

**SUBMISSION BY MARRICKVILLE COUNCIL
ON THE NATIONAL AVIATION POLICY GREEN PAPER**

FEBRUARY 2009

Introduction

This submission by Marrickville Council focuses on *Green Paper* Chapters 8-10, i.e. Airport Infrastructure, Aviation Emissions & Climate Change and Noise Impacts, as these chapters include issues of greatest concern to Council. The submission is divided into ten sections, arranged in approximately highest to lowest level of significance to Council as follows:

1. *The need for a second Sydney airport* – relates mainly to *Green Paper* Chapter 8: Airport Infrastructure;
2. *Aircraft noise* - relates mainly to *Green Paper* Chapter 10: Noise Impacts;
3. *Land use planning & economic impacts* – relates mainly to *Green Paper* Chapter 8: Airport Infrastructure;
4. *Ground transport* – relates mainly to Chapter 8: Airport Infrastructure;
5. *Greenhouse emissions & peak oil* – relates to *Green Paper* Chapter 9: Aviation Emissions & Climate Change;
6. *Stakeholder participation* – relates mainly to *Green Paper* Chapter 8: Airport Infrastructure;
7. *Safety & security* – relates to *Green Paper* Chapters 1 & 2: Aviation Safety and Aviation Security;
8. *Consumer protection* – relates to *Green Paper* Chapter 7: Consumer Protection;
9. *Intent, structure & overall content of the Green Paper* – includes Council's general comments on the Aviation Policy process and on the *Green Paper* itself; and
10. *Council's submission on the National Aviation Policy Issues Paper & Sydney Airport Preliminary Draft Master Plan (PDMP)* – summarises the issues raised in Council's submissions on these important 2008 airport matters, and identifies issues from these submissions that have yet to be adequately addressed in the *Green Paper*.

1. Need for a second Sydney airport

Council acknowledges and accepts the *Green Paper* statement that airports are Australia's economic and social gateways to the world and that investment in airports should continue. However, Council also shares the Government's concerns about pressure on Sydney Airport, now approaching capacity. Council is pleased that the Australian Government proposes to begin a process for identifying additional capacity for the Sydney region as part of its policy of support for a second airport for Sydney. This is consistent with Council's view that a suitably located second airport is needed to reduce unacceptable aircraft noise impacts from Sydney Airport now and into the future. Council considers development of a second airport to be the only permanent solution to the long-standing and ongoing issue of aircraft noise in Inner-Sydney.

2. Aircraft noise

Council has argued for many years that existing aircraft noise impacts from Sydney Airport are intolerable and unacceptable. Council is seriously concerned about proposed increases in aircraft movements into the future, as outlined in the *Sydney Airport PDMP*. Council believes aircraft movements at the existing Sydney Airport should be reduced overall as a second airport for Sydney is developed and operated.

Although Council is pleased the *Green Paper* recognises there is broad community support for the maintenance of the existing legislated curfew and cap on movements at Sydney Airport, it follows from the above argument that Council would like to see the curfew extended and the movement cap reduced as the second Sydney airport is developed and operated.

Specifically, Council would like the Australian Government to:

- limit the total aircraft movements at Sydney Airport to no more than 300,000 per year;
- reduce the hourly cap at Sydney Airport from 80 to 70 flights per hour; and
- extend the curfew at Sydney Airport from 11:00pm-6:00am to 10:00pm-7:00 am.

Council supports the *Green Paper's* proposal to limit the operation of noisy aircraft and to phase out marginally-compliant older aircraft. In its 2008 submissions on the *Issues Paper* and *Sydney Airport PDMP*, Council acknowledged the noise amelioration benefits of larger and quieter aircraft. However Council remains concerned that these benefits will be far outweighed by additional noise from the substantial increase in aircraft movements forecast over the next 20 years.

Council agrees with the *Green Paper* statement that a more balanced approach to aircraft noise management is required to ensure quality of life for communities. Council does not however agree with the *Green Paper* that a motive for managing noise impacts should be to avoid unreasonable constraints on future airport development. In the case of Sydney Airport, quality of life for the thousands of people in the long-established, densely-developed communities surrounding airport should assume greater importance than 'unconstrained' operation of the airport. It is for this reason that Council has argued for increased constraints on the existing Sydney Airport and the development of a suitably located second airport for Sydney.

It is apparent from the *Sydney Airport PDMP* that Sydney Airport's noise footprint will increase over the next 20 years. This prompted Council to write to the Minister for Infrastructure, Transport, Regional Development and Local Government in December 2008 advocating the expansion of the Sydney Airport Noise Amelioration Program. According to this program, residential buildings within the 30 Australian Noise Exposure Index (ANEI) contour and public buildings within the 25 ANEI contour are eligible for insulation. The Australian Government has advised that the original program has been completed.

Council supports the *Green Paper* proposal for the Government to consider industry-funded noise amelioration programs where airport operations and air traffic changes place residences into high noise exposure zones. This implies that the Australian Government is committed to expanding the program as Sydney Airport's noise footprint increases and new buildings fall within high-noise zones. Council would also like the Australian Government to expand the program into marginally affected areas by providing partial insulation, such as insulation of bedrooms, of houses and other buildings that fall just outside high-noise zones.

Council agrees with the *Green Paper* statement that access to transparent and easily-understood aircraft noise information has been lacking in the past. Council is however pleased with recent moves by Sydney Airport Development Corporation Limited (SACL) and the Australian Government to improve clarity, transparency and access to this information. In particular, the Sydney Airport Community Forum (SACF) continues to provide a valuable forum for exchange of this kind of information. Council supports the Government's continued support for the development of a new noise information framework. Airservices Australia's new internet-based flight path tracking system for example, which provides 'real-time' (40-minute delay) information on aircraft flight paths and noise, appears to be an effective means of providing noise information to the community.

As was raised in Council's submission on the *Sydney Airport PDMP*, Council would also like to see within the *Green Paper* acknowledgement of the contribution of aircraft ground running to total aircraft noise impacts.

3. Land use planning & economic impacts

Council supports the Australian Government's commitment to responsible development of aviation infrastructure. Council agrees that this can be achieved by ensuring airport planning is more integrated with planning for surrounding areas and that community interests are given proper consideration in airport planning and development.

In its 2008 submission to the *Aviation Policy Issues Paper*, Council argued that Sydney Airport's planning instruments and development proposals were not compatible with local and State instruments and proposals. Council maintains the view that this issue can only be resolved if Sydney Airport is subject to NSW Government and local council planning controls.

In its submission to the *Sydney Airport PDMP*, Council expressed concern about the open-ended nature of *PDMP* land use zones. Although in most instances the zone title was considered appropriate, an examination of the list of permissible uses within each of the zones revealed a wide range of permissible uses, many not permissible in equivalent zones in State and local planning instruments. This adds further weight to the argument that Sydney Airport should be subject to State and local controls.

Council agrees it is important that state and local governments meet their responsibilities to establish zoning policies, in consultation with airports, that ensure development near airports and under flight paths are compatible with noise exposure. Council continues to attempt to meet its responsibilities in this regard, but has encountered two difficult issues in developing a new Local Environmental Plan (LEP) for the Marrickville LGA. With a gazettal date for the LEP scheduled for early 2010, acknowledgement and resolution of these issues is an imperative.

The first issue is the impact on urban development of Sydney Airport's Obstacle Limitation Surfaces (OLS). The OLS limits building heights in parts of the Council area, making it difficult for Council to meet mandatory residential dwelling targets set by the NSW Government. The OLS is in addition to a Ministerial Direction under the NSW Environmental Planning and Assessment Act 1979 that limits residential development in aircraft noise affected areas. The second issue is the NSW Government's requirement for retention of industrially zoned land, which aims to provide for a range of businesses that service key industries such as Sydney Airport. This prevents the residential rezoning of some industrial sites, further limiting Council's ability to meet the NSW Government dwelling targets.

Council is pleased there is recognition in the *Green Paper* that substantial commercial developments on airport land can undermine the economy of surrounding communities. Council recognises the legitimate need for commercial activity associated with Sydney Airport's core aviation function. However, Council has objected to previous Major Development Plans for excessive stand-alone commercial developments at Sydney Airport that appeared to be more intended to maximise the profitability of the airport site rather than serve the needs of air travellers. Council is pleased that such proposals have not eventuated and there now appears to be general recognition that over-provision of commercial activity at airports is not appropriate.

4. Ground transport

In Council's submission on the *Sydney Airport PDMP*, Council advocated the need for governments and airport operators to provide infrastructure and to implement programs to encourage ground access to and from airports by public transport, taxi, walking and cycling rather than private motor vehicle. Council would like to see a similar commitment by the Australian Government within the *Green Paper*.

In 2007, Council wrote to SACL to state that it generally supports the intent of the 2007 *Sydney Airport Ground Travel Plan*, but would like to see a greater commitment to its implementation. In 2008, Council wrote to the NSW Government stating its opposition to major road-related transport infrastructure proposals, several of which would serve Sydney Airport. Council stated its preference for transport infrastructure funding to be diverted to equivalent public transport options.

Council has taken this position as it considers existing levels of through-traffic in the Marrickville LGA and in the region to be unacceptable and would like to see traffic reduced in the long-term.

5. Greenhouse emissions & peak oil

Council is concerned about the *Green Paper's* statement that aviation-related greenhouse emissions will continue to grow into the future as aviation activity grows. Emission gains from fuel efficiency of aircraft and operational efficiencies will not be sufficient to counteract this trend. Council supports the Australian Government's commitment to a long-term national emissions reduction target, participation in international greenhouse forums, support for industry-led initiatives and development of a tool for comprehensive carbon monitoring and footprinting.

Council would also like to see a more detailed discussion within the *Green Paper* of the local (as opposed to regional) air quality impacts of aviation activity. This was raised in Council's submission to the *Sydney Airport PDMP*.

Council is disappointed that the issue of peak oil has not rated a mention in the *Green Paper*, even though Council raised it as an important issue in its submission on the *Issues Paper*. The *Green Paper* does say that oil prices will continue to be volatile and likely to affect the aviation industry into the future. However it does not discuss the impact of sustained long-term oil price increases resulting from declining global oil supplies. It is possible that air travel will again become a luxury because of peak oil. This would naturally benefit the Marrickville community as aircraft movements would be reduced. Regardless of outcome, the issue of peak oil deserves consideration in the *Green Paper*.

6. Stakeholder participation

Council agrees with the *Green Paper's* statement that a new level of co-operation is required between Federal, state and local government on airport planning and development, with clear consultation and decision-making processes. Although Council raised issues in the past with SACL and the Australian Government in the past over inadequate consultation processes and practices, it is apparent there has been improvement in this area recently.

Council sees the Sydney Airport Community Forum (SACF) as a valuable and effective forum for information exchange between stakeholders, and Council strongly supports its continued operation. Council has recently advocated to the SACF Chair that the valuable role played by SACF's part-time Aviation Community Advisor be expanded by making this position full-time.

The *Green Paper* states that the Australian Government work with state governments to refine proposals for effective working arrangements. Council supports all the initiatives proposed in the *Green Paper* to this end. In particular, Council supports the proposed establishment of Airport Planning Advisory Panels and improved assessment of the impact airport development on surrounding infrastructure, including how airports might contribute to this infrastructure. Council also supports the strengthening of the airport Master Planning process and review of the airport Major Development Plan process to ensure there is proper consultation.

7. Safety & security

Council supports the *Green Paper* statement that the Government is committed to maintaining and further improving aviation safety and security for passengers and communities surrounding airports. As was raised in Council's submission on the *Issues Paper*, Council is most concerned about safety from aircraft crashes as it applies to surrounding communities. Council is disappointed that most of the discussion of safety and security in the *Green Paper* applies to the aviation industry and airline passengers, not surrounding communities. In the case of Sydney Airport, land use zoning is only a partial safety solution, as surrounding communities had developed well before the airport had grown to its current level of operation. Council would also like to reiterate the

comment made on the *Issues Paper* that airport security measures should not unduly restrict appropriate public access to land surrounding airports.

8. Consumer protection

Council notes that concerns have been raised about the accessibility of air travel to people with a disability. Council supports the Australian Government's commitment to respond to the Review of Disability Standards and to establish an Aviation Disability Working Group to work with groups representing people with a disability to find ways to improve access to aviation services. Council also notes the Australian Government's commitment within the *Green Paper* to monitor and restrain parking charges at major airports. Whilst Council recognises the need for such a measure in the interests of consumer protection, it would also like to point out that parking charges are an important motor vehicle demand management measure. Parking charges should be set to be affordable, yet should also discourage excessive motor vehicle use.

9. Intent, structure & overall content of the *Green Paper*

Council questions the *Green Paper's* assumption of 'unconstrained' growth in aviation activity into the future. This assumption was also questioned in Council's submission on the *Sydney Airport PDMP*. It is understandable that such a conclusion would be reached based solely on growth trends to date. In its submission on the *Issues Paper*, Council questioned whether the sustained growth assumption was overly optimistic given peak oil, greenhouse emission constraints and the need aircraft noise reduction. Council has suggested that it may be appropriate in the future for governments to apply a demand management approach to air travel as is increasingly applied to the energy, water and ground transport sectors.

With regard to the structure of the *Green Paper*, Council is disappointed that the issues Council considers to be the most critical are within the final three chapters of the document. Similarly, wherever a range of issues are listed within the document, these critical issues are low in the list. The *Green Paper* thus appears to give low priority to these issues. Council suggests that these issues be discussed in the first three chapters, not the last. They should also appear at the top of all general issues lists within the document.

Council generally supports the four key principles which guide the *Green Paper's* initiatives for short, medium and long-term policy and regulatory reform and direction. Council however believes the fourth and final principle – "A responsible approach is required to managing the impacts of aviation ..." should assume first or second place to reflect its importance.

Notwithstanding all the above concerns, Council is generally of the view that the *Issues Paper* and *Green Paper* are sound documents, and the Australian Government's intent and process for developing the proposed National Aviation Policy is worthy and commendable. Council agrees with the Australian Government that a broadscale debate on the future of aviation has been lacking and welcomes the debate facilitated by the development of the policy. Council generally supports the proposed initiatives of the Australian Government as listed in the *Green Paper*.

10. Council's submissions on the *Issues Paper* & *Sydney Airport Preliminary Draft Master Plan (PDMP)*

Council's June 2008 submission on the *Issues Paper* raised the need for:

- greater recognition of the nature and extent of existing aircraft noise impacts;
- development of a second airport for Sydney;
- certainty in the distribution of noise impacts;
- increased aircraft noise regulations;
- expansion of noise insulation subsidies;

- improved information on noise impacts and handling of noise complaints;
- phasing out of ageing noisy aircraft;
- an improved dialogue between airports and councils/communities;
- limitations to commercial development at airports;
- consideration of safety of communities surrounding airports;
- mandatory greenhouse emission caps and planning for peak oil;
- application of State and local controls over airport land;
- a halt on further privatisation of airports in Australia; and
- no renewal of SACL's lease on Sydney Airport.

The covering letter to Council's submission also raised issues in relation to airport-related land use planning restrictions which hampers Council's ability to meet its residential dwelling targets as set by the NSW Government. This matter is further discussed in Point 3 above.

Most of the issues raised in Council's submission on the *Issues Paper* were also raised in Council's December 2008 submission on the *Sydney Airport PDMP*. A copy of this submission was sent to the Minister for Infrastructure, Transport, Regional Development and Local Government for information. This submission raised a number of issues in the following areas:

- a second airport for Sydney;
- aircraft noise;
- airspace protection & land use zoning;
- ground transport;
- commercial development;
- peak oil and greenhouse/air emissions;
- other environmental matters; and
- community consultation.

All of the above matters raised by Council in relation to the *Issues Paper* and *Sydney Airport PDMP* remain relevant to the *Green Paper*. Some of these matters have been restated and elaborated upon in this submission. Council is pleased that most of the issues raised in Council's submission on the *Issues Paper* and *PDMP* have been given some consideration in the *Green Paper*. However, Council is disappointed that four issues have not been considered at all - planning for peak oil, aircraft crash risk to surrounding communities, the noise impact of aircraft ground running and local air quality impacts. This has been raised in Points 2, 5 and 7 above. Council would also like to see ground transport issues discussed in further detail, as raised in Point 4 above.