



Australian Mayoral Aviation Council

**Submission to the National Airports
Safeguarding Framework Review**

Dated: November 2019



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Introduction

This submission is by the Australian Mayoral Aviation Council (AMAC), a national Association of local government Council whose residents and ratepayers are impacted by airport operations and/or noise from aircraft overflight.

It is these communities which are impacted by implementation of a number of elements in the Safeguarding Framework.

Observation

The proposition that the “National Airports Safeguarding Framework (NASF) seeks to improve community amenity by minimising noise-sensitive development near airports and to improve safety outcomes by ensuring aviation safety requirements are recognised in land-use planning decisions,” is both laudable and one which AMAC supports.

The difficulty in achieving this goal resides in the need to address and overcome four major impediments. Namely:

- In many cases the “noise-sensitive development” already exists within the airport noise footprint. Add to that those that will become more severely or newly impacted as airport operations expand with:
 1. New airports, additional runways / taxiways; and
 2. new or substantially upgraded on-airport facilities – terminals / air bridges / aircraft parking bays;
- Increases in air traffic resulting in greater exposure on existing flightpaths or new exposures as a result of flight path changes to meet operating demand while ensuring continued safe operations;
- There is a disconnect between the agenda and priorities of the Commonwealth (protection of aviation assets), and State and local governments, existing landowners and the development sector generally (e.g. urban growth pressures, urban consolidation, infrastructure capacity and a return on investment.)
- The shortcomings within the ANEF metric as a readily digestible planning tool and its inability to adequately translate actual aircraft noise impact on the community to the community.

Commentary

The recent and projected growth in passenger numbers is driving the need for additional aircraft and aircraft movements. This, in turn, is driving the demand for additional aviation infrastructure and, in many cases, infrastructure which will both impact on the existing community and perhaps also compromise airport operations due to existing or planned development.

To attempt to retrofit the Safeguarding Framework to existing populations and community assets as some-kind-of a planning exercise is inappropriate, untenable and doomed to failure.

Indeed, even the protection of undeveloped and unpopulated land within airport noise and safety zones from development creep, has already proven problematic as a result of conflicting Commonwealth and State priorities.

In fact, the development of the airport itself may contribute to the demand for un-associated and conflicting off-airport development.

At the same time failure to act to implement the Safeguarding Framework compromises safe airport operations and, potentially the community at large from both a safety and an environmental perspective.

There are similar pressures in relation to strategic helicopter landing sites and the conflict they may bring to a local community.

As populations grow and technology progresses, there is a clear need for the establishment of such essential service sites in key locations, whether servicing hospital facilities or related to community safety or law enforcement.

Nevertheless, the development of such sites within existing communities, while necessary, can and do impact negatively on sections of those communities.

The bottom line as things stand is that:

- the protection of aviation assets is the focus of the Safeguarding Framework and what the Commonwealth is seeking to achieve;
- The States control the planning mechanism required to maintain or deliver said protection;
- The various States have their own agendas and imperatives which may or may not align with desired level of commitment to aviation asset protection;
- Under the current scenario, implementation of the planning controls necessary to deliver airport asset protection will be retrospective and have a financially deleterious impact on the owners and occupiers of affected off airport lands;
- The “table-top developed” and retrospective introduction of planning controls to the detriment of both landowners and occupiers accompanied by the expectation that they simply “cop it on the chin” is fanciful. Indeed, the community backlash in the political arena makes it even less likely to garner the level of State cooperation necessary for universal implementation.

Where to then?

In order to actually deliver the desired outcome within a reasonable timeframe there needs to be a transition from “policy making and guideline development” to that of “active playmaker.”

What is meant by this is there needs to be the financial capacity to deliver the desired outcome through commercial arrangements employed across jurisdictions.

That in turn means the financial capacity to acquire and amend the current use of landholdings where required as well as the capacity to introduce noise attenuation measures where that strategy is most appropriate for resolving land use conflict.

Strategies to generate the financial capacity to bring about changes to incompatible land use are already in place internationally and could easily be copied or adapted to meet local needs.

An obvious option for generating funding is the introduction of an airline “ticket tax.”

It is not proposed to go into detail in this submission on how such a scheme should be administered, other than to say that, based on 2017/18 figures, an average tax of \$10 per ticket would have generated some \$1.3 billion dollars for that year alone.

It should also be recognised that acquisition of severely impacted landholdings, a change in land use classification and compatible redevelopment would also generate a return income stream to the fund offsetting original acquisition costs.

Any funds raised under such a scheme should be managed in a transparent manner and separate from consolidated revenue although funding might receive an initial kick-start through a loan from national infrastructure funding.

At the local level, conversion in land use from, for example, incompatible residential to compatible non-residential use should not generate a financial burden on the income of local government. However, in instances where land was deemed so impacted as to be suitable only for passive open space it would be appropriate for the local authority to be compensated for revenue loss as part of annual grant funding, particularly if the local authority was to assume the cost of the care control and management of those lands.

Alternately it may be more practical for such lands to be incorporated into the airport landholding but with a proviso that those lands could not be used for runway or taxiway extension or other uses which would then impact on the community beyond the established exclusion zone.

Finally, any such scheme of property acquisition must operate on an equitable and realistic commercial basis providing landowners with an incentive to voluntarily participate in the scheme.

In Australia, compensation to landowners for government resumed land is, quite often, far from the commercial reality. There can be a substantial disconnect between what is

offered as compensation and the actual cost of acquiring and relocating to a comparable property in the local area should that be the owner's intention.

Property valuations and commercial offers should be based on true real time worth without regard for the forthcoming impediment of aircraft noise which will occur, for example, as the result of the development of a proposed new runway.

In addition, reasonable relocation costs should also be met as part of acquisition funding.

A similar scenario exists in the case of property insulation and other noise attenuation measures.

In the case of the Australian situation, the start point has been denial followed by use of the ANEF as the gospel for property identification which, in turn, delivers a minimum of properties requiring treatment and a corresponding reduction if costs incurred under the scheme.

Once again methods for a more balanced regime for property assessment and treatment can be seen in overseas jurisdictions which are readily adaptable for application in the local context.

Conclusion

The aims of the NASF essentially cannot be delivered in a timely and equitable fashion where there is an expectation that others will carry the burden of implementation and/or willingly wear the consequences.

The Framework must include the provision and the capacity to bring about incremental planned change through the equitable use of economic levers aligned with consistent land use planning measures.



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