



**Development Application Number 520/238/09
(Guy Maine – Helicopter Joy Flight Proposal –
Allotment 4, Plan DP18009,
Hd. McDonald)**

1 February 2010

Submission by:
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The **Conservation Council of South Australia Inc** (ConservationSA) is the peak conservation body for South Australia, representing over 55 of the State's environment and conservation organisations.

ConservationSA is an independent non-profit, non party-political, community based organisation which provides resources, advice and representation for the SA environment movement, and which leads many of the key conservation campaigns in SA.

ConservationSA is known for its success in developing long term community development, education, and on-ground environmental restoration programs.

ConservationSA regularly liaises with Local, State and Federal Governments, Government agencies, media, educational institutions, NGOs, unions, industry, business and other groups on matters relating to the environment and social justice.

As a community organisation, much of what ConservationSA achieves is through a large network of skilled volunteers from all walks of life – for its office, on-ground, governance and campaign activities.

ConservationSA is committed to a healthy environment for South Australia.



Conservation Council SA

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Chief Executive Officer
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Dear Sir/Madam

**Re: Development Application Number 520/238/09
(Guy Maine – Helicopter Joy Flight Proposal – Allotment 4, Plan DP18009,
Hd. McDonald)**

We are writing on behalf of the Conservation Council of SA to object to the proposal by Mr Guy Maine of 14 Eva Street, Malvern (Development Application Number 520/238/09) to operate helicopter joy flights on allotment 4, Plan DP18009, Hundred of Mc Donald.

Clearly the proponent intends to conduct flights across and along coastal regions, which are zoned Conservation or Coastal Landscape, and at an altitude less than 500m. This proposal will have serious adverse effects on nesting and foraging coastal raptors (Osprey and Sea Eagles) and coastal wilderness including, the Cape Bouguer Wilderness Protected area. Under the Wilderness Protection Act (SA) 1993 flights over proclaimed wilderness are restricted to 1,500 metres.

Clearly the proposal is associated with Southern Ocean Lodge (SOL) where restrictions (emergencies operations only) have already been placed on helicopter operations as part of the development approval - although those restrictions have since been subverted. In particular, reference should be made to decisions

Gazetted on October 15 2009, which confirm the restriction of helipad use to 24 movements per calendar year, and define a specific flight path in which “flight paths over the coastline shall be avoided in all situations.”

It is no coincidence that the Application before the DAP is located in a place adjacent to the tourist facility whose ability to fly a helicopter from their own pad is restricted by planning conditions.

However, DAP approval of this Application provides a base for operations denied to Southern Ocean Lodge, and allows open slather access to the operator, and potential disaster for coastal wilderness areas. It also makes mockery of the State Planning restrictions imposed on SOL, restrictions which were put in place to satisfy the objections raised by the public during the approval process for SOL, and to reduce the impact of helicopter flights on the natural environment. For these reasons alone the DAP should not approve this development.

The activity of “Helicopter joy flights” is not specifically covered by Objectives and PDCs in the Development Plan however the application involves approval for a change of land use in the General Farming Zone and it is likely to be considered as a “merit” application. How can this be done - will the Panel consider the need to retain areas of KI in a pristine condition, as near to wilderness as possible or will the assessment of “merit” be based on economic benefit, and consequently value the environment as a resource to be exploited.

The Counservation Council of SA also argues that **the proposed development is seriously at variance with the KI Development Plan and should not be approved** for the following reasons:

The development does not comply with the Specific Provisions of the KI Dev. Plan

It is critical to note that the Council Wide Objectives clearly emphasize the importance of the natural environment:

'The environment of Kangaroo Island rates extremely highly given its natural, unspoilt character. The Kangaroo Island environment is clearly able to be promoted as unspoilt and natural'.

Environmental Aim:

'To protect, enhance and restore, as appropriate the unique natural

environment, water resources, marine environment and biodiversity and ecological processes, and to ensure no net loss to the environmental qualities of the Island'.

The development does not comply with the Objectives and Principles for the General Farming Zone

General Farming Zone - Zone Objective 1:

'The rural character of Kangaroo Island is a feature which enhances its tourism assets, Development must reinforce this character..... careful control over the nature, integrity and siting of development needs to occur. By retaining native vegetation and protecting existing ecosystems, the heritage and environmental significance of Kangaroo Island can continue to underpin the Island's character and values'.

The introduction of helicopter joy flights will cause damage to existing ecosystems.

Objective.

Objective 1:

'A zone primarily accommodating agricultural, horticulture, forestry and pastoral activities together with value added farm based rural activities. (also - Zone PDC 1, CW Rural Development PDC 125)'

Tourist Accommodation

'Development undertaken adjacent to a Conservation Zone seeks to protect and enhance the intrinsic natural values of the relevant reserve by ensuring potential for edge effects are minimized'.

This development is not a farm-based **rural** activity in the sense implicit in the D.P. It may not be actual tourist accommodation, but the intent to link with adjacent facilities is obvious, and the 'potential for edge effects' is real and present, providing a major threat to the unspoilt habitats surrounding the proposed development site.

The development will impact upon neighbouring coastal and conservation zones in a manner that does not comply with the Objectives and Principles for these zones

Whilst the proposed helicopter landing site is in the General Farming Zone, the Coastal Landscape Zone will potentially suffer the 'edge effects' highlighted above, and so its provisions should be considered.

COASTAL LANDSCAPE ZONE

Objective 1: A zone comprising land which has high landscape qualities, where little or no urban development is located, and where the scenic beauty and natural features of the coastal landscape are preserved."

Helicopter joy flights will introduce a noise pollution factor that currently does not exist in this region. The scenic beauty of this region has always been closely associated with natural bushland and wilderness; indeed and it is one of the reasons the majority of people visit the Island. The establishment of this commercial operation will not preserve the quality of this zone.

PRINCIPLES OF DEVELOPMENT CONTROL

Form of Development

1 Development should be compatible with conservation and enhancement of the coastal environment and scenic beauty of the zone."

A helicopter tourism operation on the boundary of this Zone will do nothing to either enhance or conserve the environment - it will detract from the beauty of the area due to the noise and intrusive nature of the activity.

'2 Development in the zone should be primarily associated with farming activities'.

The proposed development has no association with farming activities.

CONSERVATION ZONE

Most of the coast in this part of KI are zoned Conservation, and some have Protected Area status. Helicopter flights will impact on those areas and the provisions of the Zones should be considered.

'Objective 1: A zone comprising land or features of major conservation significance such as areas of natural vegetation, wildlife habitat or wilderness qualities'.

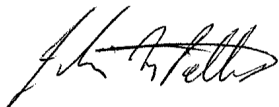
Wilderness means land in its natural state and specifically land not impacted by human activity. Helicopter joy flights in the region proposed should not be permitted to over-fly parts of the coastal Conservation Zone, as such flights will destroy the wilderness experience.

Development Application 520/238/09 is at serious variance with the KI Development Plan, is not in line with restrictions placed on helicopter movements by State Planning in the adjacent area and will result in undesirable disturbance to wildlife in unspoilt natural environments leading to the possible extinction of some species from the Island has the potential to lead to possible tragic air strikes with large raptors.

Because of the potential impact on a number of migratory and nationally threatened species (Osprey, Western Whip-bird, Southern Brown Bandicoot) this proposal must be referred under the Federal environmental legislation, the Environment Protection and Biodiversity Conservation Act (Cwth) 1999.

On these grounds, the Conservation Council of South Australia submits that this Application must be rejected by the Kangaroo Island Development Assessment Panel.

Yours sincerely



Julie Pettett
Chief Executive Officer

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Executive Committee Member

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