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David King , of Wallerawang NSW, made the following submission on the project:

[Emirates Hotels, Wolgan Valley \(Project Approval\)](#) [06 0310 MOD 2](#)



Supports this project

I am a direct neighbour of the Emirates Wolgan Valley Resort. Unlike most land holders in the Valley we are permanent residents. Most properties are weekenders.

My wife and I have lived in the Wolgan Valley since 1999 and moved there for the beauty and quietness. We have supported the resort project since the initial development phase and continue to support the resort as a positive contributor to the economic, environmental and social fabric of the Wolgan Valley.

Our main concern before the Emirates resort was built was the issue of helicopter transfers and the noise and invasion of privacy they posed. We were assured that there would be minimal numbers and no intrusion into our lives. This has not been the case and we have complained to the resort many times a year when helicopters have flown at altitudes of less than 100m directly over our home.

Our complaints to the resort in the past have been only when helicopters have flown low over our house when coming into or taking off from the resort and not at any time with the concept of the helicopter transfers as a whole. Our complaints have only been to the resort and not to the Regulator as we would rather have any problems dealt with as neighbours. The Resort Management have been usually very responsive to our concerns. I would like it to be clear that we supported the original project in formal submissions to the Department of Planning and Environment knowing full well that helicopter transfers were an integral part of the project. Our comment at the time was that flights should be restricted so as not to fly over residents houses. That continues to be our position. I understand completely the need for the resort to offer such a service as part of a high quality hotel experience. Such transfers are not only necessary but also offer a great opportunity to show off the awe inspiring beauty of the Valley for guests and therefore also be a very useful promotional activity for the business if done responsibly.

With that said, I found the proposal presented in the Modification as a positive step in addressing the issue of helicopter flight paths in and out of the Valley. I have dealt with the NSW Planning process as part of my role in the local coal mining industry and recently had the experience of managing a State Significant Development for the Airly Mine Extension Project from initial concept to final approval. So I am familiar with the process. One thing that the proposed modification has the opportunity to achieve is operational certainty through well worded consent conditions. Once a project is consented to carry out a certain activity, the possibility for complaint from the public and other interest groups is very limited - unless the consent conditions are badly worded and open to interpretation. That was the case in the recent fine that One and Only received in relation to exceeding the number of helicopter movements in and out of the Valley. The conditions were open to interpretation the wrong way.

The proposed location of the new heliport, the flight path in and out along Carne Creek and the use of a single contractor are very encouraging, but open to being lost through change in contractors and Management staff at the resort. This has been part of the flight path problems we have experienced in the past.

I would like to propose some conceptual wording around consent conditions that the Department of Planning may want to consider in relation to helicopter movements that would provide the business with clarity and certainty for helicopter transfers.

On the issue of the number of flights per week, I agree with a number of other residents that the number of flights is not an issue provided the flight paths are managed to minimise impacts on residents (i.e. not flying over their properties at low altitude). I would have no issue with a removal of the restriction on the number of flights per week provided all helicopter flights relating to the resort were made to land at your new heliport. I do object to other residents using their properties as makeshift heliports for your guests. I therefore propose the following wording:

"The number of helicopter movements per week to and from the Project shall be not be limited provided that any such movements land and take off from the approved helipad within the Project area and follow an approved flight path for such purposes."

This gives the potential for multiple operators to use the helipad if Management desire, but limits where they land. If the Management insists on allowing guests (and it is their prerogative to insist they don't) to arrive via the makeshift arrangements on other land holders properties, then I would like to see the following condition of consent to maintain some level of control of those activities.

"Any helicopter movements that arrive or depart for any purpose relating to the Project and do not use the approved helipad shall be limited to a maximum of two (2) movements per week, a flight in or out counts as one movement. It is the responsibility of the applicant to manage the flight path of such flights relating to the Project so as to minimise impacts on neighbouring residents. Such flights are not to pass at an altitude less than 500m above residential properties (i.e. at least 100m above the tops of the cliffs) other than the property where the flight is to land and take off. Such flights are to follow any approved flight path wherever possible and are not to deviate from the most direct route for the purposes of sight seeing."

2. If the flight paths in the proposal are managed well, the proponent can avoid any further complaints as they would be operating within consented limits that are clear to all. The flight path clause may word as follows:

"Helicopter flights relating to the Project shall arrive and depart along a broadly south-easterly direction from the approved helipad following the alignment of the Carne Creek. Once sufficient altitude has been gained to reach the statutory minimum (insert the appropriate CASA figure here) height above the plateau surrounding the Wolgan Valley, the flight may proceed in the desired direction to its destination. All flights relating to the Project are to proceed to the southern end of Carne Creek using the most direct route to the approved helipad and no shall not fly through the valley (other than when following the alignment of Carne Creek to access the approved helipad) below the tops of the surrounding cliffs for any purpose without prior notification of surrounding land holders at least one (1) week before any such flight. Flights below the tops of the surrounding cliffs apart from those using the approved flight path are to be limited to a maximum of 2 per calendar year."

You will note I have used the terminology "relating to the Project", that has two functions. First - you may have flights that are not guest transfer related (i.e. special orders from guests for certain things, promotional activities, large event activities or personnel transfers) these need to be captured in your flight activities. Second - if you use your facilities as a base for

bush fire fighting or other Emergency Services activities, these are not related to the Project and so don't count and thus avoids any potential for complaints.

I don't have a problem with the helicopters flying over the valley at altitudes well above the cliffs. There are regular flights of small aircraft and helicopters over the valley at those altitudes and they are not an issue to our privacy and amenity and are essentially in free air space anyway. It is the flights through the valley I object to (other than the RAAF of course). I also understand that some visitors may want a bit of a look around at the surrounding scenery - but Capertee Helicopters are restricted to flights well above the cliff line under their consent, so I think the Resort should be likewise restricted. I would not want joy flights to be a regular part of operations though. The test above about notifying surrounding land holders and limiting flights below the cliffs is there so that if the proponent wanted to do promotional videos or it was part of some major event at the resort, you have some flexibility to do that providing we know it is on. Then residents can make any preparations with cattle or their property arrangements to suit.

I hope this is a help with the deliberations.