicopters taking off and landing near where people are visiting graves or holding funerals would appear to be highly disrespectful.

#### 4. Disturbance to native wildlife

The development would mean clearing approximately 218 square meters of native vegetation (Coastal Sand-Apple – Blackbutt Forest). While this is a relatively small area of impact, the constant nibbling away at native habitat aggregates to a level of destruction that over time is causing a worrying decline in koala populations on the peninsula.

Also concerning is the effect of noise on fauna occupying adjoining bushland.

Most animals have specially adapted to the natural noises in their environment—they are aware of them, understand them and know how to use and interpret them.

When artificial, unfamiliar noises are added to natural soundscapes, a range of problems emerge.

A paper *The Impact of Helicopters on Blue Mountains Wildlife and other World Heritage Values* compiled by the Blue Mountains Conservation Society has drawn on research world-wide into the impacts of helicopters and other aircraft on wildlife.

It says a combination of loud noise and sudden and rapid movement of aircraft causes the greatest negative effects on wildlife with helicopters having a greater impact than fixed wing planes. While birds and other animals can habituate to regular human impact, sudden, noisy intermittent helicopter intrusions would constitute bursts of alarm-filled harassment.

Further, repeated exposure to noise and triggering of an animal's 'fight or flight' response can lead to chronic stress. The health of affected animals may be compromised by suppressing immune function, making them more susceptible to infection and parasites, altering growth, and by slowing recovery from food shortages.

The Blue Mountains Conservation Society used the above excerpts in its submission objecting to a proposed lease of Katoomba Airfield at Medlow bath, 22 July 2019. The submission, which covers other helicopter impacts on fauna can be accessed at <https://www.bluemountains.org.au/documents/submissions/2019/bs190722-katoomba-airfield-lease-lx602686.pdf>

The Department of Planning, Industry and Environment declined the application for the lease in January 2020 in response to community feedback and the Society has since called on the Minister to add the site to the National Park.

#### Conclusion

Because, for all intents and purposes the application is for a heliport, not a helipad, that it should be treated as such. We believe it would be a noisy intrusion into an otherwise peaceful environment, which includes a cemetery, and that it would have negative effects

on native wildlife. For these reasons the application should be rejected and that if a helipad/heliport is to be built the natural location should be at Newcastle Airport Willamtown.

A handwritten signature in black ink, appearing to read 'N. Dique', is placed on a light grey rectangular background.

Nigel Dique  
on behalf of EcoNetwork-Port Stephens Inc.