



# Blue Mountains Conservation Society Inc

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## Nature Conservation Saves for Tomorrow

7 December, 2018

Mr Mark Maloney  
Projects Manager  
NSW Department of Industry – Crown Lands and water  
Crown Property Services  
via email [mark.maloney@crowland.nsw.gov.au](mailto:mark.maloney@crowland.nsw.gov.au)

Dear Mr Maloney

### **Katoomba Airfield, Medlow Bath**

Thank you for your email of the 24 August 2018, in reply to our letter of 15 August 2018 inquiring about the future of Katoomba Airfield.

The Society has a number of serious concerns in regard to the process undertaken by the Department to date, including the lack of community consultation prior to the issuing of the current licence to Derek and Floyd Larsen. We also have a number of concerns in regard to the proposed community consultation to be undertaken prior to the issuing of any long term lease.

### **Background**

As you know the Society has been making representations about the future use and management of the Katoomba Airfield site since 1997.

Previous use of the airfield for commercial joy flights was controversial and heavily opposed by the community, with residents in Medlow Bath, North Katoomba and areas adjacent to scenic lookouts in Leura, Katoomba and Wentworth Falls particularly impacted. Walkers and park users also complained of low flying aircraft, including in remote areas.

The Society has also raised continuing concerns about the management of the airfield site. The site contains two hanging swamps which are threatened by sediment flowing off the eroding airstrips. Sediment is also flowing into the Katoomba and Greaves Creek catchments and hence into the Blue Mountains National Park.

As outlined in our previous letter, the Department has undertaken two assessments and community consultations on the long term future of the site, in 2000 and 2008. In both processes the Department concluded, supported by Blue Mountains City Council, that the land should not continue to be privately leased and that the site should be incorporated into the Blue Mountains National Park and used for emergency and bushfire air operations only.

### **Lack of community consultation prior issuing of the current licence**

Despite the outcomes of previous assessments and community consultations as well as ongoing community concern, the current interim licence appears to have been issued without any community consultation or discussion. While the licence is terminable at will, the licensee has now undertaken work on site and presumably has expectations of a long term lease being issued. As a consequence of the issuing of the licence, the framing of the community consultation appears to be limited to the terms and conditions of the lease, not a consultation on the long term future of the site including whether a long term lease should even be considered. We believe the apparent lack of community consultation prior to the issuing of the licence goes against previous assessments and commitments made by the Department and represents poor public accountability and transparency.

We would like to know the following:

- When was the “Expression of Interest Campaign” (referred to in your letter of 24 August 2018) conducted and what did it consist of?
- What does the licence issued over the Katoomba Airfield as a result of the EOI campaign allow or require the licensee to do?
- Is the department’s site assessment (also referred to in your letter) publicly available?

### **Proposed community consultation to be undertaken prior to the issuing of any long term lease**

In your email you advised that “in this instance, having regard to the location, nature and history of the site, more intensive community engagement may be expected”.

We note that under the Department’s Community Engagement Strategy, where “leases have a high impact on community use and enjoyment of land”, then community engagement must be carried out at the level of “participate”. Participate engagement is described as “a two-way process that enables collaboration between the community and decision-makers”, and can include “targeted meetings, interactive workshops, walkshops (onsite tours/visit) and community advisory or consultative committee”.

It is the Society's expectation given the long term community interest in the site, and the significant environmental issues associated with the site, that a "participate" level of engagement should be adopted by the Department.

In regard to the proposed community consultation, the Society has the following questions:

- When will community consultation commence and end?
- Is the timing of the community consultation dependent on receiving the licensee's business plan (referred to in your letter)?
- What participatory consultation activities are proposed?
- Will you confirm the role the Department of Industry, as the decision-maker in the granting of leases over Crown Land, will have in co-ordinating and leading the community consultation?

In relation to the last question, we understand that the current licensee is meeting with Council and a Medlow Bath community group to discuss their intentions for the site. Such consultations by the licensee should be seen as a separate process undertaken by the licensee, not as a substitute for a properly conducted community consultation process overseen by the Department, which has statutory management responsibilities in relation to Crown Land. The licensee is not an independent party and has a vested interest in the outcome of any consultation process.

### **Inadequacy of Blue Mountains Fly Neighbourly Agreement (BMFNA)**

In response to community concerns in 1993, the Blue Mountains Fly Neighbourly Agreement (BMFNA) agreement was developed in 1994 between aircraft operators and the community to reduce the disturbance caused by aircraft, particularly joy flights, within the Blue Mountains. The BMFNA is a voluntary agreement under which aircraft operators agree to operate in a certain manner which includes limits on operating heights in areas identified as environmentally sensitive (including large areas of the Blue Mountains National Park) and the frequency of operations.

As the BMFNA is a voluntary agreement there is no compliance monitoring or enforcement and no avenues for residents to pursue when breaches occur. As a consequence, the BMFNA has proven totally ineffective in managing the impacts of commercial joy flights within the Blue Mountains. This is a key issue which needs to be considered in any community consultation in relation to any long term commercial lease over the Katoomba Airfield which allows commercial joy flights or other low flying intrusive flights over the national park.

## **Current use of the airfield by fixed wing aircraft**

The Society understands that currently the runways at the airfield are closed due to their poor condition. Official advice from Air Services Australia is that the "airfield is currently closed to all fixed wing operations due to requirement for safety upgrades until further notice".

On 2 October a Society member was passing the site and observed a fixed wing aircraft take off from the airfield. Please see the attached photos. The Society member also noted the aircraft registration. The Society is concerned that despite safety concerns with the runways fixed wing aircraft are currently using the airfield. The Society is also wondering if use of the airfield by fixed wing aircraft is a breach of the current interim licence.

I look forward to a reply to our queries.

Yours sincerely

A handwritten signature in black ink, appearing to read "Madi Maclean". The signature is fluid and cursive, with a period at the end.

Madi Maclean  
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Blue Mountains Conservation Society  
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