

# **EcoNetwork - Port Stephens Inc.**

**All correspondence to Kathy Brown Secretary PO Box 97 Nelson Bay [secretary@econetworkps.org](mailto:secretary@econetworkps.org) Mob. 0422 261 057**

The General Manager  
Port Stephens Council  
116 Adelaide St, Raymond Terrace NSW 2324

[council@portstephens.nsw.gov.au](mailto:council@portstephens.nsw.gov.au)

Tuesday, 25 January 2022

## **Anna Bay helipad proposal (DA 16-2021-387-1 Anna Bay Aircraft Facility 4136 Nelson Bay Road). Submission in relation to proponent's response to Port Stephens Council's Further Information Request (FIR).**

EcoNetwork-Port Stephens is a grassroots community-based environmental and sustainability network comprising 30 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.

In EcoNetwork's submission on 6 July 2021, we were strongly of the view that consent be not granted for an 'aircraft facility - helipad' proposed for 4136 Nelson Bay Road.

Nothing in the proponent's responses to Council's FIR with new or revised documents amending the DA, persuades us to change this view. Consent should not be granted.

We do not intend to repeat in detail the arguments set out in our original submission except to reiterate that the proponent's use of the term helipad to comply with zoning RU2 - Rural Landscape, is misleading. The operation as described bears closer resemblance to a heliport, which the zoning would prohibit.

In this submission, we would like to focus mainly on environmental and social aspects of the proponent's response.

### **Inappropriate location**

We believe it inappropriate to operate a helicopter business in a largely peaceful and natural environment.

In its FIR response the proponent mentions more than once that the original proposal for 350 movements per week can, if required, be reduced by 20% to 280 movements per week with a maximum of 65 movements per day, instead of up to 70 per day, on any one day.

This is a marginal reduction that we still find unacceptable. With hours of operation from 8.00am to 6.00pm, 65 movements a day would mean, on average, one arrival or departure every nine minutes. This, near a cemetery that aims to provide a serene environment for bereaved individuals and families.

The proponent's argument that Newcastle Airport is unacceptable as an alternative helipad site is unconvincing. It gives no detail about conflict with existing airport operations.

The Social Impact Assessment (Attachment 7) finds that the proposed aircraft facility at Anna Bay supports the Council vision for a 'liveable place supporting local economic growth,' but concedes there is a potential that it could cause a level of deterioration to the way people use the nearby cemetery, something that people value.

One of its recommendations to minimise social impacts is to 'facilitate a Joint Planning Agreement with Council' to mitigate the impact from the helipad during services.

This arrangement would restrict helicopters from taking off, landing or flying in the vicinity of the Cemetery during graveside services and includes the provision of a service schedule to the proprietor on a weekly basis to facilitate operations of the Proposal.

EcoNetwork regards this idea as impractical, unfair and unworkable. It would unfairly put the onus on France Family Funerals or other funeral service to provide graveside service schedules to the proprietor on a regular basis.

Furthermore, bereaved individuals and families who wish to visit graves do so when they feel the need, not according to schedule. For them, there will always be a risk that their visit will be disrupted by noisy helicopter movements.

Other SIA recommendations (in summary) with comments:

- Proactive and effective engagement with the affected community and stakeholders to increase project awareness and understanding.  
*Too late after construction of the facility is completed.*
- A grievance process for the community to raise comments, questions and complaints.  
*Too late after construction of the facility is completed.*
- Investigation of a noise bund /wall and planting of trees between helipad and cemetery to further mitigate social amenity impacts (noise and visual).

*No mention made of wall height and how long a tree break would take to grow.*

- Reinforce parking to the Helipad with wayfinding signage, to ensure visitors to the Proposal are directed to the dedicated parking spaces.

*Fine, but a minor consideration overshadowed by other objections.*

None of these recommendations resolve the major objection to the Proposal - the inappropriate location of the helipad near the cemetery - expressed by more than 70% of 80 public submissions lodged.

## **Noise**

In its revised Noise Assessment (Attachment 8), the proponent relies on the Australian Noise Exposure Forecast (ANEF) 20, to claim that the noise impact on nearby residences would be acceptable.

However, it concedes that there are no noise standards or guidelines covering noise at cemeteries. The number of flights has been restricted to a level at which noise impacts will not exceed the adopted criterion at the residence next to the cemetery.

Nothing in the report changes our contention that noise from take-offs and landings will annoy and disturb people visiting grave sites, because the helipad is inappropriately located near the cemetery.

Noise will also impact koalas and other wildlife as explained below.

## **Disturbance to native wildlife**

Database searches and literature reviews in Kleinfelder's Flora and Fauna Assessment Report (Attachment 3) reveal a total of 65 threatened species or communities have previously been recorded or are modelled to occur within a 5km radius of the Study Area, including 4 threatened ecological communities, 14 plant, three amphibian, 27 bird and 17 mammal species; and 39 migratory bird species.

In relation to koalas, the Report says no tree species identified on site comprise Koala Food Trees for the Port Stephens LGA listed in the Port Stephens CKPoM. However, two canopy species (Smooth-barked Apple and Blackbutt) identified on site are listed as important koala tree species in Appendix 8 of the Port Stephens CKPoM. Within the Tomaree Peninsula Koala Management Unit, the area in which the Study Area is located, is identified as supplementary koala habitat with restrictions on clearing. Kleinfelder has reviewed and revised its mapping.

The Report's impact assessments conclude that the Proposal is unlikely to have a significant impact on any locally occurring ecological communities,

threatened flora, fauna or migratory species listed under the NSW BC Act or Commonwealth EPBC Act 'due to the small area of impact proposed, managed nature of existing vegetation/habitats and large amount of similar vegetation, which would remain in the Study Area and wider surrounds.'

We disagree with this conclusion given the number of flight movements (up to 65 per day) and the stress this would cause to wildlife. We again refer to the paper *The Impact of Helicopters on Blue Mountains Wildlife and other World Heritage Values* compiled by the Blue Mountains Conservation Society that we quoted in our 6 July 2021 submission.

In its response to Council's RFI, in relation to operational impacts, the Report recommends that prior to departure of helicopters, that the engine is allowed to idle for a period of 5 minutes to allow any nearby fauna species time to relocate into adjacent bushland.

No scientific explanation or modelling is referenced to indicate how this would work in practice, if it would work at all, to prevent disturbance to wildlife. In any case, why should wildlife, whose habitat is under constant encroachment, be put under further pressure?

The Kleinfelder documents seem to only take seriously the habitat on the actual block on which the aircraft facility is located. The main koala corridor is across Nelson Bay Road, at the rear of the planned Boardwalk and continues behind the neighbouring houses directly opposite the proposed development site.

As helicopters are noisy when taking off and take some time to gain altitude, koalas will be impacted, especially as the main koala corridor is less than 200 metres away. We question Keinfelder's claim that 'the Subject Site and surrounds are considered Supplementary Koala Habitat and that it is unlikely that core koala habitat/ranges are centred within this proximity'.

Another odd recommendation is that if sedentary fauna species such as nesting birds or koalas are detected within the Study Area, 'it is the responsibility of the helicopter pilot to contact an ecologist or suitably trained wildlife carer for advice.' It says all flight development should cease until the ecologist has inspected the site and either relocated the fauna species (to suitable adjacent habitat) or determined that impacts are unlikely to occur.

Once again this seems a highly problematic protocol for a commercial operation. How are pilots supposed to be informed about any nesting birds or koalas? And even if they are notified, would they in practice follow through with an ecologist and report accordingly?

## **Conclusion**

As we adjudged in our 6 July 2021 submission, this consent should NOT be granted for 'an aircraft facility - helipad' proposed for 4136 Nelson Bay Road, Anna Bay. The reduction in aircraft movements is only marginal and would continue to create a nuisance for residents and visitors to the cemetery. Trying to restrict aircraft movements during services is impractical and unworkable, and we are unconvinced that aircraft movements will not have an impact on native wildlife, even if measures such as idling engines prior to take-off are implemented. If the proponents wish to build a helipad (a heliport by any other name), they should do so at Williamtown Airport.



Nigel Dique  
on behalf of EcoNetwork-Port Stephens Inc.