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Dear Sir/Madam,

WOLLONDILLY SHIRE COUNCIL SUBMISSION ON DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR WESTERN SYDNEY AIRPORT AIRSPACE AND FLIGHT PATH DESIGN

Thank you for the opportunity to provide feedback on the Draft Environmental Impact Statement for the proposed Western Sydney Airport Airspace and Flight Path Design.

Wollondilly Shire Council is a member of The Parks, Sydney's Parkland Councils which is an alliance of the eight local governments that have partnered with the Australian and New South Wales Governments to deliver the 20-year Western Sydney City Deal.

We support the submission made by The Parks, Sydney's Parkland Councils. This includes the findings and recommendations of the Acoustic Peer Review prepared by Marshall Day Acoustics dated December 2023.

Wollondilly Shire Local Government Area's close proximity to the Western Sydney (Nancy-Bird Walton) Airport means that our residents and sensitive natural environments are located underneath the flight paths and are likely to be adversely impacted.

Careful consideration is required to ensure that all adverse impacts have been adequately identified, considered and mitigated and to ensure that no one community is unreasonably impacted.

Notwithstanding the above, it is noted that Wollondilly Shire is well located to potentially benefit from the Airport through attracting investment and growing local

jobs, subject to the provision of enabling transport infrastructure improving connectivity to the Airport.

This submission seeks to ensure that the potential benefits are in balance with any adverse impacts on human wellbeing and the environment.

A complete list of our recommendations is summarised at the conclusion of this document, however our top 5 issues/recommendations to be addressed are as follows:

Recommendation 3:	That the Draft Noise Insulation and Property Acquisition Policy be updated so that residential buildings that are either within the N60 (24 hrs) area where more than 10 flights per day would exceed 60 dB(A) in 2055 or who fall within the area subject to the SEPP (Precincts – Western Parkland City) 2021 land use restrictions have access to the Noise insulation and property acquisition scheme.
Recommendation 1:	To minimise potential impacts caused by inconsistencies between state and national land use planning frameworks the draft EIS should recommend a review of the relevant sections of <i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i> .
Recommendation 18:	That the Draft EIS flight paths be updated to prioritise avoidance of overflight of Warragamba Dam and Lake Burragorang.
Recommendation 13:	That the Draft EIS be revised to provide an assessment of the impact, opportunities and constraints of the proposed flight paths on future agricultural uses on rural lands outside the agribusiness precinct, acknowledging that a significant area of land within the flight path location and wildlife buffer area is high quality agricultural land (particularly those areas within the Nepean River floodplain)
Recommendation 9:	Changes should be made to ensure both Kingsford Smith and Western Sydney International should be subject to the same curfew regime.

To support this submission the following detailed matters have been identified for further consideration following a review of the Draft Environmental Impact Statement.

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KEY ISSUES

Planning

Better governance of land use is required

The Executive Summary refers to the precautionary approach taken by the NSW Government. We note that the State planning framework has been implemented in the absence of thorough consideration of the planning controls implications in practice. It was also implemented at a simple point in time, with no rigour, transparency or meaning to the commencement date, and is not consistent with the EIS. The draft EIS notes that the ANEC contours prepared in the draft EIS are based on single runway operations only and various PAL/forecast years. The State applies different rules based upon the 2063 modelling which unfairly impact Wollondilly and Western Sydney.

The following two examples are currently affecting Wollondilly:

- *Prohibiting noise sensitive development;* such as secondary dwellings, when significantly larger developments are permissible.

Our Council is of the view that the current prohibition on secondary dwellings on land that is in an ANEF or ANEC contour of 20 or greater is too onerous and does not achieve good planning outcomes in its current form.

This is especially the case when there are no limitations on the size of a standard dwelling. This leads to the perverse outcome that someone can build a 10-bedroom home on their property in the impacted area, but someone with a 2-bedroom home on 40 acres cannot build a secondary dwelling (granny flat) with another bedroom for their ageing parents.

This is having a real world and significant impact on our community.

- *Additional considerations for certain developments within the Wildlife buffer zone;* the current planning controls under the SEPP have established planning barriers to encouraging greater horticultural production in Wollondilly.

The current 'Wildlife Hazards' clause in the SEPP prevents fast-tracked planning approval pathways for horticulture development in the Wildlife buffer zone and is a barrier to growing a strong, viable and diverse agricultural industry in Wollondilly with the buffer zone applying to almost

4,900 hectares of land in the Shire. The protection and enhancement of viable agriculture within Wollondilly is a strategic priority for council and Wollondilly is advocating for a review of the controls to remove additional considerations where horticulture is undertaken in a controlled environment such as a greenhouse.

Recommendation 1: To minimise potential impacts caused by inconsistencies between state and national land use planning frameworks the draft EIS should recommend a review of the relevant sections of *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*.

Misleading statements about longstanding planning controls to protect airspace

We agree with the amendments made since the 2016 EIS that aircraft should not converge through a single merge point over any single residential area.

It states regularly throughout the Draft EIS, particularly in Chapter 11 that a number of planning related noise protections have been in place around the airport since the mid 1980's. Such an example is on Page 2 of Chapter 11 where it states:

“external to the design, the NSW Government Planning controls have been in place for several decades and have the extent practical (sic) prevented incompatible noise developments around the Western Sydney Airport. It is expected that future land use planning around the proposed airport would be influenced by final long-term Australian Noise Exposure Forecast (ANEF) contours once the flight paths and operating modes are finalised and approved.”

There have been different statutory mechanisms in place as part of the strategic planning framework over the years with varying weight dependent on the status of forward planning for a second Sydney airport.

However, the *State Environmental Planning Policy (Western Sydney Aerotropolis) 2020* (now incorporated into the *SEPP Precincts (Western Parkland City) 2021*) is the main environmental planning instrument that restricts incompatible development in the ANEC 20 contour and this legislation only commenced in October 2020.

Prior to this planning controls for the airport were not applicable to Wollondilly and a significant number of land uses have lawfully commenced in the Wollondilly Local Government Area that are located within the ANEC 20

Contour Area that are now deemed incompatible land uses and may be impacted by the proposed flight paths.

On this basis, Council considers the statement that controls have been in place since the 1980's to prevent development that is incompatible with the Airport Operations is misleading, particularly within the context of Wollondilly, and should be removed from the Draft EIS and indeed not referred to in any subsequent documentation.

Recommendation 2: The EIS be updated to remove references to planning controls being in place since the 1980's.

Noise

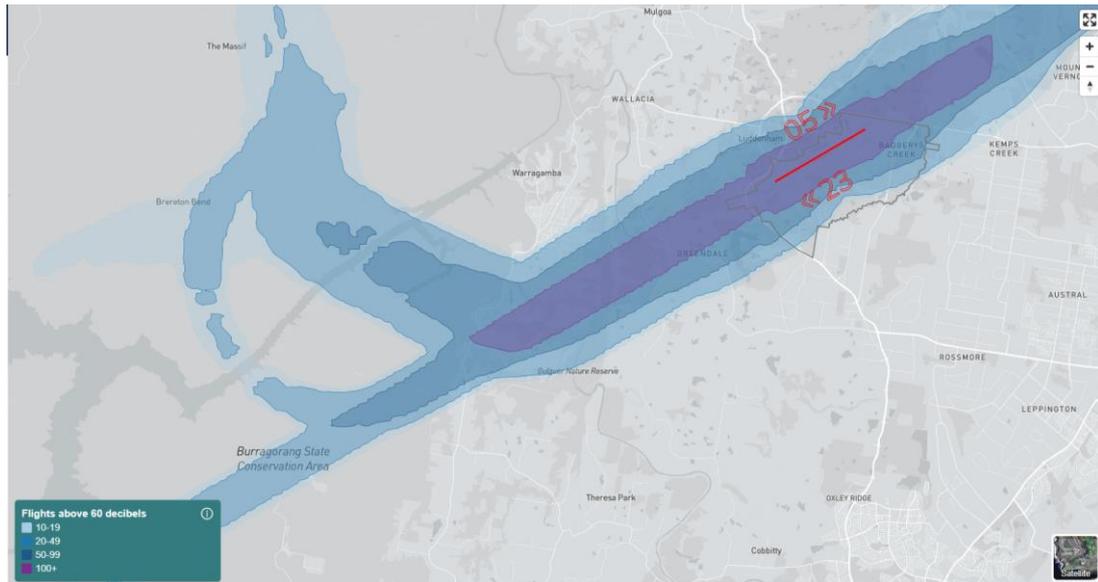
Draft Noise Insulation and Property Acquisition Policy Inadequacies

The proposed area subject to noise insulation treatment is inadequate and does not identify all of the affected properties requiring treatment (Draft Noise Insulation and Property Acquisition Policy)

We note in the Draft Environmental Impact Statement, that a Draft Noise Insulation and Property Acquisition Policy (NIPA) has been prepared in relation to those properties that are expected to be impacted by the 24-hour 7-day airport operations. Under the Policy, those properties that are within the ANEC 20 Contour will be eligible for treatments to residential and non-residential buildings.

The assessment provided under Chapter 11 'Noise' in the Draft EIS relies on *AS 2021:2015 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction (AS 2021:2015)* where it states that buildings within the ANEC 20 contour should be constructed to an indoor design sound level of 50dB(A) for sleeping areas and dedicated lounges, with 55 dB(A) for other habitable spaces, requiring significant additional noise insulation treatment than standard residential construction.

Under the 2055 (single runway) scenario, only a small area of land in Wollondilly would fall within the ANEC 20 contour area. However, a significant area of land in the Wollondilly Local Government Area is within the noise affected area when considering the Cumulative Noise Metrics N70 (24 hrs), N60 (24 hrs) and N60 (overnight only) in the Draft EIS. Applying the N60 (24 hrs) metric, being the worst-case scenario, a significant area of Wollondilly would be affected, including areas in the southern portion of Silverdale which could experience in excess of 100 flights per day which generate a noise level of greater than 60 decibels (see snapshot of map below):



This would exceed the internal noise objective prescribed under AS 2021:2015 of 50 dB(A), however, no access to the NIPA scheme or other proposed compensation would be provided for those residents affected as they are located outside the ANEC 20 Contour Area.

Additionally, a significant number of residents within Wollondilly are expected to be subject to night time noise of 60 decibels or higher, including in areas such as Warragamba, Silverdale, Theresa Park and Mount Hunter. As recognised in Guideline A of the National Aviation Safeguarding Framework the ANEF “can under-represent the impact that relatively small number of moderately noisy events can have during sleeping hours, as the ANEF describes cumulative noise rather than disturbance”.

Guideline A additionally recognises that “60 decibels is likely to be more disturbing during sleeping hours. AS 2021 sets an acceptable standard of noise for sleeping areas of 50 Decibels. This level of intrusion is likely to result from a 60 decibel outside event”.

Many of these properties are already located within the ANEC 20 contour under the SEPP (Precincts – Western Parkland City) 2021 (which is based on the 2063 two runway scenario) in any case and are already bound by the safeguards under that SEPP. These safeguards include prohibitions on certain types of development within that area, as well as a requirement to construct any building that may still be permitted in that area in accordance with the AS 2021:2015.

This also highlights a significant inconsistency caused by differences in the flight path models used between the EIS, the Draft Noise Insulation and

Property Acquisition Policy and the SEPP. Whilst any new building is required to meet the standards outlined in *AS 2021:2015* there are several hundred existing properties that are subject to significant land use restrictions due to the anticipated noise impacts of the airport, who are not eligible for insulation under the Draft Noise Insulation and Property Acquisition Policy.

This leads to the ridiculous and highly inequitable situation of residents not even being able to construct a granny flat on their property to allow them to care for elderly parents on the basis that the noise impacts will be too significant, yet those same residents are not eligible for any noise amelioration under the Draft Noise Insulation and Property Acquisition Policy. This perverse outcome is manifestly unfair to our residents. If the level of anticipated noise impacts are high enough to warrant land use planning restrictions, they are high enough to warrant existing residents being eligible for noise amelioration.

On that basis, we consider it appropriate that residential buildings that are either within the N60 (24 hrs) area where more than 10 flights per day would exceed 60 dB(A) in 2055 or who fall within the area subject to the SEPP land use restrictions should have access to the scheme upon commencement of the airport operations so that there is an appropriate level of certainty that their structures will be capable of meeting the internal noise objective, being an internal design sound level of 50dB(A).

This would also result in a better alignment between the State and Federal Planning Frameworks as it would more closely align the ANEC contours identified under the *SEPP (Precincts – Western Parkland City) 2021*, who are currently bound by *AS2021:2015* when constructing new buildings, to those eligible under the NIPA to carry out the necessary upgrades to existing buildings for the purposes of making them compliant with *AS2021:2015*.

Recommendation 3: That the Draft Noise Insulation and Property Acquisition Policy be updated so that residential buildings that are either within the N60 (24 hrs) area where more than 10 flights per day would exceed 60 dB(A) in 2055 or who fall within the area subject to the *SEPP (Precincts – Western Parkland City) 2021* land use restrictions have access to the Noise insulation and property acquisition scheme.

Noise Impacts in Wilderness Areas

We have concerns over the impact on the part of the Greater Blue Mountains World Heritage Area that lies within the Wollondilly Local Government Area, particularly those impacts caused by noise and visual impact.

The noise threshold of 60 dB LAmax outlined in the draft EIS is an inappropriate benchmark for use in a remote bushland or wilderness setting. While such criteria may be suitable for more urbanised areas, it fails to properly address the unique acoustic sensitivities of quiet bushland or wilderness settings such as that found in Wollondilly within the Greater Blue Mountains World Heritage Area (GBMWhA).

Whilst we acknowledge that there is no legislation that governs aircraft noise in Wilderness Areas or the like, other appropriate guidelines are available (such as the NSW Noise Policy for Industry) to quantify the impact of noise levels in more sensitive areas and prescribes that lower noise levels for lower durations in those areas, compared to say urban areas, would be appropriate.

It is recommended that the Draft EIS be updated to consider the noise impact from the proposed flight paths on the Greater Blue Mountains World Heritage Area in light of this policy and the impacts be modelled using a more appropriate noise threshold.

Recommendation 4: That the Draft EIS be updated to consider the noise impact from the proposed flight paths on the Greater Blue Mountains World Heritage Area in light of this policy and the impacts be modelled using a more appropriate noise threshold.

RRO Flight Mode Impacts

Council agrees with the amendments made since the 2016 EIS that remove aircraft converging through a single merge point over any single residential area in order to stop any one community bearing an unfair share of aircraft noise, particularly at night. Unfortunately, the Reciprocal Runway Operations (RRO) Mode which has in part replaced it does have exactly the same impact, if not greater, on communities within Wollondilly.

RRO mode provides respite for more densely populated areas in Western Sydney by focussing night time operations over the northern areas of Wollondilly, when conditions permit. This will lead to significantly more night time overflight and corresponding sleep disruptions to communities in the north of Wollondilly, in particular Silverdale and surrounds, and goes directly against the commitments made that no one community would bear an unfair share of the aircraft noise.

It is incredibly inequitable to the communities in the north of our Shire that they should have to suffer from concentrated night time operations. This should be

reviewed to find a more equitable solution that more fairly distributes the night time noise impacts of the airport.

Recommendation 5: That the impacts of the RRO flight mode on the north of Wollondilly be more thoroughly assessed and that modifications be made to ensure that communities within Wollondilly are not shouldering an unfair share of aircraft noise at night.

Inappropriate “night” definition

The provided definition of "Night" used through the draft EIS is deemed inappropriate as it deviates from industry norms and is highly likely to be masking the true extent of night time noise impacts on surrounding communities.

The “night” period used throughout the EIS is defined as 11pm to 5:30am and appears to align with the Kingsford Smith curfew rather than the accepted industry-standard practices for assessing aircraft noise impacts. Typically, assessments consider a broader night period of 8 hours, ranging from 10 pm to 6 am or 11 pm to 7 am, to evaluate impacts like sleep disturbance. This change to using the Kingsford Smith curfew hours instead of industry best practice reduces the number of flights that are considered to be night flights and hides the true extent of the airport impacts on surrounding areas. This must be corrected as a priority, with all data within the EIS that utilises this definition updated prior to the EIS being finalised.

Recommendation 6: The EIS and all underlying models be updated to use the accepted industry best practice definition of “night” being 8 hours, ranging from 10 pm to 6 am or 11 pm to 7 am, to evaluate impacts like sleep disturbance on residents.

Other considerations to be included by Aircraft noise impact assessment

We also consider that Chapter 11 ‘Aircraft noise’ and the associated Technical paper should be updated to address the following concerns:

- o Height of terrain to the noise source is mentioned, however, there is no discussion of potential tunnelling of noise from aircraft through gullies. Line of site has not been modelled;

- All scenarios should be modelled, considering topography and the possibility of funnelling of aircraft noise through gullies with potential for further noise impacts on the wider community.

Assessment of noise impact should be based on longer term forecasts and proposed future operations including potential impacts from the two planned runways.

The NIPA should also consider any significant loss in property values that landowners have experienced from the noise related airport safeguards that have been developed and any compensation that may be appropriate.

Recommendation 7: That the EIS be revised to include modelling of all noise scenarios, including but not limited to the potential tunnelling of noise from aircraft through gullies and line of sight noise impacts.

Recommendation 8: That the Draft Noise Insulation and Property Acquisition Policy be updated to consider any significant loss in property values that landowners have experienced from the noise related airport safeguards that have been developed and provide for appropriate compensation.

Socio-Economic Impacts

Lack of Curfew

Communities in Western Sydney and surrounding areas will be subject to different aircraft noise standards compared to communities in inner Sydney and the Eastern Suburbs due to the absence of a curfew.

The absence of a curfew is a significant concern for our residents who are vulnerable to potential adverse effects on their quality of life due to increased noise levels and are highly inequitable.

The flight paths are designed ultimately to protect Sydney Airport, as the need to avoid existing aircraft operations within the Sydney Basin as far as practicable has been prioritised. This design principle also provides greater protection to communities in inner Sydney and the Eastern Suburbs to the detriment of Western Sydney and surrounding areas. This double standard equates to little more than discrimination against Western Sydney and surrounds and both Kingsford Smith and Western Sydney International should be subject to the same curfew regime.

Recommendation 9: Changes should be made to ensure both Kingsford Smith and Western Sydney International should be subject to the same curfew regime.

Consideration of potential cumulative impacts on health and wellbeing are inadequate

The cumulative impact assessment breaks down the key issues highlighted within the draft Environmental Impact Statement. The assessment only appears to determine the change of impact of the similar issues (noise of the WSA flight path with noise from Kingsford Smith Int. Airport, ANEC / ANEF impacts on land uses, biodiversity impacts with other biodiversity impacts) and in each case concludes that there is minimal or negligible impact. Looking at these matters in isolation such as this does not assess the cumulative impact. The assessment of cumulative impact must consider all relevant effects or impacts of multiple actions on the environment as a collective.

Some of the socio-economic impacts resulting from the project altering the community have been identified including changes to lifestyle and everyday community activities, community belongings, the use and enjoyments of

public spaces, reduced accessibility to housing affordability and social services such as schools due to increased population and density. However, there are not any mitigation (e.g. strategies and actions) proposed to manage the negative impacts or produce the best outcomes for the affected community. Technical Paper 11 – Economic Impacts need to identify both short-term and long-term mitigation measures to address these negative impacts.

Characterisation of health impacts have all been considered low health impact exposure; despite no long-term assessments being carried out. This is essential to consider as Wollondilly's population in the affected areas is increasing.

Recommendation 10: That the EIS be updated to include comprehensive mitigation strategies for communities impacted by negative socio-economic effects of the airport

Recommendation 11: That the EIS be updated to include a long term assessment of potential health impacts to Wollondilly's residents.

Consideration of potential impacts on agriculture and other land uses are inadequate

Technical Paper 6 which addresses the impact on land uses considers the impact on agricultural uses from the operation of the airport. However, this assessment focusses on the impact on agricultural uses in terms of excess noise. Many field based agricultural uses such as horticulture, nurseries, and the like may have the potential to attract birds or insects and increase the risk of bird strike from planes utilising the proposed flight paths.

This is recognised in the safeguarding controls in the *SEPP (Precincts – Western Parkland City) 2021* which requires an applicant for any such use to provide a written assessment of the wildlife that is likely to be present on the land and the risk of the wildlife to the operation of the Airport provided by the applicant, which includes:

- (i) species, size, quantity, flock behaviour and the particular times of day or year when the wildlife is likely to be present, and
- (ii) whether any of the wildlife is a threatened species, and
- (iii) a description of how the assessment was carried out, and

Such a use also requires consultation with the Commonwealth body before consent can be granted. While we acknowledge that the impacts from Wildlife Buffers are discussed under Section 4.3, the Environmental Impact Assessment should be updated to include the following:

- Recognise that much of the land within the proposed flight paths is located within the Metropolitan Rural Area (MRA) under the Greater Sydney Regional Plan and Western City District Plan and that those Plans seek to retain the unique values of those areas (which includes agricultural production);
- Provide an assessment of the impact of the proposed flight paths on future agricultural uses within the area having regard to potential wildlife risk etc, acknowledging that a significant area of land within the flight path location and wildlife buffer area is high quality agricultural land (particularly those areas within the Nepean River floodplain);
- The assessment under Part 4.1.2 acknowledges that *the Agribusiness Precinct will build on successful agricultural operations and develop new agribusiness opportunities*, however, there has been no assessment provided on the opportunities and/or constraints for agriculture being undertaken on other rural lands outside the agribusiness precinct that may be affected by the flight paths/wildlife buffer areas;

Wollondilly's Rural Lands Strategy identifies significant opportunities for agriculture in the Shire to the year 2040, particularly for small scale, high yield horticultural uses. The Strategy recognises that significant opportunities exist on those lands that are suitable for growing (particularly those lands adjacent to the Nepean River at Wallacia and Theresa Park), but also recognises that horticulture should not be confined to one particular locality as vertical farming can be pursued on lands that are more constrained or have a smaller lot size.

The Rural Lands Strategy also recognises that there would be significant opportunities for horticulture in the northern part of the Shire due to its proximity to the WSI and the associated agribusiness precinct, and the access that this would enable to new technologies, emerging and international markets and so on. The Draft EIS should consider these considerable opportunities in the Wollondilly Local Government Area (as well as other Council areas that are located within the MRA lands), and provide an adequate assessment to ensure that the proposed flight paths do not restrict any opportunities to carry out horticulture in the area, or indeed place unnecessary requirements/restrictions on those rural landholders wanting to pursue a horticultural use in the near future.

The Draft EIS should also recognise that there is a considerably lower risk of horticulture increasing the likelihood of bird or insect strike where it is

undertaken in a controlled environment (such as igloos, greenhouses etc) where they are full enclosed, and appropriate steps should be undertaken to ensure that the state planning framework recognises this.

Technical paper 6: (Chapter 3.2 existing land uses, 3.3 future land uses and Land use and planning - has not considered impacts to current and future land uses within the 13km buffer area.

There is no audit, or count on the current land use numbers on any land use (ranging from resident, commercial industries etc. An informed valid impact assessment cannot be undertaken, nor has it been undertaken without knowing the existing and proposed impact. How many houses, how many people, how many businesses, how many agriculture industries, how many support services will be impacted in number and value. This must be qualified and quantified.

There is also no consideration of the potential impacts in terms of land use conflicts with existing uses such as the Silverdale Rifle Range.

This lack of assessment is despite the Executive summary noting *Key land key land uses within the study area, subject to this assessment include residential, agricultural, recreational, industrial, commercial, health and education. Aside from WSI, Defence Establishment Orchard Hills (DEOH) is the dominant Commonwealth Land parcel within the study area and is located to the north of WSI.*

Recommendation 12: That the Draft EIS be updated to reflect that that much of the land within the proposed flight paths is located within the Metropolitan Rural Area (MRA) under the Greater Sydney Regional Plan and Western City District Plan and that those Plans seek to retain the unique values of those areas (which includes agricultural production)

Recommendation 13: That the Draft EIS be revised to provide an assessment of the impact, opportunities and constraints of the proposed flight paths on future agricultural uses on rural lands outside the agribusiness precinct, acknowledging that a significant area of land within the flight path location and wildlife buffer area is high quality agricultural land (particularly those areas within the Nepean River floodplain)

Recommendation 14: That the Draft EIS be updated to recognise that there is a considerably lower risk of horticulture increasing the likelihood of bird or insect strike where it is undertaken in a controlled environment (such as igloos, greenhouses etc) where they are full enclosed, and appropriate steps should be undertaken to ensure that the state planning framework recognises this.

Bio-security Impacts

The Draft EIS fails to thoroughly consider any environmental or economic impacts on surrounding communities and wilderness areas should there be a biosecurity breach as a result of the operation of the airport.

Given the proximity of both the Greater Blue Mountains World Heritage Area and a significant number of agricultural enterprises in surrounding areas, particularly within Wollondilly any bio-security breach could have serious to catastrophic economic and environmental impacts, as has been seen demonstrated in recent years with the outbreak of varroa mite. These potential impacts should be properly considered as part of the final EIS.

Recommendation 15: That the Draft EIS be updated to consider any environmental or economic impacts on surrounding communities and wilderness areas should there be a biosecurity breach as a result of the operation of the airport.

Environment & Heritage

Impacts on world significant natural environments

Wollondilly contains the largest number of the parks that make up the Greater Blue Mountains World Heritage Area (GBMWA), with 50% of the GBMWA parks either fully or partially within our Shire. As such, Council highly values the environmental and cultural significance of the GBMWA, and we are highly concerned with any development that may jeopardize its UNESCO World Heritage status.

An International airport in Western Sydney has long been identified as a potential threat to the World Heritage Values of the GBMWA, to such an extent that consideration of its World Heritage listing was originally deferred in 1999 due to concerns that a potential airport at Badgerys Creek “might compromise the integrity of the site”.

In order for the GBMWA to be listed at the 24th Session of the World Heritage Committee in the year 2000, explicit commitments were made by the Australian government that any future airport would not adversely affect either the ecological or aesthetic values of the GBMWA and that any impacts on the World heritage area would be managed such that there would be no adverse impacts.

Despite this, the impacts on the immediately adjoining RAMSAR wetlands, Greater Blue Mountains UNESCO World Heritage Area (GBMWA) and critically endangered flora and fauna has not been comprehensively assessed.

For example, the draft EIS does not appropriately respond to the World Heritage listing and inexplicably fails to adequately address the Outstanding Universal Values of the area, confirming high levels of visual intrusion and amenity impacts on these iconic landscapes directly at odds with the values that underpinned the world heritage listing of the GBMWA in the first place and potentially placing the continuation of its world heritage status at risk.

Recommendation 16: That the Draft EIS be updated to comprehensively assess potential impacts on the Outstanding Universal Values of the GBMWA.

Recommendation 17: That the EIS be updated following comprehensive consultation with the UNESCO world heritage committee to identify, assess and mitigate any impacts that could threaten the world heritage status of the

GBMWA or otherwise negatively impact its unique ecological aesthetic values.

Flight paths should avoid Warragamba Dam and the Special Area to protect the water quality of Sydney's main water supply

Technical Paper 4 - Hazard and Risk considers "fuel jettison" in Volume 5 of the Draft EIS as being a low risk, if carried out with appropriate procedures. The proposed flight paths outlined in the Hazard and Risk paper show multiple flight paths over the Warragamba dam, Conservation and catchment areas.

The Hazard and Risk Paper looks at Sensitive receivers, and includes water supplies that may be contaminated, either by crash or by fuel dumping in an emergency. There is limited data surrounding the jettison of fuel within Australian Airspace. One jettison incident recorded, in Los Angeles, demonstrated that the crew did not follow the appropriate procedures, and this caused contamination at ground level.

High value areas such as Sydney's main drinking water supply should be prioritised in the avoidance of overflight, given the high number of plane movements, modelling limitations and the risk that fall-out from particulate matter, fuel jettison, and crashes could potentially occur, even though, as outlined in the Technical Paper, this is thought to be uncommon. There is still a risk that this could happen and the technical paper outlines that in the case of a fuel jettison event "as single runway operations at WSI approach capacity, that rate translates to slightly less than one fuel dump event per annum." Given the potentially serious if not catastrophic impacts that could occur should fuel contaminate Lake Burragorang, which holds 80% of Sydney's Drinking water, it needs to be fully and comprehensively considered when looking at flight paths.

The Draft EIS fails to consider these impacts and simply notes that it "may have limited impacts" without any supporting data or analysis to support that conclusion. The EIS also notes that many fuel jettisoning events occur over the ocean where possible, however this is far easier to achieve at a coastal airport such as Kingsford-Smith than an inland airport such as Western Sydney. Additionally, the EIS identifies that 77% of fuel dumping occurs during the take-off phase of a flight, which for Western Sydney Airport would significantly increase the likelihood of the aircraft being over the catchment area, particularly given the proposed RRO flight mode.

The draft EIS also assumes that any impact will occur when the dam is at full capacity and fails to consider the potential impacts to Warragamba Dam and the Special Areas under different scenarios that are likely to be encountered

such as differing dam water levels, particularly during drought periods, as well as from different runway modes of operation (particularly night flight paths in RRO flight mode).

Additionally, The Technical paper's (Aircraft noise and Air quality) refer to the Greater Blue Mountains World Heritage Area, but do not give any consideration of potential impacts to Warragamba Dam, particularly for settling out of NO₂ and PM_{2.5} from aircraft emissions. The Draft EIS should be updated to include specific consideration of this potential impact

Recommendation 18: That the Draft EIS flight paths be updated to prioritise avoidance of overflight of Warragamba Dam and Lake Burragorang.

Recommendation 19: That the EIS be updated to comprehensively consider the potential impacts should fuel contaminate Lake Burragorang or the Warragamba Dam catchment as a result of an aircraft accident or fuel jettison event.

Recommendation 20: That the Draft EIS should be updated to include specific consideration of the settling out of NO₂ and PM_{2.5} from aircraft emissions on Warragamba Dam.

Inadequate Heritage Assessment

The heritage assessment has not properly identified all potentially impacted heritage items.

Chapter 17 – Heritage – states that Camden Park Estate/Belgenny Farm will be directly overflowed; however, this statement is incorrect according to the preliminary flight paths released. The homestead itself will not be overflowed.

The following State Heritage items will be impacted by the preliminary flight paths:

- Brownlow Hill Estate (Item no. 5051301)

Runway 05 day-evening – 6-17 departures, > 20000 feet
Runway 23 day-evening – 8-17 departures, 17500-20000 feet

- Jarvisfield (Item no. 5045544)

Runway 05 day-evening – 9-20 departures, > 20000 feet

Runway 23 day-evening – 10-20 departures, > 20000 feet
Runway 23 overnight – 1-2 departures, 13300-17500 feet

- Wilton Park (item no. 5045546)

Runway 05 day-evening – 9-20 departures, > 20000 feet
Runway 23 day-evening – 10-20 departures, > 20000 feet
Runway RRO overnight – 4-8 departures, 10500-13300 feet

- Upper Canal System (Item no. 5051481)

Runway 05 overnight – 1-2 departures, 17500-20000 feet
Runway 23 overnight – 1-2 departures, 17500-20000 feet
Runway RRO overnight – 1-2 departures, 10500-13300 feet

- Camden Park Estate and Belgenny Farm (Item no. 5051536)

Runway 05 overnight – 1-2 arrivals, 13300-10500 feet
Runway RRO overnight – 1-2 arrivals, 13300-10500 feet

- Menangle Railway Station Group (Item no. 5012101)

Runway 05 overnight – 1-2 arrivals, 13300-10500 feet
Runway RRO overnight – 1-2 arrivals, 13300-10500 feet

- Menangle rail bridge over Nepean River (Item no. 5012102)

Runway 05 overnight – 1-2 arrivals, 13300-10500 feet
Runway RRO overnight – 1-2 arrivals, 13300-10500 feet

The following potential future State Heritage Items identified in the 2023 Shire-Wide Heritage Study are also impacted by the proposed flight paths:

- Suspension Bridge over Nepean River

Runway 05 day-evening – 9-20 departures, > 20000 feet
Runway 23 day-evening – 10-20 departures, > 20000 feet

- Vault Hill Cemetery

Runway 05 day-evening – 9-20 departures, > 20000 feet

Runway 23 day-evening – 10-20 departures, > 20000 feet

None of the above are considered likely to result in severe impacts (above 70 dB) to existing/proposed State Heritage items. The level of impact according to volume of flights are most experienced by Brownlow Hill Estate, Jarvisfield, and Wilton Park.

Five (5) Local Heritage items will experience 'severe' impacts of > 70 dB(A) due to their proximity to the airport. Flights at this location will be climbing or descending between 2500-5000 feet:

- Charleville (I267)
- Ravenswood (I268)
- Blaxland's Farm (I269)
- Warragamba Supply Scheme and Warragamba Emergency Scheme (I270)
 - Blaxland's Crossing (I289)

Chapter 17 Heritage should be updated to provide an assessment of the above matters.

Recommendation 21: That the Draft EIS be updated to properly consider the impact on state and local heritage items within Wollondilly.

Water quality in rural areas has not been considered

The proposal will also involve a significant number of aircraft movements over rural lands, where these residents rely on rainwater tanks for drinking water and other means. These lands also include farm dams to facilitate agricultural uses and provide a water source for livestock on rural properties. Ultimately, in some cases, these rural lands are used for the purposes of horticulture and growing of crops, including in several cases organic vegetables. All of these uses may be subject to risk from the proposed flight paths.

While we acknowledge the information in the Draft Environmental Impact Statement that a fuel jettison incident or crash landing in the area is highly unlikely, and that in such a case particulates would normally dissipate before hitting the ground, we consider that there is also a risk of contamination from other means which have not been accounted for, such as those substances used to clean, paint or maintain aircraft, fuel leaks/spillages and the like.

We request that an appropriate assessment of this risk be included in the Draft EIS and that appropriate measures to address those risks are provided. This may include the development of an Operational Plan for the Airport to ensure regular cleaning and servicing of aircraft with an appropriate water reuse system in place.

Recommendation 22: That the Draft EIS be updated to include consideration of additional contamination risks to rural water supplies from aircraft movements such as those substances used to clean, paint or maintain aircraft, fuel leaks/spillages and the like.

Recommendation 23: That the EIS be revised to include consideration of impacts on organic farming operations

Inadequate Indigenous Consultation

Feedback from local Dharawal and Gundungurra elders, knowledge-holders and residents indicates that there has been insufficient engagement and consultation with local indigenous representatives. A number of indigenous sites of cultural and historical significance will be impacted by the airport, particularly within the Greater Blue Mountains World Heritage Area and more thorough consultation with Indigenous stakeholders needs to take place before the EIS is finalised.

Recommendation 24: That more thorough consultation take place with indigenous elders, knowledge-holders and residents on the airports impacts on indigenous sites and that any issues or concerns raised are adequately addressed in the EIS before it is finalised.

Silverdale Flying-Fox camp to be considered in Biodiversity and Wildlife Strike Risk

Predominantly, potential impact is considered to be wildlife strike from aircraft. 75% of reported bird strikes occur during take-off and landing, and 22.5 during the initial climb and approach (ATSB database). Chapter 23 outlines the potential impacts to Matters of National Environmental Significance under the *Environment Protection and Biodiversity Conservation Act 1999*, including migratory birds. Chapter 16 includes assessment of biodiversity, in general.

The key threatened species assessed as most likely to be impacted from the project are:

- Grey-headed Flying-fox
- Glossy Ibis
- White-bellied Sea Eagle
- Cattle Egret

It was concluded that it is unlikely that the project would have a significant impact on the potential species that may be impacted by wildlife strikes.

The Scotcheys Creek, Silverdale Flying-fox camp, located 7 kms west of the project site was not included in the off-airport risk assessment sites. Consideration of impacts to this camp will need to be included in the final assessments and monitoring programs.

We also note the following and reiterate the recommendations in the EIS that they be implemented:

- a bird and bat monitoring program being implemented and are of the view that this should be an ongoing requirement.
- It has also been identified that a rigorous and integrated wildlife management program to effectively manage wildlife strike risk is required.

Recommendation 25: That the Draft EIS be updated to properly consider any impacts from the grey headed flying fox colony at Scotcheys Creek, Silverdale.

Recommendation 26: That a bird and bat monitoring program being implemented on an ongoing basis.

Inadequate consideration of bush fire

The Western Sydney International (Nancy-Bird Walton) Airport is located in close proximity to an extensive bush fire hazard interface. Due to the remote and rugged nature of much of this area, and limited fire trail access, there is heavy reliance on aerial firefighting and aerial insertion of remote aerial firefighting teams (RAFT) to identify, control and extinguish fires that regularly occur within the Warragamba Catchment and GBMWA. Fast and early suppression of these fires is required in order to keep fires to a size where they can be effectively controlled by RAFT crews and aircraft in order to prevent larger scale impacts on the GBMWA as well as the communities of Wollondilly and the Blue Mountains.

No consideration has been given within the EIS to potential conflicts with aerial firefighting necessary to suppress bush fires that may reduce the speed or effectiveness with which aerial firefighting operations can be carried out.

Recommendation 27: That the Draft EIS be updated to consider any potential impacts on aerial firefighting operations within the GBMWA and Warragamba catchments as a result of the operation of Western Sydney Airport.

CONCLUSION

While my Council is grateful for the opportunity to provide comment, it is disappointing that the exhibition of the Draft EIS has been undertaken over the Christmas/New year holiday period and, despite the exhibition being longer than the minimum required period we are of the view that there has not been adequate time provided to carefully consider the extensive amount of information that formed part of the exhibition, consult with our community and determine the full extent of the impacts of the proposed flight path design.

We are also concerned that there has been lack of meaningful notification and consultation with key stakeholders such as traditional owners and custodians and UNESCO.

There also has not been sufficient time for our submission to be considered and endorsed at an Ordinary Meeting of Council. The final Ordinary Meeting in 2023 took place on 12 December and like most Council's we do not hold an Ordinary Meeting in the month of January. Nonetheless, our submission will be considered by the elected Council at our first Ordinary Meeting for the year on 27 February 2024 and we will forward through any additions or amendments to the submission following that Meeting.

If you require any further information or clarification in response to this submission please contact Council's Director Shire Futures, Mr Martin Cooper on 02 4677 1100 or martin.cooper@wollondilly.nsw.gov.au.

Yours faithfully,



Matt Gould
MAYOR OF WOLLONDILLY SHIRE

Summary of Recommendations

Recommendation 1: To minimise potential impacts caused by inconsistencies between state and national land use planning frameworks the draft EIS should recommend a review of the relevant sections of *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*.

Recommendation 2: The EIS be updated to remove references to planning controls being in place since the 1980's.

Recommendation 3: That the Draft Noise Insulation and Property Acquisition Policy be updated so that residential buildings that are either within the N60 (24 hrs) area where more than 10 flights per day would exceed 60 dB(A) in 2055 or who fall within the area subject to the SEPP (*Precincts – Western Parkland City*) 2021 land use restrictions have access to the Noise insulation and property acquisition scheme

Recommendation 4: That the Draft EIS be updated to consider the noise impact from the proposed flight paths on the Greater Blue Mountains World Heritage Area in light of this policy and the impacts be modelled using a more appropriate noise threshold.

Recommendation 5: That the impacts of the RRO flight mode on the north of Wollondilly be more thoroughly assessed and that modifications be made to ensure that communities within Wollondilly are not shouldering an unfair share of aircraft noise at night.

Recommendation 6: The EIS and all underlying models be updated to use the accepted industry best practice definition of “night” being 8 hours, ranging from 10 pm to 6 am or 11 pm to 7 am, to evaluate impacts like sleep disturbance on residents.

Recommendation 7: That the EIS be revised to include modelling of all noise scenarios, including but not limited to the potential tunnelling of noise from aircraft through gullies and line of sight noise impacts.

Recommendation 8: That the Draft Noise Insulation and Property Acquisition Policy be updated to consider any significant loss in property values that landowners have experienced from the noise related airport safeguards that have been developed and provide for appropriate compensation.

Recommendation 9: Changes should be made to ensure both Kingsford Smith and Western Sydney International should be subject to the same curfew regime.

Recommendation 10: That the EIS be updated to include comprehensive mitigation strategies for communities impacted by negative socio-economic effects of the airport

Recommendation 11: That the EIS be updated to include a long term assessment of potential health impacts to Wollondilly's residents.

Recommendation 12: That the Draft EIS be updated to reflect that that much of the land within the proposed flight paths is located within the Metropolitan Rural Area (MRA) under the Greater Sydney Regional Plan and Western City District Plan and that those Plans seek to retain the unique values of those areas (which includes agricultural production)

Recommendation 13: That the Draft EIS be revised to provide an assessment of the impact, opportunities and constraints of the proposed flight paths on future agricultural uses on rural lands outside the agribusiness precinct, acknowledging that a significant area of land within the flight path location and wildlife buffer area is high quality agricultural land (particularly those areas within the Nepean River floodplain);

Recommendation 14: That the Draft EIS be updated to recognise that there is a considerably lower risk of horticulture increasing the likelihood of bird or insect strike where it is undertaken in a controlled environment (such as igloos, greenhouses etc) where they are full enclosed, and appropriate steps should be undertaken to ensure that the state planning framework recognises this.

Recommendation 15: That the Draft EIS be updated to consider any environmental or economic impacts on surrounding communities and wilderness areas should there be a biosecurity breach as a result of the operation of the airport.

Recommendation 16: That the Draft EIS be updated to comprehensively assess potential impacts on the Outstanding Universal Values of the GBMWhA.

Recommendation 17: That the EIS be updated following comprehensive consultation with the UNESCO world heritage committee to identify, assess and mitigate any impacts that could threaten the world heritage status of the GBMWhA or otherwise negatively impact its unique ecological aesthetic values.

Recommendation 18: That the Draft EIS flight paths be updated to prioritise avoidance of overflight of Warragamba Dam and Lake Burragarang.

Recommendation 19: That the EIS be updated to comprehensively consider the potential impacts should fuel contaminate Lake Burragorang or the Warragamba Dam catchment as a result of an aircraft accident or fuel jettison event.

Recommendation 20: That the Draft EIS should be updated to include specific consideration of the settling out of NO₂ and PM_{2.5} from aircraft emissions on Warragamba Dam.

Recommendation 21: That the Draft EIS be updated to properly consider the impact on state and local heritage items within Wollondilly.

Recommendation 22: That the Draft EIS be updated to include consideration of additional contamination risks to rural water supplies from aircraft movements such as those substances used to clean, paint or maintain aircraft, fuel leaks/spillages and the like.

Recommendation 23: That the EIS be revised to include consideration of impacts on organic farming operations

Recommendation 24: That more thorough consultation take place with indigenous elders, knowledge-holders and residents on the airports impacts on indigenous sites and that any issues or concerns raised are adequately addressed in the EIS before it is finalised.

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