

PRINCIPLES - NATIONAL AIRPORTS SAFEGUARDING FRAMEWORK

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Purpose

1. The purpose of the National Airports Safeguarding Framework (the Safeguarding Framework) is to enhance the current and future safety, viability and growth of aviation operations, by supporting and enabling:
 - the implementation of best practice in relation to land use assessment and decision making in the vicinity of airports and strategic helicopter landing sites;
 - assurance of community safety and amenity near airports and strategic helicopter landing sites;
 - better understanding and recognition of aviation safety requirements and aircraft noise impacts in land use and related planning decisions;
 - the provision of greater certainty and clarity for developers and land owners;
 - improvements to regulatory certainty and efficiency; and
 - the publication and dissemination of information on best practice in land use and related planning that supports the safe and efficient operation of airports and strategic helicopter landing sites.
2. The Safeguarding Framework provides the opportunity to drive improvements in planning outcomes consistently across all jurisdictions, and contribute to the improvement of the safety and viability of aviation in Australia.

3. The Safeguarding Framework covers planning for the larger civilian airports subject to the Commonwealth Airports Act 1996 as well as military airports, smaller regional and general aviation airports, aviation facilities, and strategic helicopter landing sites. The Safeguarding Framework accommodates differences in size, use and local circumstances of individual airports in its application.
4. The Safeguarding Framework supports the integration and coordination of on-site and off-site planning relating to aviation operations.¹

Context

5. Australian airports are significant contributors to jobs, economic development, national productivity and social connectivity.
6. Airports are important national infrastructure assets. They are essential transport hubs and contribute significantly to the national economy, as well as to the economies of the cities, regions, States and Territories where they are located.
7. Airports support trade and tourism and help to drive growth across the economy. They support the jobs of around 56,000 people directly employed in the air transport sector² and many more in the retail, hospitality and service industries on airport sites.
8. All sectors of the Australian economy rely directly or indirectly on the efficient movement of people and freight through airports. Over 156 million passengers pass through Australian airports annually. Domestic air travel has more than trebled over the last 20 years, with over 60 million passenger movements in 2017 through more than 180 domestic airports³.
9. Australia's annual international freight task comprises over \$110 billion worth of air freight, over 21 per cent of the total value of Australia's international cargo trade.
10. Military airfields support both military operational and training activities, in order to fulfil critical national security requirements. They may also support general aviation when not in active military use. Military airfields also contribute significantly to the economies of the regions where they are located. References to airports in this Principles document, is intended to also include military airfields.

¹ One of the specific goals identified in the Australian Government's National Aviation Policy White Paper (page 3) is that planning at Australia's airports should facilitate effective integration and coordination with off-airport planning.

² ABS, Labour Force, Australia, Detailed, Quarterly, Feb 2018 (ABS cat. no. 6291.0.55.003, Table 6).

³ Australian Government Bureau of Infrastructure, Transport and Regional Economics – Australian Domestic Airline Activity (June 2018).

11. Sites for airports are scarce and finding new land to replace or expand existing airports is difficult. Existing sites in many cases pre-dated significant urban development. More recently, urban expansion and densification has increased tensions between residential and industrial development and airport operations.
12. In 2012 the Bureau of Infrastructure, Transport and Regional Economics has predicted that passenger movements through Australian airports will increase by 3.7 per cent per annum over the twenty years resulting in a doubling of passenger movements over the period.⁴
13. The main challenge is to balance growing demand for aviation services with urban growth pressures and the continued amenity and safety of residents in surrounding areas. Population growth, development demands and increased aviation activity will necessitate more complementary planning nationwide.

International Air Safety Requirements

14. Australia is a signatory to international civil aviation agreements that require all developments in the vicinity of airports to meet internationally agreed criteria for protecting low level airspace from tall buildings and other structures, smoke and plumes.
15. These international regulatory requirements are currently implemented by the Commonwealth Airports (Protection of Airspace) Regulations 1996 (Airspace Protection Regulations), Civil Aviation Safety Regulations 1998, the Civil Aviation (Building Control) Regulations 1988 and the Civil Aviation Safety Authority's Manual of Standards Part 139.

Current regulatory and management arrangements in Australia

16. Regulatory and management arrangements for air safety and planning around airports are also addressed through a number of other Commonwealth, State and Territory legislative and regulatory provisions.
17. Under Part 5 of the Commonwealth *Airports Act 1996*, development on 22 federal airport sites is subject to Commonwealth planning controls. The operators of these airports are required to prepare 20 year Master Plans, and to update these Master Plans at regular intervals in accordance with the *Airports Act 1996*. This Act also applies to Darwin and Townsville airports that are used jointly for civilian and defence purposes.
18. Planning for the areas surrounding these federal airports is subject to State, Territory and Local Government control, as the Australian Constitution establishes that State and Territory

⁴ Bureau of Infrastructure, Transport and Regional Economics - Air passenger movements through capital and non-capital city airports to 2030–31 (2012).

Governments have principal responsibility for planning and land management⁵. State and Territory Governments also control “on-airport” development for the airports that they own and operate, whilst many smaller airports are owned by Local Governments or are privately owned.

19. States and Territories generally work together with Local Governments in the implementation of their planning and urban development responsibilities. State and Territory Governments are able to control development around airports through legislation or policy. This may be, for example, through managing noise impacts, building height controls or environmental regulations.
20. State and Territory Governments in conjunction with Local Governments, as relevant, undertake strategic planning for urban and regional development with a typical timeframe for this planning being between 20 and 30 years. Planning for transport infrastructure may be undertaken for 35-50 year timeframes. Review and updating of these strategic and transport infrastructure plans is generally undertaken every 4-10 years.
21. There is a need to maximise the alignment of airport Master Plans with these other planning processes and timeframes.
22. There is also a need to ensure the coordination of on-airport and off-airport planning for all airports. Regardless of who owns and operates an airport, planning on or in the vicinity of an airport needs to be conducted in a manner that is cognisant of all parties. For airports covered by the *Airports Act 1996*, there are regulatory provisions requiring this coordination. For other airports this coordination may not be mandated, but should be considered as part of the development of a “good neighbour” relationship.

National Airports Safeguarding Framework Guidelines

23. The National Airports Safeguarding Framework includes information to guide State, Territory and Local Governments in regulating and managing:
 - measures for managing intrusion by aircraft noise (Guideline A);
 - the risk of building generated windshear and turbulence at airports (Guideline B);
 - the risk of wildlife strikes in the vicinity of airports (Guideline C);
 - the risk of wind turbine farms as physical obstacles to air navigation (Guideline D);
 - the risk of distractions to pilots from lighting in the vicinity of airports (Guideline E);

⁵ Australian Government, *Our Cities, Our Future – A National Urban Policy for a productive, sustainable and liveable future*, 2011, p 11.

- the risk of intrusions into the protected operational airspace of airports (Guideline F);
- protection of on and off-airport Communication, Navigation and Surveillance equipment(Guideline G)⁶;
- protection of strategically important helicopter landing sites (Guideline H)⁷; and
- public safety areas at the end of runways (Guideline I)⁸.

Implementation

24. The National Airports Safeguarding Advisory Group will continue to review existing guidance and monitor implementation of the Safeguarding Framework. Jurisdictions will identify opportunities for additional guidance and implement the Guidelines in Attachments A to I taking into account:

- existing Commonwealth, State and Territory legislation and regulatory processes;
- responsibilities of each level of government;
- local conditions and circumstances;
- the need for efficiency, effectiveness and appropriate risk management; and
- provision for evaluation and review of regulatory arrangements over time to accommodate changing circumstances and technologies.

⁶ Endorsed by the Transport and Infrastructure Council in November 2016.

⁷ Endorsed by the Transport and Infrastructure Council in May 2018.

⁸ Endorsed by the Transport and Infrastructure Council in November 2018.

PRINCIPLES FOR A NATIONAL AIRPORTS SAFEGUARDING FRAMEWORK

25. The following Principles for a National Airports Safeguarding Framework (the Principles) have been prepared by Commonwealth, State and Territory Government planning and transport officials with the shared objective of developing a consistent and effective national framework to safeguard both airports and communities from inappropriate on and off-airport developments.
26. While the Standing Council on Transport and Infrastructure formally endorsed the Safeguarding Framework on 18 May 2012, the need to engage airport operators, businesses and communities in the vicinity of airports in the development and implementation of improved arrangements is recognised as being crucial to the success of such arrangements. All governments will conduct public consultation as is appropriate to their jurisdiction.
27. The Principles recognise that responsibility for land use planning rests primarily with State, Territory and Local Governments, but that a national approach can assist in improving planning outcomes near airports and under flight paths. Responsibility for the regulation of flight safety, however, rests with the Commonwealth so the Principles must involve a co-operative approach to land use planning. Agencies at both State and local level will work with airport operators and relevant Commonwealth agencies to achieve a satisfactory outcome for both communities and continuing airport operations.
28. The following seven principles have been identified as fundamental to an effective National Airports Safeguarding Framework.

Principle 1. The safety, efficiency and operational integrity of airports should be protected by all governments, recognising their economic, defence and social significance.

- i. It is important that governments recognise the roles that various airports play within their cities, regions and States/Territories for economic, transport or social reasons or in the case of military airfields, for national security purposes.
- ii. There is benefit in ensuring that the particular considerations that arise in relation to airport operations are recognised in planning around these airports. These considerations include protection of existing aircraft flight corridors through complementary land use planning. Inappropriate development cannot only lead to disturbance for residents, but for future calls for airport curfews or operational constraints.

- iii. Airports vary widely in usage from major international passenger airports, major military operational staging bases, domestic, commuter, training and general aviation airports, as well as identified strategic helicopter landing sites. In each case, both on and off-airport planning requirements vary considerably.
- iv. While safety will always be considered a priority, protection of the efficiency and operational integrity of airports will also need to take into account both the relative economic, military and social significance of the airport and the impact of restrictions on surrounding land uses.

Principle 2. Airports, governments and local communities⁹ should share responsibility to ensure that airport planning is integrated with local and regional planning.

- v. Responsibility for land use planning rests primarily with State, Territory and Local Governments. Responsibility for regulation of flight safety rests with the Australian Government, as does airport planning for 22-leased federal airports. In carrying out respective planning responsibilities, a cooperative and collaborative approach will be taken by governments in the interests of achieving a balanced and integrated airport planning process and in achieving a satisfactory outcome for both local communities and continuing airport operations.
- vi. Operators of the larger airports are best placed to identify and document the airport's strategic role, to prepare operational plans and undertake an initial assessment of airport-related environmental impacts. Some airport operators are already required by legislation to take on this role. The airport's role within the region's planning regime and the need for better integration of airport planning with broader metropolitan and regional planning needs to be recognised. Planning at Australia's airports should also support effective integration and co-ordination with off-airport land use and transport network planning frameworks, and be undertaken in consultation with communities, State and local planning and transport agencies.
- i. It is recognised that, while operators of major airports have the capacity to undertake airport planning and associated consultation processes, operators of smaller airports may require some assistance to achieve comparable outcomes.

Principle 3. Governments at all levels should align land use planning and building requirements in the vicinity of airports.

- i. Governments recognise that harmonisation, as far as practicable, between State and Territory land use planning and building regimes and Commonwealth airport and aviation policy, planning and regulations, will assist in improving planning outcomes near airports and under flight paths. It will help enhance aviation and community safety; raise awareness of, and compliance with, Commonwealth and State/Territory requirements within Local Government; provide greater certainty and clarity for proponents and Local Governments in dealing with development proposals; and reduce unnecessary delays in development processes. This harmonisation should include the

⁹ Includes local residents, land owners, businesses and developers operating in the vicinity of airports.

alignment of timeframes for development and review of airport master planning with State and Territory strategic land use planning timeframes.

- ii. Harmonisation will also be of benefit in circumstances where the impact of an airport extends beyond the jurisdictional boundaries of the State/Territory or Local Government where the airport is located.
- iii. In harmonising land use planning and building policies, jurisdictions will seek to maintain protective measures already in place.

Principle 4. Land use planning processes should balance and protect both airport/aviation operations and community safety and amenity expectations.

- i. Governments at all levels will work cooperatively to ensure an appropriate balance is maintained between the social, economic and environmental needs of communities and the effective use of land on and around airports.
- ii. This will be achieved through the adoption of a best practice, safety-related risk-based approach to land use planning on and in the vicinity of airports. All safety measures should be based on the reduction of risk, reducing the likelihood and impact of accidents. As noted above, protection of the efficiency and operational integrity of airports will also need to take into account both the relative economic, military and social significance of the airport and the impact of restrictions on surrounding land uses.
- iii. In harmonising land use planning requirements, Governments will take into account that noise sensitive development proposed in zoning where it is currently permitted may be treated differently to such development in an area currently zoned for non-noise sensitive purposes.

Principle 5. Governments will protect operational airspace around airports in the interests of both aviation and community safety.

- i. Whilst Australia has an excellent aviation safety record, there will always be an inherent risk associated with flying and the operation of aircraft at or around airports. State and Territory Government policies will support the Commonwealth's responsibility in regulating aviation safety.
- ii. There is a need to ensure Australia's international obligations are understood, applied and incorporated in or linked to State, Territory and Local Government regulatory regimes.
- iii. States and Territories can adopt a range of approaches for the protection of registered and certified airports and civil airfields that reinforce Commonwealth airspace protection provisions and improve developers', planners' and regulators'¹⁰ knowledge of them. Ideally, State and Territory planning regulations will formally reference or

¹⁰ In this context "planners and regulators" should be taken to include related professions having regulatory roles. .

incorporate Commonwealth requirements and avoid duplicative processes or multiple approvals. The Commonwealth can assist by widely distributing information about Commonwealth regulatory requirements to State and Territory regulators, planners and the development community.

- iv. It is important to ensure airspace protection at regional and general aviation airports that are not Registered or Certified with the Civil Aviation Safety Authority (CASA). This can be implemented by State and Territory law or through State and Territory planning policies.

Principle 6. Strategic and statutory planning frameworks should address aircraft noise by applying a comprehensive suite of noise measures.

- i. Substantial research is available through organisations including the World Health Organization (WHO) and the International Civil Aviation Organization (ICAO) indicating that aircraft noise affects sleep, health and cognitive performance. According to ICAO, aircraft noise is the most significant cause of adverse community reaction to the operation and growth of airports. Noise can impact adversely on residents, workers and visitors in the vicinity of airports.
- ii. The Australian Noise Exposure Forecast (ANEF) contours are a well-established land use-planning tool recognised by most jurisdictions and incorporated into land use planning decisions. This practice should continue, but be supported by supplementary measures where appropriate (see iii below).
- iii. Disturbance perceived by aircraft noise varies widely between individuals irrespective of the metric used. Use of a broader suite of metrics will allow more informed strategic planning by State and Territory Governments. These measures are sensible additions to best practice major city planning to avoid zoning of inappropriate residential or other noise-sensitive developments in corridors under flight paths. Further detail about supplementary aircraft noise metrics is provided in the Measures for Managing Impacts of Aircraft Noise (Guideline A), which provide additional guidance to assist regulators and planners.

Principle 7. Airports should work with governments to provide comprehensive and understandable information to local communities on their operational requirements and potential impacts.

- i. Comprehensive and understandable public information is a critical aspect of managing aircraft noise. Limitations should not be imposed on information provided for public disclosure to existing and prospective residents of areas that may be exposed to aircraft noise. The ANEF system is the established land use-planning tool for development around airports in Australia but is not designed for the purpose of public information on individual aircraft noise impacts and it will not provide the public, or those involved in development processes, with sufficient information to fully understand potential impacts.
- ii. Airports, the broader aviation industry, the development industry and governments must encourage comprehensive and innovative approaches to providing aircraft noise

information. This information should assist and inform planning by enabling the public to clearly understand the impact of aircraft noise, and to inform their decision-making. The Standards Australia publication Acoustics—Guidance on producing information on aircraft noise¹¹ provides guidance on how to present information on the impact of aircraft noise in a format that is meaningful to the public.

- iii. Airports and governments should provide clear information regarding airspace, lighting, CNS equipment and public safety area requirements in the interests of enhancing community and aviation safety and in providing greater certainty and clarity for proponents in dealing with development proposals.
- iv. Transparency of information will assist Local Governments, businesses and residents to participate in an informed way in decision-making processes, and assist confidence and goodwill associated with these processes.

¹¹ Standards Australia Handbook SA HB 149:2016