



# Brimbank City Council

## Aviation White Paper Submission

### Introduction

The City of Brimbank (Brimbank) is strategically located at the centre of Melbourne's west approximately 11 to 18 kilometres west and north-west of the Melbourne Central Business District, and comprising the areas of Deer Park, Keilor, St Albans, Sunshine and Sydenham. Brimbank is bordered by the western growth area municipalities of Wyndham and Melton and as the fifth most populous metropolitan municipality, Brimbank covers 123 square kilometres with a culturally diverse community of 196,712 residents who speak over 90 different languages where English is not a first language for 57.3% of residents (Brimbank Profile ID 2021).

Melbourne Airport is located within the City of Hume near its southern boundary adjoining Brimbank. It has a substantial presence and interface with the Tullamarine and Keilor Park industrial precincts and the Brimbank Green Wedge area, as well as Brimbank's established residential areas of Keilor, Keilor Park, Taylors Lakes, St Albans and Sunshine (including Sunshine North). These are located beneath existing flight paths and noise contours (N Contours), with Keilor also impacted by the Public Safety Area. These areas include a combined area of 3547 hectares and 23,750 dwellings. Neighbouring suburbs are also impacted by these flight paths and N Contours.

Aviation plays a significant role in supporting economic development, commerce and trade and the visitor economy at an international, state, regional and local level. Notwithstanding, the expansion of aviation cannot come at the expense of community health and wellbeing. The Aviation White Paper creates an opportunity to achieve a more equitable balance between facilitating the appropriate growth and development of airports and protecting the health and wellbeing of communities that surround them.

The development of Melbourne Airport and its impact on Brimbank has informed Brimbank City Council's (Council) submission to the Aviation White Paper. In May 2022, Council resolved to oppose the 2022 Draft Melbourne Airport Master Plan (Master Plan) and Preliminary Draft Major Development Plan for the Third Runway (MDP), predominantly as it:

- Didn't adequately identify the environmental impacts reasonably expected to be associated with the proposed development on the Brimbank community
- Would impose unreasonable and unacceptable health risks to the Brimbank community
- Didn't include adequate plans for dealing with the environmental impacts, specifically including prevention and amelioration of aircraft noise.

Due to the limited time for feedback, this submission has been prepared by Council officers, and will be presented to the Council Meeting on 21 March 2023 for endorsement. Council welcomes the opportunity to provide further input to the Aviation White Paper, as part of future consultation, and highlights that a longer consultation period will enable more

considered feedback and for matters to be presented to Council prior to submitting to the Federal government.

## Summary of Issues & Recommendations

Council's Submission to Melbourne Airport's Master Plan and MDP and ongoing liaison with Melbourne Airport through various forums have helped identify several significant failings in airport planning, specifically including the lack of transparency or inadequacy of:

- The current noise measurement system to protect human health and wellbeing
- The current statutory framework to adequately protect human health and wellbeing
- The way airports plan and the Federal government assessment and approval process, including the role of State government and their input into the process
- The ability for community to present its concerns to an independent and expert third party for consideration, and for public and independent recommendations to be made
- How submissions are considered and inform changes to Airport Master Plans and Runway MDPs
- Ongoing monitoring of aircraft noise and the aviation noise complaints system.

Council seeks the Federal Government to progress a range of changes through the Aviation White Paper to address the inequities and imbalance that exists within the current legislative and aircraft noise system that at times appear to be unfairly biased toward airport development. In particular, Council seeks the Federal Government to restore a level of balance and equity for those communities that surround airports to minimise the harm to human health from aircraft noise and improve airport planning by requiring a more public and transparent process, particularly in relation to community consultation, including but not limited to:

- Undertaking a review of the aircraft noise system to minimise harm to human health and provide health impact guidance to protect community from aircraft noise. This should include the establishment of appropriate noise metrics that accord with health guidance established by World Health Organisation Environmental Noise Guidance 2018 (WHO Noise Guidance), and best practice noise prevention and amelioration measures to address noise exceedances, including the establishment of a noise insulation program and compensation scheme.
- Requiring airports to prepare a Health Impact Assessment (HIA) for the development and expansion of runways as part of the Master Plan and MDP, that are assessed against WHO Noise Guidance; mandating that the HIA undergoes an independent and expert peer review to ensure its veracity; and requiring that the HIA and peer review are made available for public review as part of the statutory consultation.
  - The HIA must assess off-site impacts from airport operations, specifically including the assessment of noise impacts against the World Health Organisation Environmental Noise Guidance 2018, and relevant state legislation e.g. *Environment Protection Act 2017* (Victoria).

- Establishing an independent and expert advisory committee, or similar, to provide a transparent, independent and public review process that enables impacted stakeholders to present their submissions for independent consideration, and which can make recommendations to the Federal government about an airport master plan or major development plan.
- Providing clear guidance that requires prevention and amelioration measures to adequately address noise exceedances beyond the WHO Noise Guidance, including setting out the range of options including, but not limited to - a federally funded noise insulation program, a noise curfew, voluntary property acquisition or other measures to ensure that the impacts are adequately addressed and minimised.
- Requiring a review of the current noise management system, including the composition and management of Aviation Community Consultation Groups, Airservices Australia noise complaints system and the purpose of Environmental Noise Units surrounding airports.
- Establishing a policy framework that outlines a compensation scheme for airport-impacted communities. This should be provided either by means of a noise amelioration program or to owners of dwellings and buildings accommodating sensitive land uses (i.e. schools, places of worship, childcare centres and hospitals) adversely affected by aircraft noise. Such a compensation scheme aligns with the legislated requirement under the Aircraft Noise Levy Act 1995 which aims to recover the costs incurred in providing noise amelioration programs to airport-impacted communities.

## Key Concerns

### **1. Health Impacts (Noise):**

Council engaged the expert advice of Tonkin & Taylor, to undertake a health risk assessment and air quality assessment (HRA) in relation to Melbourne Airport's 2022 Master Plan and MDP. The HRA was led by Dr Lyn Denison, a qualified scientist specialising in air quality and health risk assessment. The HRA includes noise modelling undertaken by noise experts, Marshall Day, as well as targeted community engagement, including Brimbank residents who have previously engaged with Council about Melbourne Airport, education stakeholders and Brimbank residents who are members on the Community Consultation Aviation Group.

Dr Denison identified in her findings that guidelines in the World Health Organisation Environmental Noise Guidelines (2018) (WHO Noise Guidance) were exceeded across the areas within the ANEF 20 and ANEF 25 contours, indicating that there was an increased risk of adverse health effects within the exposed population.

Dr Denison identified that the metrics used in the Master Plan were those specified by AS2021-2015, which are based on amenity impacts, not health impacts, and that these do not take into account the more recent information on the health effects of noise by enHealth and WHO Noise Guidance. On this basis the values used by the Melbourne Airport 2022 Draft Master Plan were not consistent with the metrics recommended by the WHO Noise Guidance, which have been developed to protect against long-term exposure to aircraft noise.

Specifically, Melbourne Airport's 2022 Draft Master Plan forecast:

- Noise levels in the Australian Noise Exposure Forecast (ANEF) 20 and 25, exceeding WHO Noise Guidance threshold for annoyance, sleep disturbance, and cognitive development in children.
- A significant increase in traffic on local and declared roads, however did not include an air quality assessment about these impacts.

A significant deficiency in Melbourne Airport's Master Plan and MDP was the exclusion of information detailing how the off-site noise and air quality impacts would be prevented or minimised. This also meant that the Master Plan and MDP did not accord with the *Victorian Environment Protection Act 2017*.

In the case of Melbourne Airport, no genuine consideration was given to the health implications for Brimbank's residents or any effective ways to reduce and mitigate these impacts.

The HRA quantifies, where possible, the potential impact on the Brimbank community from the aircraft noise predicted for the Airport expansion. The main health effects associated with environmental noise are:

- Annoyance
- Sleep disturbance
- Increase in ischaemic heart disease
- Cognitive impairment
- Psychological effects including anxiety and depression.

Dr Denison's report also describes the use of risk characterisation to estimate potential risks associated with exposure to noise from the proposed airport operations. For the assessment of health effects where there is a known threshold for effect, the metric accepted by health authorities including the WHO, is that a hazard quotient of '1' or below is an acceptable risk level. Hazard quotients greater than '1' indicate an increase in the risk of adverse health effects and that mitigations should be considered to minimize risk to acceptable levels. A summary of the findings of Dr Denison's work in relation to the main health effects associated with environmental noise resulting from existing operations and the expansion of the Melbourne Airport is provided below:

### **Annoyance**

- The WHO derived a guideline value of 45 dB to protect the population from being highly annoyed by aircraft noise and other adverse health effects such as increases in cardiovascular disease. The WHO acknowledge that at this level there would still be 10% of the population highly annoyed by noise.
- The ANEF 25 contour extends across the suburbs of Keilor, Keilor Park, Keilor Village and parts of Kealba. This means that 45% of the population within this contour would be highly annoyed by the aircraft noise.

- The hazard quotient is 1.5, which is a 50% increase of the population impacted compared with areas that would meet the WHO Noise Guidance.
- This would indicate that there would be increases in cardiovascular disease within that population in addition to annoyance and potentially impacts on cognitive development and that a significant percentage of the adult population are potentially at risk for increases in depression and anxiety.
- The ANEF 20 contour extends as far south as North Sunshine, with the hazard quotient for the population living within this contour is 1.4, which is a 40% increase in people highly annoyed compared with areas that would be compliant with the WHO Guidance.

### ***Sleep disturbance***

- The WHO established an L<sub>night</sub> guideline (L<sub>night</sub> is a measure 'equivalent noise level over an eight hour night period of 23:00 to 07:00) of 40 dB to protect against highly disturbed sleep. They acknowledge that this guideline is not fully protective of health as it implies that approximately 11% of the population may be characterized as highly sleep disturbed at the Guideline level.
- The ANEF 25 contour corresponds to an L<sub>night</sub> value of 58 dB - this would mean that approximately 32% of the population within the ANEF 25 contour would be highly sleep disturbed. While, of those in the ANEF 20 contour, approximately 25% of the population would be highly sleep disturbed.
- The hazard quotients for the ANEF 25 and ANEF 20 contours are 1.5 and 1.3 respectively, resulting in a 50% increase in people highly sleep disturbed in the ANEF 25 and 30% in the ANEF 20 contours compared to areas that meet the WHO L<sub>night</sub> guideline.
- People in older age groups, i.e. over 65, and children form vulnerable groups in relation to sleep disturbance. For people over 65 years of age exposure to high levels of environmental noise, including aircraft noise can increase the prevalence of cardiovascular disease, as well as increases in anxiety and depression.
- The WHO guidelines indicate that there could be an increase of approximately of 24% and 20% in anxiety and depression in that population that are with within the ANEF 25 and ANEF 20 contours, respectively.
- In Brimbank, 27.8% of the population currently suffer from anxiety and depression, while the deaths per 100,000 population for ischaemic heart disease and cardiovascular disease are higher in Brimbank compared to the rest of Victoria.
- For children, sleep disturbance can lead to the inability to concentrate the following day which can impact on their cognitive development.

### ***Cognitive Development in Children***

- Aircraft noise has been associated with delays in cognitive development in children.

- The WHO identified that:
  - At an Lden level (Lden is a measure of day-evening noise over an entire day) of 55 dB there is a 1 month delay in reading and oral comprehension in children compared to children in lower noise areas.
  - For every 5 dB increase above Lden of 55 dB there is additional 1-2 month delay.
  - Using the 45dB, the hazard quotient for cognitive development is 1.4 and 1.5 for the ANEF 20 and ANEF 25 contours respectively.
  - For the areas in Brimbank within the ANEF 20 & 25 contours, this could result in a delay in reading and oral comprehension of between 3 and 5 months compared to children in lower noise areas.
  - This means that for children in Brimbank living and going to school within the ANEF 20 and 25 contours, the increase in noise resulting from the expansion of the Melbourne Airport as proposed in the 2022 Master Plan would have their cognitive development delayed.
  - The proportion of children assessed as being developmentally on track in the language and cognitive skills is notably lower in Brimbank (79.3%) than in Greater Melbourne (85.3%).
  - Brimbank already has the third lowest proportion of children who were assessed as being on track for language and cognitive skills, compared to Greater Melbourne and the increased noise resulting from the airport expansion will likely exacerbate this.
  - Approximately 18% of the population in the suburbs within the ANEF 20 and ANEF 25 contours is between the ages of 1 and 14 years of age, indicating a significant number of pre-school and school aged children that may have their cognitive development impacted by the noise from the aircraft noise from the proposed Airport Expansion.
  - These effects are due to direct impacts during the day as well as impacts due to sleep disturbance which may occur inside the normal night hours of 11pm to 6am.
  - There are several ways in which aircraft noise could influence children's cognition including lost teaching time - as a teacher may have to stop teaching whilst noise events occur; teacher and pupil frustration; annoyance and stress responses; reduced morale; impaired attention; children might tune out the aircraft noise and over-generalise this response to other sounds in their environment missing out on information; and sleep disturbance from home exposure which might cause performance effects the next day.
  - In Brimbank there are eight schools and childcare/early learning centres, which are predicted to be exposed to noise levels above the WHO guideline meaning that there is an increased risk of delays in reading and oral comprehension.

- This is likely to be worse for children who also live in these areas as they will also be exposed to aircraft noise in their home environment.

### **1.1 Recommendations**

1. Undertake an independent and expert review of Australian Noise Exposure Forecast (ANEF) and Noise Contour systems to assess the impact of aircraft noise on human health and wellbeing against the WHO Noise Guidance.
2. Establish health impact guidance and a new noise metric to protect community from aircraft noise that accords with health guidance established by WHO Noise Guidance and best practice noise prevention and amelioration measures to address noise exceedances.
3. Require airports to prepare a legitimate, well founded and valid HIA in relation to the off-site noise impacts associated with their Master Plans and runway MDPs, and that they accord with WHO Noise Guidance and relevant State legislation in relation to off-site amenity impacts.
4. Introduce a requirement that the Federal Government commission an independent and expert peer review of the Master Plan and runway HIA to ensure its veracity, and require that the HIA and peer review is made available for public review and comment as part of the statutory consultation.
5. Require airports to identify noise mitigation measures to adequately address noise exceedances beyond WHO Noise Guidance, including options for a Federally funded noise insulation program, a noise curfew, voluntary property acquisition or other compensation measures.
6. Implement noise mitigation measures based on international best practice including:
  - a. A noise insulation program in the areas within the ANEF 20 and ANEF 25 contours for residential premises, schools, childcare and early learning centres, aged care facilities and public buildings such as libraries and community centres.
  - b. A curfew between 11pm and 6am to minimise sleep disturbance that can lead to other adverse health impacts
  - c. Imposes noise abatement procedures that appropriately shares aircraft noise and provides reasonable respite to communities surrounding airports and imposes penalties when breached.

## **2. Health Impacts (Air Quality)**

In Victoria, the *Environment Protection Act 2017* (the EP Act), and subordinate legislation came into effect on 1 July 2021 and is designed to drive environmental improvements by ensuring that individual industries take responsibility for the risks they pose to human health and the environment. Central to the EP Act is the 'General Environmental Duty' (GED), which



requires all duty holders (businesses, industries, community etc.) to understand, abate and manage their emissions to minimise the risks of harm to the environment and human health.

Complying with the GED requires both being proactive and employing industry best practices to minimise risk to human health and the environment, so far as reasonably practicable.

The new EP Act came into force the same time as the Environmental Reference Standards (ERS) came into force. The ERS provide reference standards against which the impact of a development or operating business can be assessed. The ERS for air quality adopted the air quality standards in the National Environment Protection (Ambient Air Quality) Measure. Although the ERS are not compliance standards they are used by Government Agencies in decision making processes around new developments and assessment of meeting the requirements of the GED Prior to 1 July 2021, the State Environment Protection Policies – Ambient Air Quality and Air Quality Management, provided the framework for assessing and managing emissions to air in Victoria, however the policies were revoked post that date, meaning they now have no legal standing. The ERS have recently been updated in February 2022 to include the new and in some areas more stringent standards.

The EPA has also released the Guideline for Assessing and Minimising Air Pollution in Victoria (2022), providing guidance on:

- how to meet the requirements of the GED with respect to air quality assessments
- assessing best practice
- 'as low as reasonably achievable' emission controls
- establishes air quality assessment criteria (AQAC) against which air dispersion modelling results can be compared.

The AQAC replace the design criteria in the previous SEPPs.

In the case of Melbourne Airport's Master Plan and MDP, they used the revoked (i.e., not legally valid) and less stringent criteria to measure compliance regarding the off-site impacts regarding Air Quality, and not those currently applicable in Victoria. The deficiency in the detail of Melbourne Airport's Air Quality Assessment means that Council's expert consultants were not able to undertake a Health Risk Assessment against the ERS or AQAC, however they consider that if an assessment was possible, the outcomes of the assessment may differ.

A more appropriate assessment would have been to meet the current GED to minimise risk to human health and the environment, and the ERS and AQAC should have been used to assess the outcomes of the air dispersion modelling.

While the MDP identifies a list of potential emission control measures, none of these measures were modelled to assess their effectiveness in minimising emissions. The main sources of air pollution from airport operations are considered to be:



- Ground based operations at the airport including taxiing, take-offs and landings of aircraft, use of ground based vehicles, diesel generators etc.
- Overflight emissions
- Increases in road traffic surrounding the airport due to the airport operations.

This lack of modelling means that there is no ability to accurately assess the potential impacts in Brimbank attributable to increased traffic directly related to the proposed airport expansion. It is well documented that increased traffic and associated congestion are known to increase pollution levels. Although not quantified in the air quality assessment, the predicted increases in traffic would result in increased air pollution levels to the community proximate to Keilor Park Drive and Calder Highway. The MDP has not included traffic predictions in the air quality report for other roads within the Brimbank.

Melbourne Airport has a responsibility to comply with relevant Commonwealth legislation and have due regard to Victorian legislation, with a particular regard to EP Act given the proposed airport expansion will result in off-site amenity impacts. However, Melbourne Airport, through its Master Plan and more specifically the MDP have failed to apply the requirements of the EP Act and associated subordinate legislation as part of its assessments, despite this legislation being in force at the time that these reports were being prepared.

### **2.1 Recommendations**

7. Require airports to comply with relevant state legislation, particularly for off-site impacts when preparing Master Plans and MDPs, and ensure there is an independent review process to verify compliance.
8. Require that any State Government aviation referral about compliance with legislation is made public.

### **3. Noise Complaints Processes and Systems**

The main community forum currently available to discuss aircraft noise for Melbourne Airport is their Melbourne Airport's Community Aviation Consultation Group (CACG). The Federal government require the establishment of CAGCs to enable airport operators, residents affected by airport operations, airport users, and other interested parties to exchange information on issues relating to the airport operations and its impacts to:

- Allow concerns to be raised and taken into account by the airport operator, with a genuine desire to resolve issues that may emerge
- Complement and support the consultative requirements already established for Master Plans, Airport Environment Strategies and Major Development Plans.

Overtime, there have been issues raised by Brimbank residents and a long standing Brimbank Community Representative about the inadequacy of Airservices Australia's noise complaints handling system.

Key concerns include:

- The actual recording of aircraft noise complaints is issues based which means that the volume of calls received about the same issue is not reported. Therefore if a resident rings multiple times about the same issue, despite the complaint occurring at different times, the issue only gets recorded once.
- Case management occurs if a customer becomes a 'serial' complainer
- Not all issues can be resolved, and if this is the case, the complainant is advised.

Given the impact of aircraft noise on Brimbank, Council has sought over a number of years to include representation of a Brimbank Councillor on the CACG, which has been repeatedly refused. Council seeks a review of CACGs and the role local councillors can play in representing the interests of municipalities surrounding airports, and why these can't be considered as a membership category, in addition to the community representative categories on these groups.

Aircraft noise complaints can also be directed to the Aircraft Noise Ombudsman, who as an independent officer can work with the aviation industry to improve the way in which it can respond to community concerns about the impact of aviation on communities. To date there has been minimal review on the aviation noise complaints system, with current practices maintained and defended.

A key issue about the current system is that it allows for the approval of airport master plans and major development plans based on forecasts about future aircraft noise, however doesn't require any ongoing monitoring or compliance.

Airservices Australia (Airservices) has indicated that there is a common misconception that noise monitoring is undertaken to determine compliance with aircraft noise regulations. They've indicated that there are no Australian regulations which specify a maximum allowed level of aircraft noise.

On this basis, the system of Environmental Noise Units (EMUs) installed by Airservices is intended to undertake noise monitoring to:

- determine the contribution of aircraft noise to the community's overall noise exposure
- provide information to the community
- help local authorities make informed land use planning decisions
- help estimate the impact of changing air traffic control procedures
- validate noise modelling
- inform government aviation policy and legislation.

This system further reinforces that lack of regard to the actual impact of aircraft noise on community, and the potential for negative impacts on health and wellbeing. Airservices currently operates permanent noise monitors at Keilor Downs and Keilor East. These EMUs are undertaking noise monitoring in relation to international standards ISO20906: 2009 Acoustics, which as previously indicated in this submission, doesn't align with health standards.

Council seeks a stronger focus on measuring aircraft noise to determine if it is exceeding noise forecasts to ensure that community health and wellbeing is not being compromised.

### **3.1 Recommendations**

9. Review the independence of current aviation noise management systems and processes, including the potential for the current system to be prejudiced toward outcomes that benefit the aviation sector over community impacts.
10. Commission an independent review of Airservices' noise complaint handling procedures and practices, including public reporting.
11. Support and fund an appropriate network of Environmental Monitoring Units for the purpose of measuring aircraft noise to ensure that forecast aircraft noise in Master Plans and runway MDPs are not exceeding what was originally reported and approved by the Federal government to ensure the ongoing health and wellbeing of communities surrounding airports.

## **4. Stakeholder and Community Engagement**

While the *Airports Act 1996* sets out required community consultation for airport master plans and major development plans, there is a marked lack of transparency in how decisions are made by the Federal government.

Additionally, there is no transparency in relation to changes as a result of Federal and State government referrals, or how airports assessed and responded to public submissions.

Victorian planning amendment legislation may provide the Federal government with guidance on how consultation could be more transparent and better targeted. For example in Victoria, expert advisory committees are appointed to hold public hearings to consider significant proposals and allow stakeholders to present submissions to an independent panel of experts for consideration, who then make independent recommendations to the Local Government, and or the Minister for Planning, before a decision is made.

In Queensland, Brisbane Airport appointed a community forum to provide advice.

These processes allow for a more transparent public review process and provides the community with a better understanding of the decision making process. Within Victoria, the process also requires that all documentation about a proposal is made public, with the opportunity for peer review.

### **4.1 Recommendations**

12. Establish an independent and expert advisory committee, or similar, to provide a transparent, independent and public review process that enables impacted stakeholders to present their submissions for independent consideration, and which can make recommendations to the Federal government about an airport master plan and major development plan.

13. Require Federal and State government referrals, assessments and decisions for airport master plans and major development plans to be made public, including any peer reviews commissioned.
14. Require airports to publically release their assessment of submissions, and specify how airport master plans and major development plans were changed to respond to submissions made. This should be made public when airports submit their final draft Master Plan or major development plan to the Federal government for approval.
15. Require airports to make public their final draft master plan or major development plan, when they submit it to the Federal government for approval.

## **5. Compensation and Abatement Programs**

Aircraft noise is one of the most detrimental side effects of aviation. The effect of aircraft noise on affected communities is not just limited to annoyance and sleep disturbance, but includes impacts such as anxiety, depression, heart disease, and cognitive impairment as well as poorer educational outcomes in children.

Without proper mitigation or compensation measures, aircraft noise can have significant impacts on nearby residents. This is especially the case if the risks are not adequately assessed. A good example of how airport planning can be mismanaged is the case of Brisbane Airport. Since the opening of a parallel runway in July 2020, complaints have soared from Brisbane residents about aircraft noise. As a result, Brisbane Airport has been the subject of multiple reviews which may result in changes to flight paths. This suggests that the original noise assessments undertaken for current flight paths underestimated the impact of aircraft noise, further emphasising the inadequacies of the current noise system and measures.

Mitigation measures can be separated into active and passive noise abatement measures, where active measures relate to internal changes of flight paths, flight times, and aircraft models, and passive measures are more community-focused measures.

Best practice international airports provide a range of noise mitigation measures to address noise including funded noise insulation schemes, compulsory acquisition, a curfew, and noise abatement procedures. European examples provide a framework for best practice measures to provide good passive noise abatement programs that assist pre-existing homes mitigate the impact of noise on the residents. Examples are available from Heathrow and Frankfurt regarding retro fitting sound insulation treatments.

A national compensation scheme is required to fund the installation of noise mitigation measures that reduce the impact of adverse aircraft noise on the affected communities by insulating dwellings and buildings accommodating sensitive land uses or by other forms of compensation, as necessary. Council has demonstrated through its HRA that a noise insulation

program is required in areas within the ANEF 20 and ANEF 25 contours for residential premises, schools, childcare and early learning centres, aged care facilities and public buildings such as libraries and community centres.

In addition to being a requirement under the *Aircraft Noise Levy Act 1995*, a compensation scheme will provide:

- fairness and equity – accounts for an unfair distribution of adverse aircraft noise on affected communities;
- responsibility – the airport accepts accountability for the adverse aircraft noise outcomes
- proportionality and reasonableness – the compensation scheme is structured in a balanced, reasonable and commensurate manner;
- consistency – rules and standards are fairly and consistently implemented;
- transparency – the mitigation of adverse aircraft noise is minimised in a simple, effective and user friendly way;
- accountability – decisions can be justified under public scrutiny; and
- agility – allows affected communities to anticipate and adapt to anticipated change.

In the past, compensation schemes have been established to support households affected by new airport runways. These include a compensation scheme in 1994 when Sydney Airport's third runway was built, and more recently, a compensation scheme for a new airport in Sydney's Badgerys Creek, in recognition to the change in noise levels and lifestyle. A compensation scheme has also been developed in response to the recent expansion of Adelaide Airport's terminal to increase its international capacity.

Compensation should also be considered for properties within Public Safety Areas (PSA). PSA's are designated areas of land at the end of airport runways where planning restrictions may apply. The PSA comprises two areas, the 1:10,000 inner area where the risk of being killed by an aircraft is one in 10,000 per year and an outer area, where the risk decreases to one in 100,000 per year. The incompatible uses within nominated PSA's for both the inner and outer PSA include dwelling houses, multiple dwellings, tourist parks, hostels, residential care facilities and retirement villages.

## **5.1 Recommendations**

16. Establish a policy framework that outlines a compensation scheme for airport-impacted communities. This should be provided either by means of a noise amelioration program or to owners of dwellings and buildings accommodating sensitive land uses (i.e. schools, places of worship, childcare centres and hospitals) adversely affected by aircraft noise. Such a compensation scheme aligns with the legislated requirement under the Aircraft Noise Levy Act 1995 which aims to recover the costs incurred in providing noise amelioration programs to airport-impacted communities.
17. A purchase scheme should be implemented where properties within the PSA can be voluntarily offered by owners, at current market value, for purchase by the Commonwealth.

## Recommendations

1. Undertake an independent and expert review of Australian Noise Exposure Forecast (ANEF) and Noise Contour systems to assess the impact of aircraft noise on human health and wellbeing against the WHO Noise Guidance.
2. Establish health impact guidance and a new noise metric to protect community from aircraft noise that accords with health guidance established by WHO Noise Guidance and best practice noise prevention and amelioration measures to address noise exceedances.
3. Require airports to prepare a legitimate, well founded and valid HIA in relation to the off-site noise impacts associated with their Master Plans and runway MDPs, and that they accord with WHO Noise Guidance and relevant State legislation in relation to off-site amenity impacts.
4. Introduce a requirement that the Federal Government commission an independent and expert peer review of the Master Plan and runway HIA to ensure its veracity, and require that the HIA and peer review is made available for public review and comment as part of the statutory consultation.
5. Require airports to identify noise mitigation measures to adequately address noise exceedances beyond WHO Noise Guidance, including options for a Federally funded noise insulation program, a noise curfew, voluntary property acquisition or other compensation measures.
6. Implement noise mitigation measures based on international best practice including:
  - a. A noise insulation program in the areas within the ANEF 20 and ANEF 25 contours for residential premises, schools, childcare and early learning centres, aged care facilities and public buildings such as libraries and community centres.
  - b. A curfew between 11pm and 6am to minimise sleep disturbance that can lead to other adverse health impacts.
  - c. Imposes noise abatement procedures that appropriately shares aircraft noise and provides reasonable respite to communities surrounding airports and imposes penalties when breached.
7. Require airports to comply with relevant state legislation, particularly for off-site impacts when preparing Master Plans and MDPs, and ensure there is an independent review process to verify compliance.
8. Require that any State Government aviation referral about compliance with legislation is made public.

9. Review the independence of current aviation noise management systems and processes, including the potential for the current system to be prejudiced toward outcomes that benefit the aviation sector over community impacts.
10. Commission an independent review of Airservices' noise complaint handling procedures and practices, including public reporting.
11. Support and fund an appropriate network of Environmental Monitoring Units for the purpose of measuring aircraft noise to ensure that forecast aircraft noise in Master Plans and runway MDPs are not exceeding what was originally reported and approved by the Federal government to ensure the ongoing health and wellbeing of communities surrounding airports.
12. Establish an independent and expert advisory committee, or similar, to provide a transparent, independent and public review process that enables impacted stakeholders to present their submissions for independent consideration, and which can make recommendations to the Federal government about an airport master plan and major development plan.
13. Require Federal and State government referrals, assessments and decisions for airport master plans and major development plans to be made public, including any peer reviews commissioned.
14. Require airports to publically release their assessment of submissions, and specify how airport master plans and major development plans were changed to respond to submissions made. This should be made public when airports submit their final draft Master Plan or major development plan to the Federal government for approval.
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16. Establish a policy framework that outlines a compensation scheme for airport-impacted communities. This should be provided either by means of a noise amelioration program or to owners of dwellings and buildings accommodating sensitive land uses (i.e. schools, places of worship, childcare centres and hospitals) adversely affected by aircraft noise. Such a compensation scheme aligns with the legislated requirement under the Aircraft Noise Levy Act 1995 which aims to recover the costs incurred in providing noise amelioration programs to airport-impacted communities.
17. A purchase scheme should be implemented where properties within the PSA can be voluntarily offered by owners, at current market value, for purchase by the Commonwealth.