

Blue Mountains Conservation Society Inc



ABN 38 686 119 087

PO Box 29 Wentworth Falls NSW 2782

Phone: 0490 419 779

E-Mail: bmcs@bluemountains.org.au Web Site: www.bluemountains.org.au

Nature Conservation Saves for Tomorrow

Rural and Regional Affairs and Transport References Committee

Via email: rrat.sen@aph.gov.au

Date: 30 April 2024

Subject: Submission regarding impact and mitigation of aircraft noise

To Whom It May Concern:

The Blue Mountains Conservation Society (the Society) is a community-based volunteer organisation with over 850 members. Our mission is to help protect, conserve and advocate for the natural environment of the Greater Blue Mountains. In fulfilling its mission, the Society advocates for the protection of the Greater Blue Mountains World Heritage Area.

The Society has serious concerns about the flight paths arriving into and departing from Western Sydney International (Nancy-Bird Walton) Airport (WSI) and the highly detrimental impact these flights will have on the Blue Mountains natural areas, including the Outstanding Universal Values of the Greater Blue Mountains Area (GBMA)¹, the wildlife and on people's enjoyment of its natural environment. The airport is just over 10km from the closest boundary with the eastern border of the GBMA, near the village of Mulgoa.

Without appropriate consideration of these issues and effective mitigation of the impacts of noise from aircraft overflight, WSI will have an adverse impact on the biodiversity of the UNESCO-listed GBMA and on the large areas of declared Wilderness contained within. These impacts will result largely from aircraft noise, impact on visual amenity, light pollution, loss of air quality, and wildlife strike.

It may be possible to minimise these adverse impacts with careful planning which genuinely accounts for the needs of the GBMA, that places a high priority on protecting the integrity of the Outstanding Universal Values (OUV) and fulfilling our international obligations, protects the internationally renowned wilderness areas in accordance with the *Wilderness Act 1987 (NSW)*², is adequately implemented and rigorously enforced. This planning and consideration are absent from the recently published draft Environmental Impact Statement (EIS) into Western Sydney International (Nancy-Bird Walton) Airport Airspace and flight path design.³

The Society's view is that the detrimental impact of aircraft noise on the GBMA and nearby natural areas is worthy of close scrutiny by this Senate Inquiry because:

1. Australia has an international obligation to protect the world heritage area and effectively mitigate or eliminate adverse impacts of development upon it;
2. Declared wilderness areas in New South Wales (NSW) have protection under the *Wilderness Act 1987*
3. The GBMA with its protected wilderness and world heritage areas with little to no human interference, close to the city of Sydney, is a major tourist drawcard and provides an important

¹ UNESCO World Heritage Convention, Greater Blue Mountains Area. Available online: <https://whc.unesco.org/en/list/917/>

² Wilderness Act 1987. No 196. Available online: <https://legislation.nsw.gov.au/view/html/inforce/current/act-1987-196>

³ <https://www.wsiflightpaths.gov.au/download-the-draft-eis>

economic benefit to Western Sydney, NSW and Australia. The value of wilderness and quiet in maintaining people's mental health is well-documented and an important reason to maintain this area's integrity.

On 6 February 2024, the following matter was referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 8 October 2024:

The impact and mitigation of aircraft noise on residents and business in capital cities and regional towns, with particular reference to:

- a) The effect of aircraft noise on amenity, physical and mental wellbeing and everyday life of residents;
- b) The effect of aircraft noise on small business;
- c) Any proposals for the mitigation and limitation of aircraft noise, including flight curfews, changes to flight paths and alternatives to air travel;
- d) Any barriers to the mitigation and limitation of aircraft noise; and
- e) Any other related matters.

In our Submission to this inquiry, the Society will be commenting on the Terms of Reference in line with our mission, as follows:

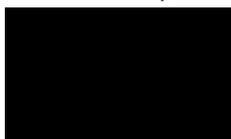
- a) The Society acknowledges that the proposed flight paths will result in stress and loss of the amenity and way of life for the residents of the Blue Mountains, and we recognise their concerns. However, our submission focuses on the impacts on and the integrity of the GBMA and other natural areas.
- b) The likely impact on small businesses that rely on the intact OUV of the GBMA and the associated wilderness, and the natural quiet of the bushland and villages.
- c) Proposals for mitigation and limitation of aircraft noise affecting the GBMA.
- d) Barriers to limitation of aircraft noise from the proposed flight paths relate largely to the geological characteristics of the mountains and the failure of WSI to collect any baseline data (noise or biodiversity data) from the GBMA, wilderness or associated natural bushland areas. This has resulted in a failure on their part to propose any plans for eliminating or mitigating this threat.
- e) Discussion of Outstanding Universal Value of the GBMA, our international obligations to mitigate detrimental impacts of development and to avoid any action that cannot be effectively reduced as per UNESCO requirements. Additionally, we briefly detail the failures of the Draft EIS in relation to GBMA.

Our full submission to the Draft EIS can be found on the Blue Mountains Conservation Society website⁴ and is also published on the WSI submission website⁵.

The Society strongly encourages the Senate committee to hold a public hearing in Sydney in addition to the hearing in Brisbane to give people from communities local to WSI a chance to voice their concerns and put forward their recommendations in person. Please give this request consideration.

Thank you for the opportunity to comment on this important issue.

Yours sincerely,



Mrs Annette Cam
President
president@bluemountains.org.au

⁴ <https://www.bluemountains.org.au/documents/submissions/2024/bs240131-wsi-draft-eis.pdf>

⁵ https://www.wsiflightpaths.gov.au/submission-pdfs/special_interest_and_community_groups/Blue%20Mountains%20Conservation%20Society.pdf

Response to Terms of Reference

(a) The effect of aircraft noise on amenity, physical and mental wellbeing and everyday life of residents

The Society has not provided detailed comments on the effects on people's everyday lives, as our mission relates to protecting nature, in particular the world heritage listed Greater Blue Mountains. However, many of our comments are equally relevant to the everyday life of residents in the Blue Mountains villages.

The Draft EIS fails to adequately explain the potential effects of aircraft noise on residents and natural places. Aircraft noise is a complex, specialist topic that is difficult for non-experts to understand and predict how they will be impacted. Factors which make up total and cumulative noise impact from overflights include aircraft type, altitude, rate of ascent and descent, flight path, timing, respite and frequency. Noise impact also results from the length of time that the aircraft can be heard and the unique geomorphology of the GBMA, consisting of deep valleys, canyons and the increasing altitude from the airport in the east to the highest peaks in the west. This increased geological altitude means that while aircraft increase in altitude with respect to the initial take-off value, flights are still relatively close to the actual ground level as they progress across the Blue Mountains.

(b) The effect of aircraft noise on small business

The adverse effects of overflight noise and visual impacts of jets will be detrimental to small business tourism operators in the local villages and those providing wilderness experiences such as hiking, canyoning, camping, birdwatching, sightseeing. This tourism is dependent on the integrity of the GBMA and the associated wilderness areas. The Greater Blue Mountains Area (GBMA) is recognised worldwide as untouched wilderness, of natural quiet with undisturbed natural vistas and this is a major drawcard.

The management principles for wilderness areas in NSW (Section 9 of the NSW Wilderness Act 1987) specifies the following management principles:

A wilderness area shall be managed so as:

- a) To restore (if applicable) and to protect the unmodified state of the area and its plant and animal communities*
- b) To preserve the capacity of the area to evolve in the absence of significant human interference and*
- c) To permit opportunities for solitude and appropriate self-reliant recreation (whether of a commercial nature or not).*

Implicit in these management principals is the concept of "natural quiet", a concept that has received considerable attention internationally⁶. These concepts have been at the forefront of opposition to aircraft noise in places as such as the Grand Canyon, USA and the Blue Mountains. Over the years, several successful community campaigns have been waged in the Blue Mountains against proposals for helicopter bases and scenic flights in order to protect the natural areas, visitor sites, Aboriginal sacred sites and communities from the regular intrusion of introduced noise.

The 2023 EIS states that the adverse effects of the airport on the visual amenity and natural quiet are outweighed by the potential for an economic gain resulting from more tourists. This is fallacious reasoning; the existence of the airport itself does not demand that the flight paths go over the GBMA. Passengers flying into WSI will land there even if the flight paths avoid the GBMA completely. The Draft EIS does not assess the impacts of additional noise on the tourism economy in its Technical Paper 1 on Aircraft Noise.

⁶ [For references to "natural quiet", see page 11 of BMCS submission to the Draft EIS on BMCS website](#)

(c) Any proposals for the mitigation and limitation of aircraft noise, including flight curfews, changes to flight paths and alternatives to air travel

The Society proposes the following for consideration:

- **Adequately assess the impacts of WSI flight paths on declared Wilderness in GBMA.** The EIS has failed to adequately assess the importance and impacts of the proposed flight paths on declared wilderness in the GBMA. Sixty-five per cent of the GBMA is declared wilderness. Even though it is created by state legislation, the OUV for the GBMA recognises its significance and states that it should be protected as a matter of national environmental significance.
- **Establish an independent review into Sydney Basin Airspace,** including redesigning flight paths for both Kingsford Smith Airport (KSA) and WSI which will ensure that jet aircraft do not fly over the GBMA at less than 31,000 ft. The draft EIS does not justify why this has not been investigated. Redesigning flight paths from KSA and WSI could produce more solutions to alleviate many of the potential negative impacts on GBMA in addition to ensuring more equitable noise sharing across the Sydney Basin.
- **Implement a curfew for WSI airport from 11pm to 6am** as is the case with Kingsford Smith Airport (KSA). Implementation of such a curfew would redress some of the inequities between WSI and KSA and reduce likely negative impacts of the overflights on nocturnal wildlife in addition to improving health and social outcomes of people in the Blue Mountains villages.
- **Devise mitigation and management measures that include details of proposed actions** beyond the current offering of “plans for actions”. These measures are to be made available for public comment before their implementation. According to the UNESCO Guidelines, adverse impacts on OUV must first be avoided. These measures need to cover all aspects of the project that may negatively impact the OUV of the GBMA and the large declared wilderness areas. They must also recognise and account for future likely cumulative risks such as additional infrastructure, road and rail transport, and added tourism impacts.
- **Institute new modelling of the impacts of noise on the GBMA and other NSW NPWS properties** which will have aircraft overflights. This includes establishing an independent review of noise impacts on wildlife and consideration as to how to minimise and mitigate negative effects. Statements suggesting that wildlife will simply adjust to the noise show an insufficient appreciation of the complex behaviour of wildlife and the complex interactions between elements of ecosystems. The new modelling will monitor noise levels in several locations within the GBMA, including remote sites to obtain a more accurate measure of ambient noise in areas away from urban sites or anthropomorphic noise production.
- **Assess the draft EIS against World Heritage listing criteria and requirements of the EPBC Act 1999** in relation to Matters of National Environmental Significance. This will require new baseline data on biodiversity, noise and other potentially negative impacts to be firstly collected and then analysed.
- **Conduct an independent, expert peer review of the biodiversity of the GBMA** and the likely impact of the WSI flight paths on biodiversity. This review needs to be performed by species experts and include the risk of wildlife strike and its impact on species at risk of collision.
- **Establish a program of surveying and monitoring of wildlife across the GBMA and other NSW NPWS properties** which lie within and close to the 13 km wildlife buffer. The methods must reflect rigorous, scientifically accepted techniques in line with Australian Government and World Heritage Committee Guidelines. These surveys need to be conducted over a minimum of two years, across all seasons and cover examples of each habitat type. The monitoring sites are to be maintained long-term, to ensure any adverse impacts are quickly identified and managed or mitigated.
- **We call on the Federal Minister for the Environment, the Hon. Tanya Plibersek, to convene a public inquiry** into the 2023 draft EIS to examine alternative flight paths and redesign Sydney Basin Airspace, avoiding flights over the GBMA of lower than 31,000ft thus minimising harm caused to the GBMA by

WSI operations. The EPBC Act allows the Minister to revoke her decision to assess the impacts of this proposal through an EIS and direct it be assessed through a public inquiry.⁷

(d) Any barriers to the mitigation and limitation of aircraft noise

The Society considers the following are barriers:

- Little attempt has been made to design any means of mitigating the negative impacts of the proposed flight paths. This is partly a consequence of an absence of rigorous, comprehensive data but also an apparent lack of understanding of the connectivity of ecology across the landscape, and the great value placed on this area by both the Australian public and the international community.
- The main barrier to mitigation of the negative impact of aircraft noise on the GBMA and its wildlife is the complete lack of adequate baseline data in the GBMA and in the Blue Mountains villages and natural places. Western Sydney International had seven years from the approval of the building of the airport, and yet failed to complete anything other than a cursory collection of minimal data. As the EIS states, the data presented in relation to wildlife is “preliminary”. There has been NO attempt to assess the existing state of the environment in the GBMA including air quality, baseline levels of noise in wilderness areas. The data points chosen are not representative of wilderness nor of Blue Mountains villages that do not lie along major transport routes. This is further detailed in the Society’s submission⁸
- The draft EIS is inadequate in its treatment of noise impacts, impacts on wildlife, declared wilderness, visual amenity and landscape in the GBMA and requires extensive change. Included in this revision is the need for collection of baseline data over a period of at least two years to inform decisions for proposed flight paths.
- Barrier in a determination by the previous Federal Government that NO changes are to KSA flight paths, which means that all flights have to go west or north-west and over the Blue Mountains. This places an unacceptable burden of noise onto the residents of Western Sydney and the Blue Mountains, and also adversely affects the OUV of the GBMA. This determination should be abandoned.
- The determination that mostly freight planes will fly from WSI places an additional noise burden on residents, visitors and wildlife and the GBMA. Freight planes are acknowledged as being noisier. If the plan is to have most freight leave from WSI, then this compounds all the other detrimental effects from high levels of aircraft noise 24 hours each day.
- Lack of detail in the draft EIS makes it difficult for people to understand potential impact and therefore, how to mitigate adverse effects. The limited detail on some factors such as ambient noise levels make it difficult to assess the additional noise which will result from WSI aircraft, especially away from built-up areas.

(e) Any other related matters

The GBMA was inscribed as World Heritage in 2000, in recognition of its Outstanding Universal Values which include biodiversity of eucalypt species, evolutionary systems in its ecosystems and broader OUV which include pristine wilderness, in line with the legal definition of wilderness in the Wilderness Act 1987 (NSW).

The UNESCO World Heritage Committee states: “World Heritage properties are of international importance and should always be considered as sensitive and valued” and that their protection is “a collective responsibility shared by governments, private sector and the wider community”.

In 1999, the International Union for the Conservation of Nature (IUCN) deferred the World Heritage Nomination of the GBMA due to its concerns that the establishment of an airport at Badgerys Creek might

⁷ “Section 90 Directing an inquiry after starting an assessment” of the EPBC Act states:

“Revoking and substituting decision (2) The Minister may revoke the first decision and make another decision (the new decision) under section 87 (in substitution for the first decision) that the relevant impact of the action must be assessed by an inquiry under Division 7.”

⁸ [BMCS submission on draft EIS WSI Technical paper 1: Aircraft Noise page 3](#)

compromise the integrity of the area, including potential impacts from aircraft noise and visual impacts. The Australian Government has explicitly given assurances that an airport at Badgerys Creek would not adversely affect any of the ecological or biological processes in the relevant ecosystems or the aesthetic values of the GBMA. The GBMA was subsequently inscribed on the UNESCO World Heritage List in 2000.

In 2023, the World Heritage Committee adopted the following decision:

“The World Heritage Committee:

Requests furthermore the State Party to fully assess the potential impacts of the Western Sydney International (Nancy-Bird Walton) Airport on the OUV of the property, in line with the Guidance and Toolkit for Impact Assessments in a World Heritage Context.”⁹

Sixty-five percent of the GBMA is declared wilderness (Wilderness Act NSW 1987). The GBMA Strategic Plan states that: “The wilderness quality of the Greater Blue Mountains World Heritage Area (GBMWH) makes a significant contribution to its outstanding universal value and has historically ensured the integrity of the property.”¹⁰

Summary related to the potential impacts of aircraft overflights on the GBMA

Noise

Negative visual and noise impacts of aircraft on the OUV of the GBMA and Wilderness are considered in the EIS as high and yet have been dismissed as negligible. This underestimates the value to visitors and community of the experience provided by wild expanses of GBMA. It degrades the values of declared Wilderness.

There is a requirement stated in the draft EIS¹¹ that the airspace and flight path design must minimise to the extent practicable the impact of Aircraft Overflight Noise on the Greater Blue Mountains World Heritage Area – particularly areas of scenic or tourism value AND wilderness areas. However, there is no guiding principle in the EIS relating to protecting the important values of the surrounding environment, including the GBMA, which extend beyond consideration of the impacts of noise to include biodiversity and visual amenity.

The noise levels presented are based on flawed assumptions of ambient noise in the GBMA and in wilderness areas, which do not include any real measurements taken. There is no recognition of the “natural quiet” concept and its importance in natural areas, especially in wilderness.

The eastern section of Burragorang State Conservation Area lies within the 13 km wildlife buffer of WSI. Under the Draft EIS, BSCA will be subjected to many overflights during a 24 hour period, many of which are below 2,500ft and with noise levels up to 75dB(A). These flights will have a negative impact on the values of this area, and yet this negative impact has been dismissed as negligible in the EIS.

The draft EIS shows proposed overflights over these areas will be up to 19 flights per day, with noise levels potentially up to 65dB(A) and at times, over 70dB(A)¹². These thresholds are inappropriately high for the GBMA, its constituent wilderness areas and adjacent bushland.

Noise data provided for the GBMA and wilderness areas is inappropriate. There were no noise monitoring stations within the GBMA and no evidence of any quantification of ambient soundscape nor consideration for the likely duration of audible noise from overhead flights. Using 60dB(A) as a baseline strategy for these areas is clearly inappropriate and done as a measure of convenience.

⁹ UNESCO World Heritage Convention, Greater Blue Mountains Area, Australia. Available online: <https://whc.unesco.org/en/decisions/8278>

¹⁰ NSW Government Department of Planning and Environment, Greater Blue Mountains World Heritage Area. Available online: <https://www.environment.nsw.gov.au/research-and-publications/publications-search/greater-blue-mountainsworld-heritage-area-strategic-plan> (Strategic Plan) Page 25

¹¹ Draft /EIS Technical paper 1: Aircraft noise, Key messages page xiii

¹² Draft EIS Technical paper 1: Aircraft noise page 116

Typical background noise levels (Rating background level - RBL) for monitoring sites in urban areas are considerably higher than for quiet, bushland settings and wilderness. As there was no measurement of RBL for these bushland settings, it is not possible to assess the additional impacts of aircraft noise from WSI.

The proposed flight paths provided in the draft EIS¹³ shows significant concentration of flight paths over the eastern part of the GBMA, especially over the Blue Labyrinth, Lake Burragorang, Burragorang State Conservation Area (BSCA) and Grose Wilderness. Nepean Lookout is the most impacted site considered in the EIS.

Biodiversity

The potential environmental impacts, including on biodiversity, are considered in a cursory way with little data to inform them, and then are dismissed as “negligible” in an attempt to justify the proposed flight paths. The GBMA has not been recognised as an area rich in wildlife and hence a major wildlife attractant, whose easterly border lies within the 13 km wildlife buffer. As an assessment of Wilderness area and GBMA biodiversity data is absent, it is not possible to understand the potential negative impacts on the wildlife of these areas nor how these impacts would be mitigated.

Whilst a reasonably broad literature search on the topic was conducted, the potential negative impact of increased noise levels on wildlife, particularly birds, is dismissed as negligible. This is despite some papers stating that impacts are not known, they vary for species and may lead to some species leaving an area or failing to successfully breed.

The risk of wildlife strike, particularly involving the Grey-headed Flying-fox (*Pteropus poliocephalus*) is very high, yet the surveys and data collected are inadequate, and there are no mitigation or management measures detailed.

The high impact on visual amenity in the GBMA is acknowledged as significant, and then dismissed as being unimportant

¹³ [draft EIS WSI Technical paper 1: Aircraft Noise Fig 8.15 page 65 Technical paper 1](#)