

# Submission on a National Aviation Policy



Village Building Co.





Mr Michael Taylor  
Department of Infrastructure, Transport,  
Regional Development and Local Government  
111 Alinga Street  
CANBERRA, ACT 2600

27 June 2008

To Mr Taylor,

**Re: Development of a National Aviation Policy Statement**

The Village Building Co, is the registered proprietor of Tralee and a proponent for the development of South Jerrabomberra to the south of Canberra Airport. Our comments relate to land use planning in areas subject to aircraft noise.

Since 2000, Canberra Airport has manipulated input data to create successive Australian Noise Exposure Forecast (ANEF) contours in order to effect the sterilisation of large tracts of land from residential development. This has culminated with the endorsement of the Practical Ultimate Capacity ANEF for Canberra Airport by Airservices Australia in recent weeks. The Practical Ultimate Capacity ANEF has not yet been included in a Master Plan although the 2008 Draft Master Plan for Canberra Airport foreshadows its inclusion upon endorsement.

The Village Building Co. is supportive of a National Aviation Policy. The policy must include the preservation of Australian Standard 2021-2000 (AS2021) and its applicability to greenfield land areas. What is certainly required is an increase in the rigor with which ANEF's are assessed and endorsed. This will enable greater reliance to be placed on the ANEF because it will be uniform in the way that it applies across Australia rather than being subject to perversion by airports for commercial gain.

**The ANEF System**

The ANEF System is the most strict land use planning tool for areas in the vicinity of airports in the world. As a land use planning system, it is unsurpassed. It provides certainty to airports, the public, and planning authorities and provides confidence to industry to invest in the infrastructure required for development.

The ANEF System was not however designed for describing the effects of aircraft noise to a layperson. This issue was considered at length in the *Expanding Ways* paper produced by the Department of Transport and Regional Services as it was then called. This paper considered metrics in addition to the ANEF for describing the effects of aircraft noise, whilst retaining the ANEF System as a land use planning system. Recently, endorsed Master Plans have included plans that use these additional metrics

to assist the lay person to understand the impacts of aircraft noise. The continued use of these metrics seems appropriate.

### **ANEF's and greensfield areas**

Airservices Australia's policy document "*The Australian Noise Exposure Forecast System and Associated Land Use Compatibility Advice for Areas in the Vicinity of Airport*" states that, "*it is considered that the public interest is best protected by ensuring that the long-term viability of the aerodrome is preserved wherever possible by planning in accordance with the guidance material contained in this document. The land-use recommendations in Appendix B are most readily applicable to new development on undeveloped land around aerodromes.*" This document specifies that the ANEF system is most appropriate for dealing with greensfield development sites and was designed for this purpose. No change should be made to the system in this regard.

Badgeries Creek is occasionally raised as an example for adopting the 15 ANEC as the limit for residential development in greensfields areas. Dr Rob Bullen of Wilkinson Murray was involved in the assessment of aircraft noise at Badgeries Creek. He advises that the 15 ANEC was used to assess population projections but was never considered as a proposed restriction for residential development.

The impact of aircraft noise in greensfields areas will be similar to existing developed areas. Background noise in greensfield areas will increase from rural levels to urban levels as soon as development commences.

### **Improving the ANEF endorsement process**

Improving the ANEF endorsement process would improve the application of the ANEF system to land use planning. The serious impact of an ANEF on surrounding land use planning necessitates the full and independent examination of the underlying assumptions utilised in the development of ANEF contours. As it currently stands the review of the technical data input for the creation of ANEF contours is superficial at best. This gives airports a carte blanche to set either inadequate or excessive controls on the development that occurs in areas outside the airport lease.

According to acoustics expert, Dr Rob Bullen, "*land use planning using AS2021 depends on the production of accurate and reliable ANEF charts. It is submitted that the current process for the production and approval of ANEF charts for airports should be amended, because too much of the input into the chart is at the discretion of the Airport.*" Airports are in a position to manipulate the ANEF process in order to achieve their commercial interests in relation to land use planning in the area irrespective of broader public policy concerns.

In the case of Canberra Airport, airport management have chosen to produce an ANEF based on an Ultimate Capacity scenario, with ludicrously high flight numbers flown by older, noisier planes on unapproved flight paths, far exceeding any realistic expectation of development at Canberra Airport. This has resulted in the production of inordinately large noise contours which have no logical reference to current actual noise occurrences and demonstrates that airports are achieving planning control extending far beyond the airport boundary. The attached submission by VBC on the 2008 Canberra Airport Preliminary Draft Master Plan, and the submission on the

2007 Practical Ultimate Capacity ANEF for Canberra Airport contain reports from a number of expert consultants which indicate the assumptions behind the newly endorsed ANEF are unachievable.

For a National Aviation Policy to be effective, this issue needs to be addressed and could easily be addressed by requiring Airservices to conduct a rigorous assessment of the feasibility of the input data used in the creation of all privately owned airport's ANEFs.

The Minister has recently endorsed the a new method for the endorsement of ANEFs. We anticipated that this would result in closer scrutiny of the ANEF by Airservices Australia. It did not achieve this outcome and the Ultimate Capacity ANEF for Canberra Airport has subsequently been approved. There is clearly a need for the policy for endorsing ANEF's to be prescribed in greater detail.

### **Public Consultation**

Although the Minister produced guidelines on Public Consultation in December 2005 requiring Airports to engage in more onerous consultation processes, we have seen no evidence of this in the case of Canberra Airport. The Village Building Co. (VBC) has made many submissions to Airservices Australia and Canberra Airport and received extremely limited response from either Airservices Australia or Canberra Airport. Although required by the Guidelines to demonstrate the consideration of public comment, there has been no evidence that VBC's submission has in any way been considered.

Canberra Airport does have an Airport Consultation Committee. Participation is by invitation only and Village Building Co. has been deprived participation. Canberra Airport control the agendas and control the meeting, so effective public consultation is limited.

### **Avoiding system collapse**

Australia now faces a collapse of the land use planning systems for aircraft noise due primarily to the failure of Airservices Australia to adequately check Airport produced ANEFs. On 11 July 2007, NSW Minister for Planning, Frank Sartor wrote to the then Federal Minister for Transport, Mark Vaile detailing his concerns about the current system. In NSW, ANEFs apply to land use planning by virtue of Ministerial Direction 12 made under s117 of the *Environment Planning and Assessment Act 1979*. Minister Sartor stated "*given my concerns about the deficiencies in the process under which the ANEF for Canberra Airport has been developed, as well as the lack of testing of what appear to be unrealistic assumptions that underpin the ANEF, I have strong concerns as to the suitability of continuing with the section 117 Direction in its current form.*"

Minister Sartor's concerns can be addressed by rethinking the way Airservices Australia assesses noise exposure forecasts put before it by Airports. There needs to be greater transparency in the process and equity in the way that each Airport's ANEF is assessed. It is not suitable for Airports to merely submit their ANEF's for a 'tick and flick' process. There must be a quantitative and qualitative assessment of the data.

Please find enclosed the following report which contains comments from Wilkinson Murray Acoustical Consultants:

1. Wilkinson Murray Consultants, *Response to Issues Paper 'Towards a National Aviation Policy Statement*, June 2008
2. Letter from NSW Planning Minister, Frank Sartor to (former) Federal Minister for Transport Mark Vaile, 12 July 2007

Please also find enclosed a report produced by the Village Building Co. which provides a summarised assessment of Canberra Airport's Preliminary Draft Master Plan 2008 as well as supporting documentation (tab 3 of this document) which is set out as follows:

1. The Village Building Co., *Submission on the Canberra Airport Preliminary Draft Master Plan 2008, Summary Report*, February 2008.
2. Map illustrating Canberra Airport's ANEF contour expansion since it was privatised.
3. Wilkinson Murray, *Comments on the 2008 Preliminary Draft Master Plan 2008*, February 2008
4. Ambidji Consulting, *Review of Canberra Airport: Preliminary Draft Master Plan 2008*, February 2008
5. The Village Building Co., *ANEF Public Consultation Submission on the Canberra Airport Practical Ultimate Capacity ANEF*, July 2007
6. The Village Building Co., *Submission on Canberra Airport's 2004 Preliminary Draft Master Plan*, July 2004

I would appreciate a response to this commentary on the National Aviation Policy.

Yours Sincerely,



Ken Ineson  
General Manager  
Special Projects and Feasibilities