



Bulletin 214

THE COLONG FOUNDATION FOR WILDERNESS LTD
PROTECTING WILDERNESS AND NATIONAL PARKS

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2/362 KENT STREET SYDNEY 2000 (ABN 84 001 112 143). TELEPHONE 02 9299 7341 FAX: 02 9299 5713 ISSN 1325-3336

EMAIL: foundation@colongwilderness.org.au WEBSITE: www.colongwilderness.org.au

Introducing...

The Gardens of Stone

Park Proposal – Stage Two

by Keith Muir

THE Gardens of Stone, just north of Lithgow, embraces the sandstone landscapes of the Newnes Plateau, the broken stone country to the west of the Plateau and the Airly-Genowlan mesa to the north in the Capertee Valley. The 40,000 hectare proposal represents the last unprotected part of the 1934 Greater Blue Mountains National Park proposal compiled by Myles Dunphy for the National Parks and Primitive Areas Council. The new proposal, released on the 28th of November, also includes the Blue Mountains Western Escarpment lands stretching from Blackheath into Lithgow.

Twenty years ago, Rodney Falconer and David Blackwell of the Colo Committee discovered a number of rock falls from cliffs, together with cracks and fissures. Spurred on by



*Wildflowers surround a pagoda
in the Gardens of Stone*

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DIRECTOR: Keith Muir, O.A.M., B. Nat. Res. (Hons.) ASSISTANT DIRECTOR: Fiona McCrossin, B.Sc., Dip.Ed., Dip. Env. Studies

HON. PHOTOGRAPHER: Henry Gold HON. MAPPING DRAFTSMAN: George Elliott HON. PROJECT OFFICER: Don Cameron, B.Vsc

HON. AUDITOR: Ernst & Young HON. MEMBERSHIP SECRETARY: Betty Mason HON. PRINTERS: Shirley Dean, Ray Hookway

BULLETIN DESIGN & TYPESETTING: Bungoona Technologies Pty. Ltd. Ph: (02) 9526 6199

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the threat of further damage they had, by September 1985, completed a submission for a 'Gardens of Stone' 38,000 hectare addition to Wollemi National Park on behalf of the Colo Committee, the Colong Committee and the Federation of Bushwalking Clubs. After almost 10 years of campaigning and a further park proposal by the Colong Foundation, Stage One of the Gardens of Stone National Park was created on the 29th of November 1994, covering 11,780 hectares. In December 1995 a further 3,600 hectares of the original proposal were added to the Wollemi National Park to protect spectacular Rocky Creek and its cathedral-like slot canyons. Unfortunately the objections of coal mining interests have prevented any further park additions.

The unprotected parts of the Gardens of Stone now face yet another grave threat: surface mining for construction sand. Sand mining is incompatible with nature conservation as the entire landscape and its ecosystems are removed and cannot be restored.

The Colong Foundation for Wilderness, the Blue Mountains Conservation Society and the Colo Committee now advance Stage Two of the Gardens of Stone proposal, including all of the remaining parts of Newnes Plateau and surrounding sandstone uplands, while accepting the realities of current coal mining. The *National Parks and Wildlife Amendment Act, 2001* provides for the reservation of State Conservation Areas that could allow coal mining as well as the protection of areas of high conservation value. Such a reservation model may assist with the protection of the rest of the Gardens of Stone.

Centennial Coal owns most of the mining interests within the park proposal and its operations on Newnes Plateau have extensive mine subsidence protection zones to protect the natural environment. Most of the water pumped from the operating collieries is treated before discharge, and is being directed away from national park areas. Such an enlightened approach would be consistent with the proposed State Conservation Area.

The Lost City pagoda complex



Three oil tankers at Hartley Vale incline, 1906

The outstanding diversity of the area warrants further protection and nature-focused management.

Key Conservation Outcomes

The reservation of the Gardens of Stone – Stage Two would achieve the following important conservation outcomes:

- Protection of the most outstanding pagoda landscapes in Australia – these include some of the best scenery in Australia, such as dramatically coloured escarpments, narrow canyons, cave overhangs, rock arches, lonely sandstone peninsulas and wind-formed but now well vegetated sand dunes from the last ice age;
- Reservation of ancient windswept montane heathlands, nationally endangered upland swamps, a unique subspecies of snowgum and other grassy woodlands, including poorly conserved grassy white box woodlands, and moist forest gullies;
- Establishment of an unbroken continuum of forest and woodland types

from the moister coastal communities to the western slopes box country, with Newnes Plateau containing woodlands and swamps that represent the coldest and highest development of native vegetation on Sydney Basin sedimentary rocks;

- Protection of the area with one of the highest densities of rare plants in the Blue Mountains, if not the highest anywhere in the Mountains;
- Facilitation of the interpretation and appropriate recreational use of the nationally significant first passes to inland Australia – the Coxs, Lawsons, and Lockyers roads near Mount York;
- Presentation of some the State's best preserved and Heritage Listed oil shale ruins in Australia in a spectacular setting;
- Protection of an important scientific reference area near Goochs Crater that has yielded important fire history data that may inform future fire management practices; and
- Better management of the most popular recreation forest destination in the Mountains so that the natural and cultural values of the much-loved Gardens of Stone are not degraded.

Key Recommendations

1. Reserve as state conservation area and national park the Gardens of Stone and those parts of the Western Escarpment as indicated on the park proposal map.
2. Develop a conservation management plan for the oil shale ruins at Mount Airly. The plan to preserve these

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The unique high altitude grassy woodlands of Newnes Plateau

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relics and visitation controls should be developed in co-operation with Centennial Coal.

3. Develop a recreation management plan through the park plan of management process that promotes responsible driving on roads and respects closed tracks and management trails. The roads leading into the Wolgan River headwaters, access to Cape Horn,

Mount Genowlan and the identified Wollemi Wilderness should be closed and all tributary roads in these areas allowed to rehabilitate naturally.

4. Implement subsidence management plans for coal mining that should include subsidence protection for the Newnes Plateau upland swamps, pagodas, cliffs and streams. Wastes effluent from coal mines should be minimised, adequately treated, discharged away from the World Heritage Area and used to enhance environmental flows to the Cocks River.

5. Implement a strategy and management plan for Sydney's sand requirements which should investigate all options, including appropriate off shore options, so that Newnes Plateau and other sensitive sites can be permanently protected, while adequate sand reserves are identified and recycling of construction sand facilitated.

6. Refuse the development application by Sydney Construction Materials for a sand and clay mine near Newnes Junction and add the area subject to the proposal to the proposed Gardens of Stone State Conservation Area.

7. Develop a restructuring package to facilitate termination of native forest logging operations on Newnes Plateau and the removal of the pine plantation, which should be revegetated using native plants of local provenance.

8. Establish appropriate management regimes for adventure recreation activities, particularly for adventure recreation on the Western Escarpment.

9. Prevent further climbing sites being developed on the Western Escarpment. Any intensification of use by commercial operations should be subject to environmental assessment, public comment and review processes. Sites selected for development should have a high resilience to impact and not have high environmental values. ■

View toward Mount Genowlan with Pagoda Daisies in the foreground



Launch of the Gardens of Stone – Stage Two

by Keith Muir

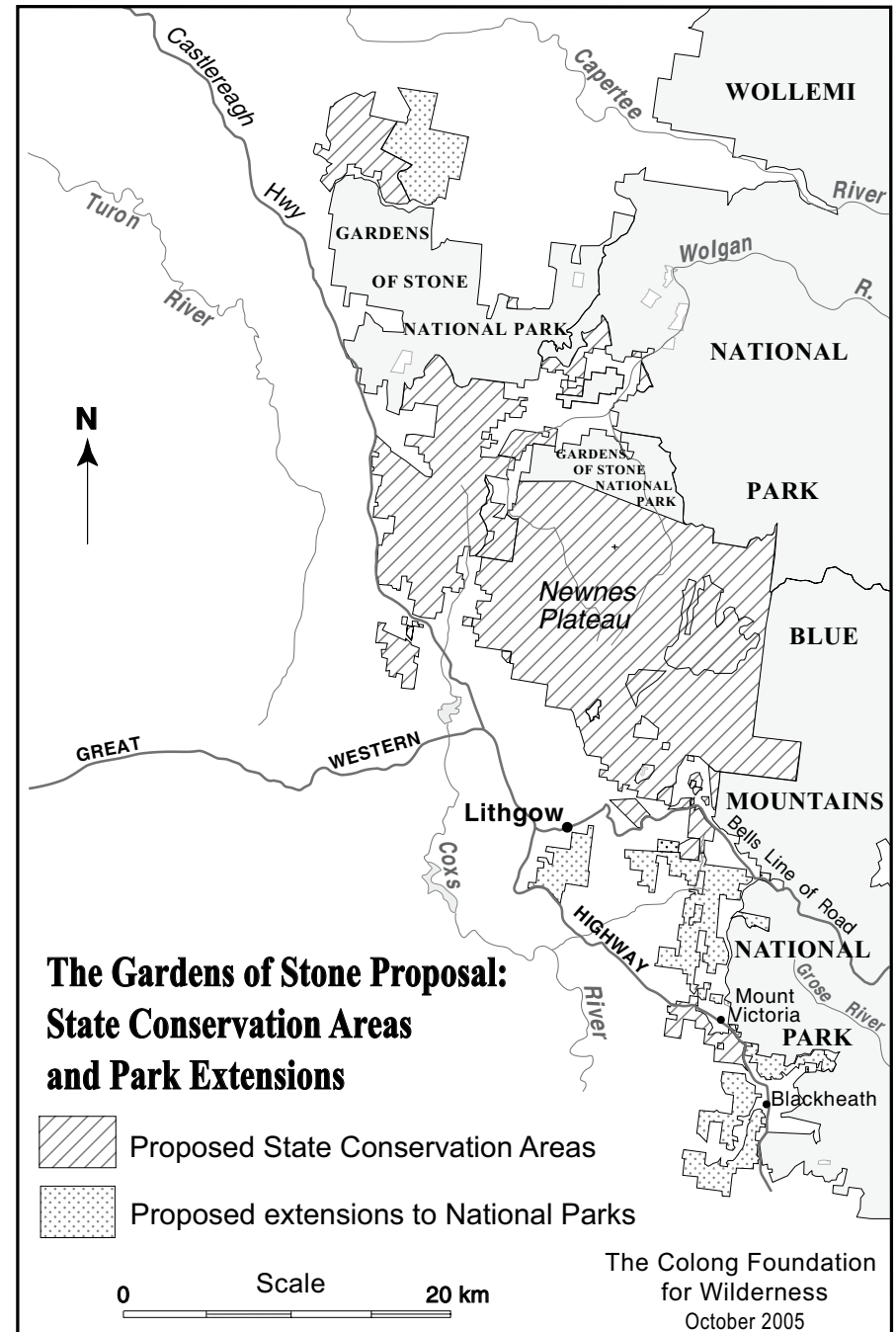
GREENS Upper House Member the Hon Ian Cohen MLC sponsored the media launch at Parliament House on Monday November 28 saying that “this Gardens of Stone proposal put forward by the Blue Mountains Conservation Society and the Colong Foundation can turn the Lithgow economy around, can create a successful and sustainable tourist industry”. Mr Cohen said that reservation of the Gardens of Stone would be the type of action the people of NSW would expect from a Labor Government.

Dr Brian Marshall, President of the Blue Mountains Conservation Society, explained that the Gardens of Stone collectively contains a vast array of scenic values, biodiversity, Aboriginal heritage, more recent heritage and magnificent examples of biological, geological and geomorphological processes. He said it is absolutely scandalous that these areas haven't been protected up until now, or have been very poorly protected. Dr Marshall believes that it is really time to redress past mistakes, past failures and complete the protection of the western Blue Mountains.

I re-emphasised Mr Cohen's key point - that the proposal would help to put Lithgow on the tourism map in its own right. Lithgow is an absolutely spectacular place that lacks recognition. It is, incidentally, the town where Alex Colley grew up.

A second launch at Hassans Walls

To capture the attention of the local media, a second launch was held at Hassans Walls in Lithgow on December 1st. This launch was ably organised by Ron Withington, publications officer for the Blue Mountains Conservation Society. Dr Joe Landsberg, Chairman of the Blue Mountains World Heritage Institute and former CSIRO chief scientist, made the opening address. Dr Landsberg's address covered the values of the proposal, how the proposal would



build on the strengths of the friendly local community, as well as contain the threats posed by off road vehicles and sand quarrying.

Brain Marshall emphasised the dramatic scale of the 39,800 hectare proposal, that stretches 60 kilometres all the way from Blackheath right to Mt Airly. Dr Marshall again spoke of the values, including the magnificent

scenery. “Everybody thinks, oh yes, pagodas, cliffs — and they are the most impressive immediate impact. But there's the grassy understorey of the forest up above 1100 metres, that has its own less aggressive meaning. There are the creeks — the small ones and the large ones as they are rushing down

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off the plateau, down through various gorges to find there way down to the bigger river systems, some of which we hope are going to be declared 'wild rivers'."

Haydn Washington described his spiritual discovery of the Gardens of Stone as "an area of rock cities, temples, pulpits, sandstone sculptures, slot canyons, overhangs, caves, Aboriginal sites, surrounded by flowering heathland, tall forests, open woodlands and rainforest gullies." Haydn, as a plant ecologist, expressed grave concern for an endangered plant called *Pultenaea* sp. *Genowlan Point*. "We hear a lot about Wollemi Pine, and *Pultenaea* is actually a lot more endangered than the famous Pine. Only 39 plants are left as of last week. Their population has dropped by 50% in the last four years, largely due to lack of management of what is happening there — particularly grazing by feral goats. Nearby is a critically endangered heathland."

I explained that while there was an acceptance of the realities of existing coal mining operations, sand mining would be the end of a very diverse, high conservation value area. The campaign for the Gardens of Stone is now well and truly launched. ■

*Greens Upper House Member,
Ian Cohen with Dr Brian Marshall,
President of the Blue Mountains
Conservation Society and Keith Muir
launch the new Gardens of Stone
proposal at Parliament House on 28
November 2005*

Saving wilderness depends on voluntary funding

The existence of wildlife depends on the preservation of its habitat. A limited artificial habitat can be provided, at a cost, in zoos and fenced areas, but the most affordable habitat is remnants of the natural environment. The protection afforded by the smaller remnants preserved in national parks is limited by their accessibility to both human and feral invaders. Wilderness, which consists of the larger remnants of the natural environment, usually in excess of 5000 hectares, provides the most practical means of wildlife preservation. The edges of these areas are subject to human and feral intrusion, but because they are generally roadless and closed to vehicles, they are protected from human degradation and favour the native wildlife that evolved in it rather than feral species. Despite Colong's success in securing

the dedication of wilderness and in securing two World Heritage listings we are deemed too ineffective to qualify for government grants (see last *Bulletin*). We are therefore wholly dependent on voluntary work and voluntary funding. This has enabled us to maintain our office and employ a staff of one full time and one part time worker. We could do a lot more if we had a staff of 3, but this would require a doubling of donations, however with the usual support of our members we can continue our usually successful campaigns. So we call on them to renew their subscriptions for 2006. We have retained the level of the annual subscription at \$25 for many years so as to retain the support of our less financial members, but the main source of finance has been donations. So once again we hope that those who can afford it will donate.



IUCN Global Mammal Assessment

In the summer newsletter of the Wildlife Preservation Society of Queensland, Dr Scott Burnett, wildlife projects officer, reports on the IUCN Australia and New Guinea Global Mammal Assessment. A presentation of the Assessment was attended by over 50, but the only NGO conservation group represented was the WPSQ. Dr Burnett reports that: "Of concern is the fact that about a third of all mammal species are either extinct, threatened or near threatened. This alarming statistic is something that we can use to stimulate ourselves and others into efforts to raise the issue of responsible land use and appreciation of our unique and threatened fauna. Of particular concern are the large number of 'near threatened'

species which usually receive little or no attention during environmental impact assessments or government conservation programs." Threatened species are always featured in Colong's wilderness nominations. The need to protect the habitat of all native species, not just those which are currently threatened, is one of the greatest arguments for wilderness protection.

Habitat Before Agriculture

In ECOS of November 2005, the CSIRO reports a survey of a rural area south of Adelaide. Given a choice between continuing rural use and increasing the area of habitat available for wildlife, nearly 85% of respondents agreed on the importance of increasing habitat.

Action toward wilderness protection in Australia

by Keith Muir

MY adventures at the Eighth World Wilderness Congress in Alaska were presented in the last *Bulletin*. The following article gives the key aspects of my Congress paper on the status of Australia's wilderness and, since the theme of the conference was 'Wilderness, Wild Lands and People – a partnership for the planet', my paper also briefly addressed the role that indigenous people have played in the conservation of wild lands.

Since writing this paper, there are good signs that the nation's long-running wilderness protection drought may at last be over. A half million hectare wilderness was created in South Australia and Australia's first wild rivers legislation has been proclaimed in Queensland. There are also moves to protect more wilderness in NSW and the ACT.

Recent progress to protect wilderness across Australia was facilitated by the establishment of the National Forest Policy Statement in 1992. The following decade saw over a million hectares of wilderness reserved in the state of New South Wales (NSW). The success in NSW, as opposed to other states, can be attributed to the activism of the NSW environment movement and its different relationship with both the political and executive arms of Government. This relationship is structured through the *NSW Wilderness Act, 1987* which allows the community to nominate wilderness areas for assessment.

By the time governments signed the Forest Policy all, except for Tasmania, had passed legislation for the protection of wilderness areas. Yet only the most populous and developed states of Victoria and New South Wales have had active wilderness programs.

Northern Territory, Western Australia and Queensland – the frontier states

The Northern Territory has more wilderness than anywhere else in

Australia but, except for an area of Kakadu National Park, no formally protected areas. On the other hand the Territory Government has been notably progressive in its attitude toward joint management of national parks with indigenous people. The Gurig National Park became Australia's first jointly managed park in 1981 and, in 2004, the NT Government decided that Aboriginal traditional owners would jointly manage all of the Territory's reserves in co-operation with the Parks and Wildlife Commission.

A commonly held opinion is that there is lots of wilderness and few Territorians, so there is no urgency. The National Wilderness Inventory indicated that more than half the Territory is in a high wilderness condition. But this positive assessment ignores the frequent impacts of pest species, particularly cane toads, horses and camels, that have caused local extinctions, loss of native vegetation and massive soil erosion in much of the area identified as wilderness.

The Territory is working to develop a more comprehensive reserve system but with no regard to protection of wilderness values. Nine national parks larger than 100,000 hectares contain considerable wilderness. Several of these large parks have either a 'limited use' or 'natural' zone to regulate development and high impact use. Yet all wilderness-like zones in the Northern Territory may be open to mining activities; some parks are being actively explored and there are also plans for further resort development.

Western Australian progress toward wilderness protection is limited by a 'super-department', the Department of Conservation and Land Management (CALM), that manages the state's national parks, state forests and other Crown Land. CALM, with its multiple use mind-set, trades off competing user interests within its very last wilderness remnants inside national parks.

A 1998 outcome of Australia's National Forest Policy saw 342,000

hectares of forests reserved in national parks in the south-west of Western Australia by 2003, but the subsequent wilderness assessment of the new reserves failed to identify any areas for protection. The assessment was redone following an outcry, but only a few small areas were eventually flagged. The CALM bureaucracy, and a wilderness assessment methodology that focussed the public debate on 4WD roads, have made protection of on-park wilderness very difficult.

In the longer established national parks, four have wilderness zones within them, totalling about 225,000 hectares, but these are not afforded the statutory protection available under the *Conservation and Land Management Act, 1984*. Placing wilderness protection last in a long chain of land use decision-making creates more difficulties as competing activities, such as tourist operations and the pervasive off road vehicle user, become established and then tend to dictate park management.

In Queensland The Wilderness Society and the Australian Conservation Foundation, established land rights on an equal footing with park reservation for over a decade. The regional land use agreement approach for Cape York taken by these groups provides a cogent solution to ensure an economic base for indigenous people. Providing for claims over lands with a broad range of productive resources is better than focusing the land use debate solely on remote areas of proposed national park.

Whether the regional land use approach will adequately protect wilderness remains to be seen. There are no wilderness areas formally protected under the *Nature Conservation Act, 1992* in Queensland because conservation groups dropped formal wilderness reservation from their campaign priorities. Wilderness is protected 'de facto' in national parks, such as Mount Barney, Hinchinbrook

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Island, Currawinya and Carnarvon. The Shelburne Bay Wilderness was saved from mining in 2003, when existing mining leases over its pure white dunes lapsed on expiry, but the area is not reserved as wilderness.

Indigenous people own almost half of Australia north of the Tropic of Capricorn and many desert areas as well. There should be a place for wilderness protection in the Indigenous landscape. Wilderness should not be compromised by a trend emerging in some quarters to have the definition of wilderness altered to accommodate modern technology, such as 4WD vehicles and permanent settlements.

New South Wales – a success story

New South Wales (NSW) has earned a reputation as the centre of wilderness protection in Australia. The state has just passed through an enlightened decade where wilderness received priority protection. A wilderness logging moratorium began in 1992 and was expanded as National Forest Policy negotiations progressed. In many cases, the areas where logging was deferred in 1995 became declared wilderness by 2003.

The National Parks and Wildlife Service recognised that a nature-focussed assessment was needed to reflect the assessment criteria of the Wilderness Act, and to allow for the restoration of land when considering whether an area should be identified as wilderness. Once a wilderness is identified, there can then be an open and transparent, even if politicised, debate over whether it should be protected. Issues associated with unsealed roads then come into play but are usually considered in the context of the need for protection of the natural environment.

Progress towards wilderness protection began during an era of conservative government, which declared 650,000 hectares of wilderness between 1991 and 1995. The Carr Government then developed a strong wilderness protection policy and secured 1.3 million hectares of forest wilderness over the next ten years. NSW has saved more wilderness than any other state but has only one

wilderness in Indigenous ownership, within Mutawintji National Park.

The Australian Capital Territory protects a 28,900 hectare wilderness under the *Nature Conservation Act, 1980* and this area adjoins a similar sized wilderness in NSW, but unfortunately is separated from it by a series of recently established fences to exclude feral horses.

Victoria's one-off, state-wide wilderness assessment

In Victoria, in 1991, the former Land Conservation Council undertook a transparent process of wilderness assessment and public review. The state-wide processes, while efficient and democratic, relied on a remoteness from development approach that played into the hands of wilderness opponents. Pieces were cut off wilderness here and easements created there, as if wilderness was a pie to be shared out to user groups. The wilderness estate of Victoria was increased to 842,050 hectares. A further 268,900 hectares, made too small through balancing wilderness and user interests, were placed into a lower category of wilderness protection called remote and natural areas. No wilderness outside national parks was considered for protection. The National Forest Policy protected parts of the Wongungurra wilderness, and a mere 7,420 hectares was added to the national park estate in 1999. The recent decision to rapidly phase out cattle grazing in the state's alpine wilderness over the next twelve months, however, provides an opportunity to revisit wilderness boundaries that were, in some places, established to avoid grazing areas.

Tasmania and World Heritage

The World Heritage Convention has played a critical part in ensuring wilderness protection in Tasmania. The Tasmanian Wilderness World Heritage Area was inscribed on the World Heritage list of properties in 1982, and was greatly extended in 1989. As a consequence of the listing, a one million hectare wilderness zone was established under the plan of management in 1992. Three areas of land were handed back to the Aboriginal community, and one of the areas is in the wilderness zone.

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Lands Dept. Ignores Its Environmental Responsibility

The Crown Lands Act requires that Crown Lands must be administered by applying 'environmental protection principles.' A report prepared by Price Waterhouse Coopers reveals that this requirement has been ignored. A media release issued by the NPA reveals that:

The most concerning aspect of the report is its treatment of Crown leases. It was because of this suppressed report that 11,000 Crown leases covering 3 million hectares were earmarked for a massive sell off. The report confirms that the plan was simply to make money for the Department of Lands.

The report makes no mention of the long-standing Government moratorium on selling of high conservation value leases and the important part the leases play in conservation.

The report states that the market value of this land is estimated at \$4.7 bn yet proposes to sell off the estate for just under \$38m – a quick profit to top up the Department of Lands' coffers.

Port Hinchinbrook Development Axed

Plans for stage two of the Port Hinchinbrook development near Cardwell in north Queensland have been axed by the Environmental Protection Agency (EPA). Developer, Keith William's, plans to add a 335 residential estate, golf course and motel to the existing marina, housing estate and boatyard were rejected because of risks to significant coastal wetlands. Stage 1 was built in 1998 after a court challenge failed. The plaintiffs alleged that the development would destroy important mangrove forests, produce acid sulphate pollution and introduce a massive increase in boat traffic to dugong and turtle habitat, just across the channel from the Hinchinbrook Island National Park and World Heritage Area. The EPA's rejection cited unacceptable impacts to an adjacent Paperbark wetland earmarked to become National Park. The developer has not announced any legal challenge but has told the press he expects to turn the EPA around.

NPA Qld. News November 2005

Action Towards Wilderness Protection in Australia

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The wilderness zone is vulnerable to policy changes and subsequent development through alteration of the plan of management.

Tasmania has a higher density of conservationists than any other state in Australia, and more green politicians as well, but this weight of support has not secured either wilderness-specific legislation or adequate wilderness protection through park plans of management.

Wilderness mining, a South Australian anomaly

South Australia (SA) passed the *Wilderness Protection Act* in 1992 and it provides for the creation of wilderness protection areas and wilderness zones. The Act allows any member of the public to propose wilderness areas for protection, however mining activities are allowed in the wilderness zones.

Eight wilderness areas have been protected, totalling 184,419 ha, and most of this area was reserved only last year. In addition, three large informal wilderness zones have been established under plans of management but these areas lack the security of being reserved under the Act and are open to mineral exploration.

The Wilderness Society has nominated eight terrestrial wilderness areas for assessment under the 1992 Act and a further eight marine wilderness areas.

Conclusion

Wilderness is, in administrative reality, a park management system that defends nature from the spoiling forces of modern technology. Wilderness is also a powerful belief that respects the rights of nature and those of indigenous people.

The wilderness idea has done much to protect nature and there is much more to be done. Indigenous and non-indigenous Australians can effectively act together when the bulldozers, miners, loggers and resort developers arrive to despoil the wilderness. Such defensive campaigns should be complemented by positive plans for wilderness protection. The efforts toward wilderness protection will be most effective when detailed wilderness protection proposals are advanced that can then be assessed in an open and transparent manner. Such an assessment of wilderness should be nature-focused and provide opportunities for restoration. It is a task that requires constant dialogue between wilderness advocates and government. ■

No cattle in the alps

We'll be elated if the entire Australian Alps receives National Heritage listing, and ultimately World Heritage listing. This is what we've been urging all along, and it would give the area the international recognition it so richly deserves for its natural beauty and vital conservation values.

After all, this is a park, not a paddock.

Charles Sherwin, Director of VNPA, writing on the removal of the cattle-men's nomination from the National Heritage list. VNPA Update Nov. 2005.

MEETING DATES

Meetings will be held in our office at level 2, 362 Kent Street at 6pm on February 9th and at 2pm on March 9th. Please note the alternate afternoon and evening meeting times are to enable workers to attend at least one Board meeting every two months

CAPERTEE HELIPORT REJECTED

In *Bulletin 211* we reported on the proposed heliport at Capertee for a joy flight operation over the Blue Mountains World Heritage Area and the Capertee and Wolgan valleys. Fortunately the Lithgow City Council last month unanimously refused the heliport proposal on the grounds of environmental and social impacts, following a report by council officers recommending development consent.

Joost Heymeijer, project manager for the Emirates proposed Wolgan Valley resort, addressed the councillors. His representations were critical, as the Council business papers made no mention of the Emirates objections. Mr Heymeijer explained that: the Emirates development would employ many people; the development would be adversely affected by the joy flight

operation; the Emirates Airline is not opposed to development but that joy flights do not serve any necessary purpose; and the Emirates resort proposal would have to be reconsidered if the development was approved.

Council officers did not circulate representations to councillors by the Blue Mountains Conservation Society and the Colong Foundation, as a policy prevents the circulation of material after distribution of council business papers. Veronica Nolan spoke for the Capertee Valley Protection Society, but for most of her presentation was inaudible as the microphone was switched off. It was, of course, the position of the Emirates that carried the day.

The Emirates won National Geographic's World Legacy Award 2004 for its Al Maha Desert Resort & Spa - a

Conservation - based resort set within a 225 square kilometre wildlife and nature reserve in Dubai. The Emirates opposition to the heliport will protect the peace of the Wolgan Valley, which is one of the key assets of the proposed resort.

The chances of successful appeal to the Land and Environment Court are slim as they are currently based on a flimsy 44 page environmental impact statement and a noise study for a two door helicopter, when the EIS proposed the use of a four door copter. With the aid of the Emirates Airline, the Gardens of Stone stage two has won its first battle. The proponent, however, intends to appeal to the Court, and Dr Brian Marshall warns that 'the only assured outcomes are legal costs and protracted uncertainty' (*Hut News*, Jan 06). ■