

1.0 Background

Council welcomes the opportunity to comment on the National Airports Safeguarding Framework.

The City of Moonee Valley is bordered by the local government areas of Maribyrnong, Brimbank, Moreland and Melbourne and at its closest point, is approximately 7 kilometres from the Melbourne CBD to the south and five kilometres from Melbourne Airport to the north. Essendon Fields Airport is wholly within the City of Moonee Valley.

Essendon Fields Airport is one of Moonee Valley's largest employment precincts, with an eclectic mix of land use activities that are continually expanding and diversifying. The broad range of activities means the site is one of the largest destinations for private vehicle movements in the region.

Although it is located on Commonwealth land and as such is not bound by State Planning legislation, the importance and impact of Essendon Fields Airport is recognised within Council's Planning Strategies.

Council recognises the importance of Essendon Fields, and has moved away from the previous position of opposing ongoing development at Essendon Airport. Council has adopted its Strategic Plan "MV2040" which acknowledges the important role that the airfield and precinct plays in the City of Moonee Valley.

This supports Principle 1 of the Framework which states that *the safety, efficiency and operational integrity of airports should be protected by all governments, recognising their economic, defence and social significance.*

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

However, Council has not found this to be the case which is outlined in Council's response to *Melbourne Airport Master Plan 2018 and Essendon Fields draft Master Plan 2019*. The primary concerns are that planning for transport infrastructure has not adapted nor recognised the role of *Essendon Fields* and no funding for strategic and transport infrastructure plans has been allocated.

There is a need to maximise the alignment of airport Master Plans with these other planning processes and timeframes, and ensure that Airports make a direct contribution towards infrastructure provision.

2.0 Planning Controls and the NASF Guidelines

As the Essendon Fields site is on designated Commonwealth Land, it sits outside State Legislation and as such is not bound by the provisions of the Moonee Valley Planning Scheme

Within the Moonee Valley Planning Scheme, Council's management of airport related matters is facilitated by the Melbourne Airport Environment Overlay 2 (MAEO2), and Essendon Fields Airport Obstacle Height Area (managed via Design and Development Overlays in the Planning Scheme).

No AEO applies in the area surrounding Essendon Fields, however it is understood that the State Government is giving active consideration to having AEO's applied to all Victorian airport surroundings.

Council has reviewed the Terms of Reference for the Implementation Review, the current application of the Framework and how it applies to Essendon Fields Airport and the surrounding area.

Given the Airport resides in a suburban location not every Guideline in the NASF is required for consideration by MVCC eg Guideline D *Managing the Risk of Wind Turbine Farms as Physical Obstacles to Air Navigation*.

It is understood that the Review will consider progress with implementation of NASF in terms of:

- a) *whether the NASF has been/is being embedded in legislation/regulations?*
- b) *whether the NASF is reflected in policy, guidance and any other planning advice?*
- c) *what impediments (if any) have there been to full implementation?*
- d) *the level of awareness, consideration and use of the NASF principles and Guidelines A to I by relevant government agencies, public and private airport operators;*
- e) *the level of industry and community stakeholder awareness and familiarity with the NASF framework and guidelines; and*
- f) *any specific case studies to illustrate the impact of NASF on land use planning decisions.*

Council's response focuses on:

- a) *whether the NASF has been/is being embedded in legislation/regulations?*
- b) *whether the NASF is reflected in policy, guidance and any other planning advice?*

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;

However, in practice Council does not find the NASF Guidelines to always be effectively implemented, given that there are three tiers of Government, (Federal, State and Local) that are responsible for managing Essendon Fields Airport and the surrounding environment.

Whilst there is ongoing interface with Essendon Airport Pty Ltd (EAPL), effectively the only opportunity for Council to influence outcomes on a large area of the municipality is to periodically respond to draft master plans, (every 5 – 8 years) with no guarantee that our concerns, are addressed as the community would wish.

Council does provide comments on Major Development Plans as they are put forward. However, there is no requirement for EAPL to take any comments or issues raised by Council directly on board. In general, Council's concerns often relate to matters that occur externally to Essendon Fields Airport. Many of the matters raised by Council require State Government intervention.

Council's response to the Essendon Fields Draft master plan previously highlighted these concerns identifying an inability to exercise control over the external impacts of the airport on the surrounding areas.

Council has not found the Safeguarding Framework has provided the opportunity to drive improvements in planning outcomes consistently across all Government jurisdictions. Nor has the Safeguarding Framework supported the integration and coordination of on-site and off-site planning relating to aviation operations.

Since the Airports Act was introduced in 1996 to protect aviation activities, the nature of the use of land at airports has evolved. This is particularly evident at Essendon Fields whereby a primary purpose of the site and income generator are a wide range of non-aviation uses. In the on-going evolution of these land uses EAPL relies on legislation that was initially designed to facilitate and safeguard air traffic as opposed to managing multifaceted land use development, that no includes large scale retail, hotels, offices car yards and entertainment.

The National Airports Safeguarding Framework includes information to guide State, Territory and Local Governments in regulating and managing nine key Areas. These include:

- A. measures for managing intrusion by aircraft noise
- B. the risk of building generated windshear and turbulence at airports
- C. the risk of wildlife strikes in the vicinity of airports
- D. the risk of wind turbine farms as physical obstacles to air navigation
- E. the risk of distractions to pilots from lighting in the vicinity of airports the risk of intrusions into the protected operational airspace of airports
- F. protection of on and off-airport Communication, Navigation and Surveillance equipment;
- G. protection of strategically important helicopter landing sites and
- H. public safety areas at the end of runways

In the context of Essendon Fields Airport, NASF Guideline A (Noise) is the most contentious. Council has not been able to rely on the Framework to provision greater certainty and clarity for developers and/or land owners in the surrounding areas.

The purpose of the Guidelines is to ensure *a better understanding and recognition of aviation safety requirements and aircraft noise impacts in land use and related planning decisions*. At this point in time there is lack of understanding associated with the forthcoming expansion of Melbourne Airport and Essendon Fields Airport and associated noise impacts.

The *Melbourne Airport Master Plan, 2023* Airport development concept initially included the Runway Development Program (RDP), which involved development of a third runway and extensions to the existing east–west runway.

Take-off and landing patterns at Essendon are influenced by those at Melbourne Airport. The Essendon Fields Airport 2039 ANEF was endorsed by Air Services Australia on 22 March 2019 in the manner approved by the Minister for Infrastructure and Regional Development.

Due to the close proximity of Melbourne and Essendon Fields Airports, changes to airspace and flight paths associated with the proposed RDP will necessarily need to account for aircraft arriving and departing Essendon Fields Airport.

Melbourne Airport has recently announced changes to this third runway altering its proposed alignment from east-west to a north-south position. Public notices were put into The Age newspaper on 23 November 2019, identifying that as a result of the change of preference for the third runway that a revised PDMP will be required to be prepared, and submitted to the Federal Minister. This will take approximately 18 months. This has

implications for Essendon Airport, and the surrounding area, and Moonee Valley City Council as a planning authority.

The implications of this announcement are significant for Essendon Fields and the surrounding area. Changes to Essendon Fields Master Plan and associated ANEF are largely due to responding to the introduction of the third runway at Melbourne Airport. This will impact the runway movements at Essendon Airport, which will result in changes to The Australian Noise Exposure Forecast (ANEF) contours. This will impact on residential areas in the vicinity Melbourne Airport and will have similar knock-on effects for Essendon Fields Airport.

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

These measures are designed to protect the integrity and operations of the airfields above the needs of residents. Adequately responding to these noise issues if new overlays are introduced could mean a direct financial cost to the community, and potentially implications for property development opportunities depending on the size of the individual allotment. (See MAE02)

It would appear that those current and future impacted property owners will be required to respond and adapt to changing ANEF patterns rather than the noise source (ie flight paths and frequency) being altered to minimise off site amenity impacts and safeguard amenity.

If AEOs are applied to the area adjacent to Essendon Fields in the future an outcome will be that many properties that are not currently impacted by the ANEF will be affected by the higher levels of noise.

Council is yet to be advised how, when and where new overlays will apply to the affected properties that will fall within the 25 ANEF and higher contour.

The purpose of an AEO is to identify areas which are or will be subject to high levels of aircraft noise, and to limit the number of people residing in the affected area. In the absence of clear future ANEF noise contours, an approved EF master plan or direction from State Government, Council and the community are not clear on when, where or if a further AEO is to be introduced into the Moonee Valley Planning Scheme.