



**Australian Government**

**Department of Infrastructure and Transport**

**Secretary**

*File Reference: 07/1421*

*Your File Number: SF090104*

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The General Manager  
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**Submission to the Draft Queanbeyan Local Environment Plan (South Tralee) 2010**

Please consider this letter and its attachments as a formal submission from the Australian Government Department of Infrastructure and Transport (the Department) on the draft Queanbeyan Local Environment Plan (South Tralee) 2010 (the draft LEP).

Further to the Department's submission to the Queanbeyan City Council's draft Local Environment Plan (South Tralee) 2009, I wish to reiterate the Department's opposition to the rezoning that would result from approval of the draft Queanbeyan Local Environment Plan (South Tralee) 2010. The Australian Government remains opposed to the proposed rezoning of the whole Tralee area and these objections have been raised previously with Queanbeyan City Council, the NSW Department of Planning, the NSW Planning Minister, and the NSW Premier.

Canberra Airport is an important national infrastructure asset. It is an essential transport hub for the local region and contributes significantly to the national economy as well as to the economies of New South Wales and the Australian Capital Territory.

The Australian Government, in its December 2009 National Aviation White Paper, Flight Path to the Future, identified the development of a national land use planning regime for land near airports and flight paths as a priority to help safeguard airport operations and ensure their economic viability are not constrained by incompatible development, and to protect future communities from undue exposure to aircraft noise.

In delivering upon this commitment, the Australian Government is pursuing a nationally agreed land use planning regime around airports and near busy flight paths with State and Territory Governments. The Department has established the National Airports Safeguarding Advisory Group (NASAG) – comprising Commonwealth, State and Territory transport and planning officials, which is currently considering a number of principles to guide a national approach to planning for land near airports and flight paths.

Relevant to consideration of the draft LEP, these principles include recognition by jurisdictions of the limitations of the Australian Noise Exposure Forecast (ANEF) measure in

assessing impact on communities in some circumstances. These circumstances are particularly relevant for land near the flight paths for Canberra Airport, where high frequency and night-time noise emanating from Canberra Airport, as forecast in the 2009 Canberra Airport Master Plan, are likely to be experienced.

Recognising the limitations of the ANEF measure, jurisdictions are also considering the need to incorporate alternative measures of aircraft noise impact into planning systems to supplement ANEFs including:

- frequency of event contours based on decibels (e.g. N70s, N65s and N60s), which can demonstrate the impact of multiple flights;
- single event contours based on decibels;
- flight path location and activity diagrams;
- indicators of night-time noise; and
- broader descriptions of airport zones of influence that trigger notification requirements for residents.

The Department strongly recommends the Queanbeyan City Council does not approve the draft LEP whilst these national principles are under consideration, and that time is allowed for the NSW Department of Planning to implement any agreed principles of a national approach to planning for land near airports.

The Department disagrees with the analysis provided by Mr Brett Whitworth, Regional Director, Southern Region, NSW Department of Planning, in his letter to you of 17 May 2010, referenced in the Supplementary Local Environment Study provided in the current exhibition process. In particular, the conclusion that:

*Alternative approaches to the management of land use planning in the vicinity of airports such as the N70 descriptor are useful tools for the purposes of informing the community. However, as single event descriptors they do not provide a policy setting for the consideration of land use and development options in relation to aircraft noise impacts.*

*The Department maintains that the ANEF system represents the only mechanism currently available to ensure that planning near airports is undertaken responsibly and with regard for the operation of the facility and the amenity of surrounding land uses. The land use planning for the South Jerrabomberra area more than meets these requirements, in fact it takes a conservative approach.<sup>1</sup>*

This conclusion misunderstands the N70 descriptor and similar measures, such as the N65 and N60. These descriptors are not single-event tools; rather they are contours describing the frequency of events at particular noise levels. The Department believes these descriptors have great potential for use in land-use planning as a complementary measure to the ANEF and there is nothing stop their application in the short-term. Analysis of the N60 contours around the South Tralee site, particularly at night-time, shows that residents would be likely to experience significant and unacceptable noise impact.

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<sup>1</sup> Extract from Appendix C, Supplementary Local Environment Study, from correspondence, Mr Brett Whitworth, Regional Director, Southern Region, NSW Department of Planning to Mr Gary Chapman, General Manager, Queanbeyan City Council – 17 May 2010

The Department also notes that the Council of Australian Governments (COAG) agreed that, in relation to capital city strategic planning systems, by 1 January 2012, all States will have in place plans that meet new national criteria. The agreed criteria provide that capital city strategic planning systems should, inter alia:

- be integrated across functions, including land-use and transport planning, economic and infrastructure development, environmental assessment and urban development, and across government agencies; and
- provide for nationally-significant economic infrastructure (both new and upgrade of existing) including: -
  - a) transport corridors,
  - b) international gateways,
  - c) intermodal connections,
  - d) major communications and utilities infrastructure, and
  - e) reservation of appropriate lands to support future expansion;

The Department considers that approval of the South Tralee development proposal would seriously compromise these aspects of Canberra's future development, as well as the national interest, and is outside the spirit of the agreement entered into by NSW as part of the COAG process.

Noise sensitive development in the Tralee area, given its proximity to the southern flight path corridor for Canberra Airport, will inevitably result in increased community pressure for further operational restrictions at the Airport.

The introduction of operational restrictions, such as a curfew would impact on the strategic role of the Airport in the aviation network for the eastern seaboard; impede the future planned growth and expansion of the airport and adversely impact the economy of the National Capital and southern NSW region.

The Australian Government is conscious that suitable alternative airport sites are scarce and that it is strongly in the public interest to ensure that all governments work together to ensure maximum value from existing sites. The Government also believes that the effect of aircraft noise on communities is a serious issue and that every effort should be made to avoid new noise sensitive development in areas which are or will be affected. The fact that there may be existing residential areas which experience significant levels of aircraft noise is no reason to allow the problem to develop in new areas.

Proceeding with noise sensitive development, including residences and schools, in South Tralee will involve aircraft noise impacts on the local amenity and adversely affect the quality of life for future communities. A particular concern is the impact of night time noise associated with freight and other services at the Airport.

The potential for disturbance of sleep patterns from a relatively small number of noise events of some intensity is not adequately addressed by the ANEF system which has in many cases been adopted as the basis for assessing community impacts. The ANEF system addresses more the averaged load of noise over a period. The information in the attached submission shows that the impact of even a relatively small number of medium-sized jet aircraft movements would produce noise events of sufficient intensity as to disturb sleep for residents



in a development at South Tralee. Common sense says this would be a bad planning outcome.

While recognising that the NSW Government and Council have made efforts to ensure the proposal for South Tralee complies with the standards under the current ANEF system and associated acoustic building standard AS2021, the Australian Government considers that these measures will still fail to fully reflect the actual impact of likely noise for the area or community concerns, particularly in relation to night time noise. In particular, noise insulation can only be effective with windows shut, and the consequent need for air conditioning in the summer months. Planning authorities should exercise all available discretion to avoid bad planning outcomes, particularly where there is better information available about the likely impacts of aircraft noise.

The Australian Government's preference is that no residential or other noise-sensitive development proceeds in the area of South Tralee. In the event that it should be seen as not feasible to prevent all residential development at South Tralee, the Australian Government asks the Queanbeyan City Council and the NSW Planning Minister to ensure at the very least:

- Noise sensitive developments including residences and schools are prohibited in all areas within the 20 to 25 ANEF contour in the area of South Tralee;
- All other residences and noise sensitive developments including schools, be assessed for compliance with acoustic insulation standards set down in Table 3.3 of AS2021 prior to the issue of occupancy certificates.

The Australian Government also asks Queanbeyan City Council to ensure full noise disclosure for potential new and future property purchasers within the South Tralee development through:

- the application of Section 88B certificates (under the NSW Conveyancing Act 1919) to any Development Control Plan in South Tralee; and
- enforcement of Section 149 planning certificates with regard to aircraft noise disclosure and proximity to flight path corridors; and
- imposing an obligation on developers and sellers to ensure prospective purchasers are advised of the future exposure to aircraft noise through the Vendor Disclosure process under the Conveyancing Act 1919 and Conveyancing (Sale of Land) Regulations 2005.

The Department remains available to provide the Queanbeyan City Council or the NSW Government with any further information or advice to assist with the process.

Yours sincerely



Mike Mrdak

30 October 2010



## ***SUGGESTED AMENDMENTS TO THE DRAFT LEP (SOUTH TRALEE)***

### **Part 6 Urban release areas**

#### **6.3 Development control plan [local]**

- (1) The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.
- (2) Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.
- (3) The development control plan must provide for all of the following:
- (a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,
  - (b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,
  - (c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,
  - (d) a network of passive and active recreational areas,
  - (e) stormwater and water quality management controls including the protection of water quality in Jerrabomberra Creek,
  - (f) amelioration of natural and environmental hazards, including bushfire, flooding, site contamination, **and aircraft noise**,
  - (g) detailed urban design controls for significant development sites,
  - (h) measures to encourage higher density living around transport, open space and service nodes,
  - (i) measures to accommodate and control appropriate commercial and retail uses.
  - (j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.

### **Part 7 - Additional Local Provisions**

#### **7.1 Airspace Operations [local]**

- (1) The objectives of this clause are as follows:
- (a) to provide for the effective and on-going operation of the Canberra Airport by ensuring that such operation is not compromised by proposed development that penetrates the Obstacle Limitation Surface for that airport,
  - (b) to protect the community from undue risk from such operations.
- (2) If a development application is received and the consent authority is satisfied that the proposed development may penetrate the Obstacle Limitation Surface as shown on the Obstacle Limitation Surface Map for the Canberra Airport, the consent authority must not grant development consent unless it has consulted with **Canberra Airport and** the relevant Commonwealth body about the application.
- (3) The consent authority may grant development consent for the development, if **Canberra Airport and** the relevant Commonwealth body advises that:

(a) the development will penetrate the Obstacle Limitation Surface but it has no objection to its construction, or

(b) the development will not penetrate the Obstacle Limitation Surface.

(4) The consent authority must not grant development consent for the development, if the relevant Commonwealth body advises that the development will penetrate the Obstacle Limitation Surface and should not be constructed.

(5) In this clause:

**relevant Commonwealth body** means the body that is responsible for development decisions relating to the Canberra Airport under Commonwealth legislation.

## **7.2 Development in areas subject to airport noise**

(1) This clause applies to all land shown on the Land Application Map.

(2) Development consent must not be granted for any development unless the consent authority is satisfied that proposal will achieve the relevant indoor design sound levels shown in Table 3.3 - Indoor Design Sound levels For Determination of Aircraft Noise Reduction in AS 2021-2000.

(3) Before determining a development application for development to which this clause applies, the consent authority:

(a) must consider whether approval of the development will result in an increase in the number of dwellings or people affected by aircraft noise, and ensure that the proposed development is in-keeping with Directive 3.5 (Development Near Licensed Aerodromes) of Section 117(2) of the Environmental Planning and Assessment Act 1979, and

(b) must be satisfied that the developer has actively applied the guidance contained in AS2021-2000.

## ***FURTHER CONSIDERATIONS***

The Department recommends the addition of text to 7.2 of the draft LEP, requiring the provision of flight path information to enable prospective purchasers of land/housing to make an informed decision as to what level of amenity they require/expect. The Department is willing to provide annual flight path usage information to Council for this purpose.

Should rezoning of the South Tralee area be approved, the Department recommends the following practices be adopted and included in any Development Control Plans developed for the Tralee, Envirova and Robin and Googong areas. This will ensure transparency and enable potential purchasers to make an informed choice in relation to living with aircraft noise.

- Application of Section 88B certificates under the NSW *Conveyancing Act 1919* to any Development Control Plan in South Tralee to ensure mandatory disclosure of noise issues, including aircraft noise;
- Enforcement of Section 149 certificates on aircraft noise disclosure and proximity to flight path corridors for every property in South Tralee; and
- A requirement for all developers and real estate agents in the area of South Tralee to ensure prospective purchaser are advised of the potential future exposure to aircraft noise under the vendor disclosure provisions of the NSW *Conveyancing (Sale of Land) Regulations 2005*.



## ***SAFEGUARDING AIRPORTS AND FUTURE COMMUNITIES***

The Government regulates 21 Australian airports including all major capital city airports under the *Airports Act* 1996. The Government is conscious of the limited availability of major airport sites close to economic centres and the lack of alternative sites, if the potential of existing airports were to be limited.

The Government has a responsibility to ensure airports that are critical to national infrastructure are protected from off airport development that could undermine airport safety, operational efficiency or economic viability. The Government is equally committed to balancing the economic importance of airports with the impact of aircraft noise on existing and future communities.

While the Australian Noise Exposure Forecast (ANEF) system, and the associated acoustic building standard AS2021, established in the early 1980s, provide guidance to regional and local authorities on the siting and construction of new buildings against aircraft noise intrusion the current system falls short of fully addressing the actual impact of aircraft noise patterns or the increased public expectations which regularly result in community pressure to impose operational constraints on airports or restrict airport growth.

Key issues of community concern in response to aircraft noise globally are: the level of noise generated by individual aircraft; the increasing numbers of flights and decreasing periods of respite as airports get busier; of particular concern are the increased movements during the sensitive night time period, and reduced respite periods on weekends.

The Australian Government is committed to improvement of the ANEF system and related arrangements. The limitations of the current system were raised in the discussion paper *Safeguards for Airports and the Communities Around Them*. This paper was circulated for industry and public comment in June 2009 with more than 90 submissions being received in response. The majority of submissions related to the management of noise impacts around airports, albeit with no clear consensus emerging on the adequacy of the ANEF system and Australian Standard 2021. The paper is available on the Department's web site at [www.infrastructure.gov.au/aviationairport/safeguarding.aspx](http://www.infrastructure.gov.au/aviationairport/safeguarding.aspx).

The ANEF system is the tool used by a number of jurisdictions in Australia for guiding planning decisions in areas exposed to aircraft noise, and is based on similar systems used in the USA and other countries. The ANEF system involves a calculation of the forecast average daily noise taken over a year based on a forecast mix of traffic. It shows an estimate of the total noise load for an average annual day. Movements which take place between 7pm and 7am are treated with a four time multiplier to reflect the additional sensitivity of noise at night. The ANEF does not take into account variations in noise exposure due to daily and seasonal changes in runway use or differences in the noise of single events resulting from overflights by different aircraft types. It does not reflect the intensity of single events, the availability of respite or other factors that influence the human response to aircraft noise.

The ANEF is not the only tool available to demonstrate aircraft noise impacts. Single event noise contours like the 60dB(A) or 70dB(A) currently used by some Australian jurisdictions, give an indication of the intrusion of aircraft noise at ground level on an event-by-event basis. They allow a person to readily see the noise level in the vicinity of their home for a single event and to compare the noise levels of different aircraft. It is recognised globally that a noise event of 70dB(A) is likely to disturb conversation and/or listening inside a house with



open windows. An external noise level of 60 dB(A) approximates to an internal level of 50 dB(A) with windows open, which is within the range in which sleep can be disturbed.

Contours showing the frequency of aircraft movements generating particular noise levels, measured in decibels (known as N70s, N60s etc) can be readily derived from single event information. These contours provide additional, and often more intuitive information about aircraft noise that can be used in a land use planning context. Adoption of such descriptors as a basis for land use planning is currently being considered by the NASAG.

For your information we provide (at Appendix A) a number of graphs to show the modelled single event sound pressure levels generated by B737-400 aircraft operating on the flight path in the vicinity of South Tralee. These aircraft types could be expected to be used for overnight freight services to and from Canberra Airport. As can be seen, the levels of noise exposure for single events in the corridor to the south are quite high and would be likely to cause noise disturbance for residents in the exposed areas. Even at low numbers of movements, the disturbance from such services could have a significant impact on sleep patterns with additional noise implications for other sensitive times like evenings, early mornings and weekends.

The assertion that no residences in South Tralee are under flight paths is incorrect. South Tralee lies right beside the southern flight path corridor for Canberra Airport. Appendix B identifies the flight tracks taken over South Tralee to and from Canberra Airport for the third quarter of 2010 including jet arrivals and jet departures. While an aircraft may fly directly above only a narrow strip of land, the noise from that aircraft can obviously be heard in a broad area either side of the flight track and is not limited to those residences "directly under" the flight track. When many aircraft use a flight path the individual tracks will be spread further on the ground, broadening the noise affected area.

## ***IMPACT OF AIRCRAFT NOISE ON SOUTH TRALEE COMMUNITIES***

### ***The International Situation***

While not all individuals are affected by aircraft noise there is substantial evidence available through organisations like the World Health Organization and the International Civil Aviation Organization (ICAO) detailing the impact of aircraft noise on sleep, health and cognitive performance.

According to ICAO aircraft noise is the most significant cause of adverse community reaction to the operation and expansion of airports. In previous years aircraft noise assessment and management focussed on areas close in to an airport. It is now internationally recognised that the issue of community exposure and reaction to aircraft noise is not confined to areas inside conventional noise contours.

The nature of aircraft noise patterns around airports and subsequent public expectations have changed in recent years, with increased community pressure to impose operational constraints on airports or oppose airport growth. The issues of concern are the level of noise generated by individual aircraft, increasing numbers of flights and decreasing periods of respite as airports get busier. Particular concerns include increased movements during the sensitive night time period and reduced respite periods on weekends.

A range of land use planning strategies to manage aircraft noise is adopted throughout the world. Noise contouring regimes vary markedly in the level of protection they offer airports from urban encroachment. In the United States the level of protection is lower than that provided by the ANEF system while in Europe the standards are typically higher than those in Australia. More innovative approaches used in other countries to describe aircraft noise and establish criteria and/or zones for noise management include defining flight path zones, identifying areas by height of aircraft overflight and the application of noise contours based on the number of events louder than 70dB(A).

### *South Tralee*

Once residential development occurs in a location, opportunities to return that location to non-sensitive land uses in the future are minimal. Further, there is no real scope to move airports or the aircraft operations to another site.

Nationally, federally leased airports have been encouraged to take a longer view of growth, to look 30 or more years ahead, and in many cases have chosen to prepare "ultimate capacity" forecasts. This reflects the need to put long-term protections in place if the airport's economic potential is to be protected and community impact minimised. The Master Plan approved by the Australian Government for Canberra Airport includes the "ultimate capacity" ANEF forecast for the Airport and its realisation is dependent on numerous factors.

The Australian Government has particular concerns about proposed residences in South Tralee between the 20 and 25 A EF contours where, under the current AS2021, residential development is considered conditionally acceptable. The Australian standard recognises that within the 20-25 ANEF "some people may find that the land is not compatible with residential or educational uses" (see page 11, AS2021-2000, Section 2: *Building Siting Against Aircraft Noise Intrusion - Notes*).

Further, the NSW Government already recognises the vulnerability of this zone. The Local Planning Direction 5.8 in relation to Badgerys Creek, issued under Section 117(2) of the NSW *Environmental Planning and Assessment Act* 1979 provides that "a draft LEP shall not contain provisions that enable the carrying out of development within the 20 ANEF, with or without consent, which at the date of this direction could hinder the potential for development of a Second Sydney Airport".

In this zone in particular, discretion should be used to avoid residential developments where they are likely to lead to significant complaints and discontent. Additional noise descriptor tools such as the N60 and N70 charts will help to provide a more accurate picture of the likelihood of events that would disturb conversation sleep at night or other aspects of amenity and should be considered in decisions relating to South Tralee.

It is noted the draft LEP for South Tralee is conditional on all developments being insulated to comply with the indoor sound levels set down in Table 3.3 of AS 2021 (Appendix C). While acoustic insulation will assist in some circumstances, it does have accompanying disadvantages including the demand for houses or rooms to be sealed, and demand for air conditioning. Insulation will not fully protect lifestyle amenity, particularly in the summer months when occupants prefer windows and doors to be open. Insulation should not be seen as a substitute for prudent land-use planning.

Given the forecast freight services for Canberra Airport and the impact of night time aircraft noise, the Australian Government asks the NSW Minister for Planning to prohibit all noise sensitive development (residences and schools) within the 20-25 ANEF at South Tralee until such time as the Federal, State and Territory Governments develop a national land use planning regime for airports and under flight paths for the consideration of the Council of Australian Governments.

## ***CONCLUSION***

The Australian Government remains strongly opposed to noise sensitive developments including residential and schools around airports and near busy flight paths that may impact on the long term viability of airports as critical economic and social assets. Placing noise sensitive developments in greenfield sites in the vicinity of flight corridors when other alternatives exist is just plain bad planning.

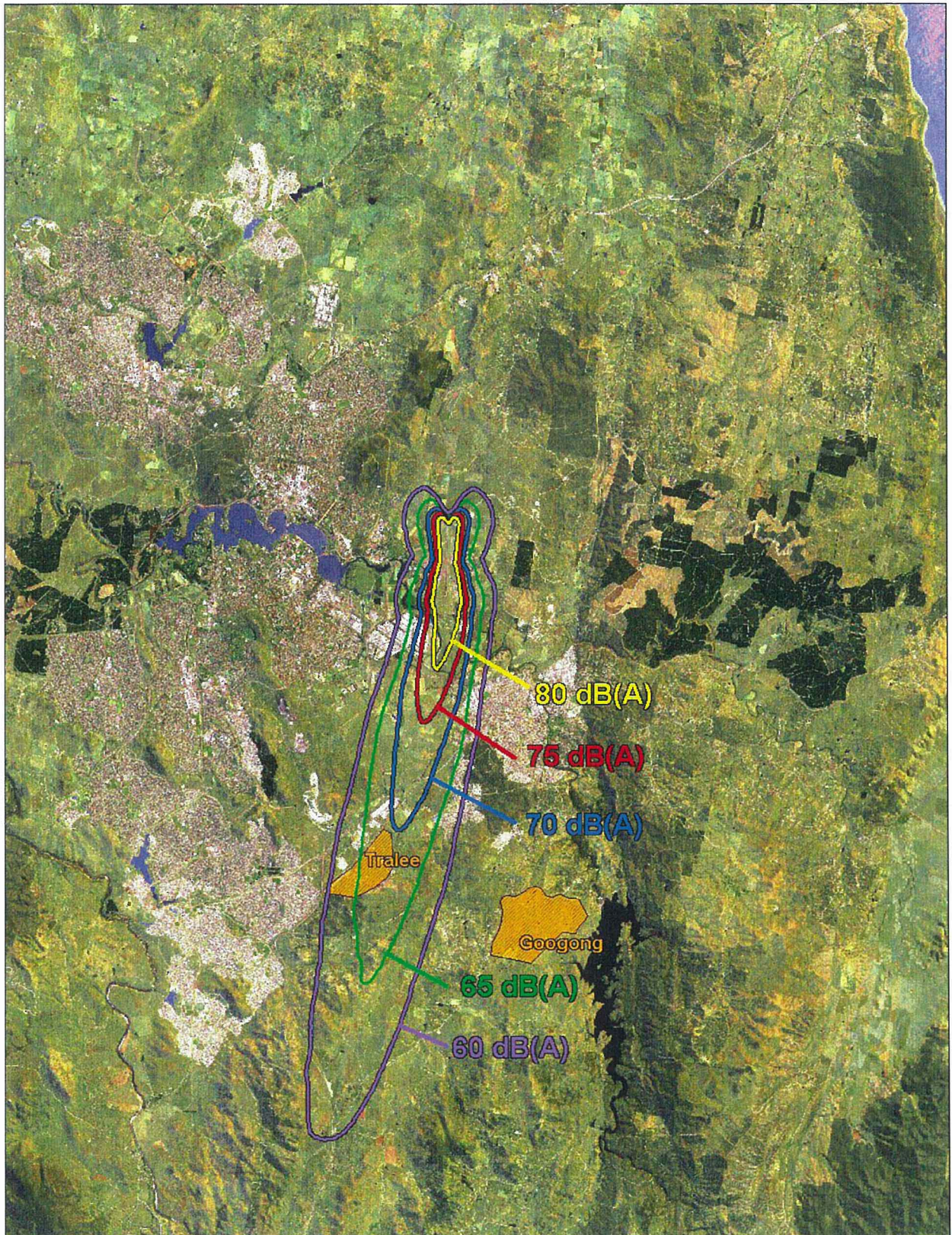
The Independent Review commissioned by the NSW Government in 2006 to examine the Queanbeyan City Council land release strategy endorsed this position recommending that the Poplars, Tralee and Environs/Robin would be better utilised as a future transport and employment hub. The draft Local Environmental Plan for South Tralee released by the Queanbeyan City Council in October 2010 for public comment is a live example of the opportunity for better planning.

As stated in the Government's National Aviation Policy White Paper, best practice land use planning around airports and flight paths should take into consideration the range of noise information relevant to the local community including the location of flight paths, types of aircraft activity, numbers and timing of aircraft movements and the intensity of noise events from those movements.

The Australian Government is committed to an effective national land use planning regime to be put in place for land in the vicinity of airports and near busy flight paths to be agreed through NASAG. The Australian Government seeks the cooperation of all governments to ensure planning decisions made in the interim, such as those for South Tralee, are based on merit based judgement to achieve an optimal long-term outcome both for existing and future communities and for the development of aviation operations.



737-400 DEPARTURE – TO THE SOUTH – Curved Departure Path  
(example only – based on RNP capability)



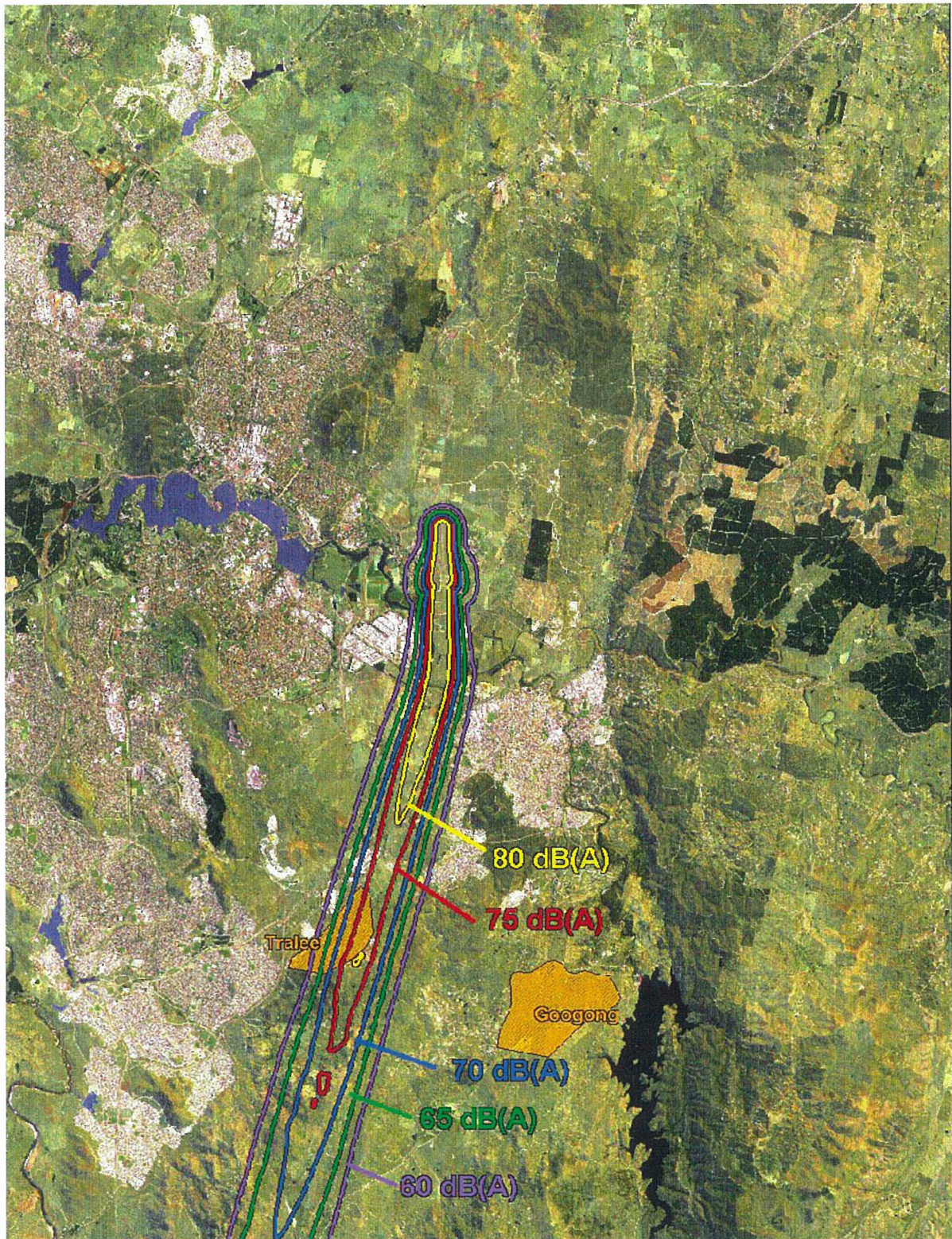


Boeing 737-400 ARRIVAL – FROM THE SOUTH – Curved Approach Path  
(example only – based on RNP capability)



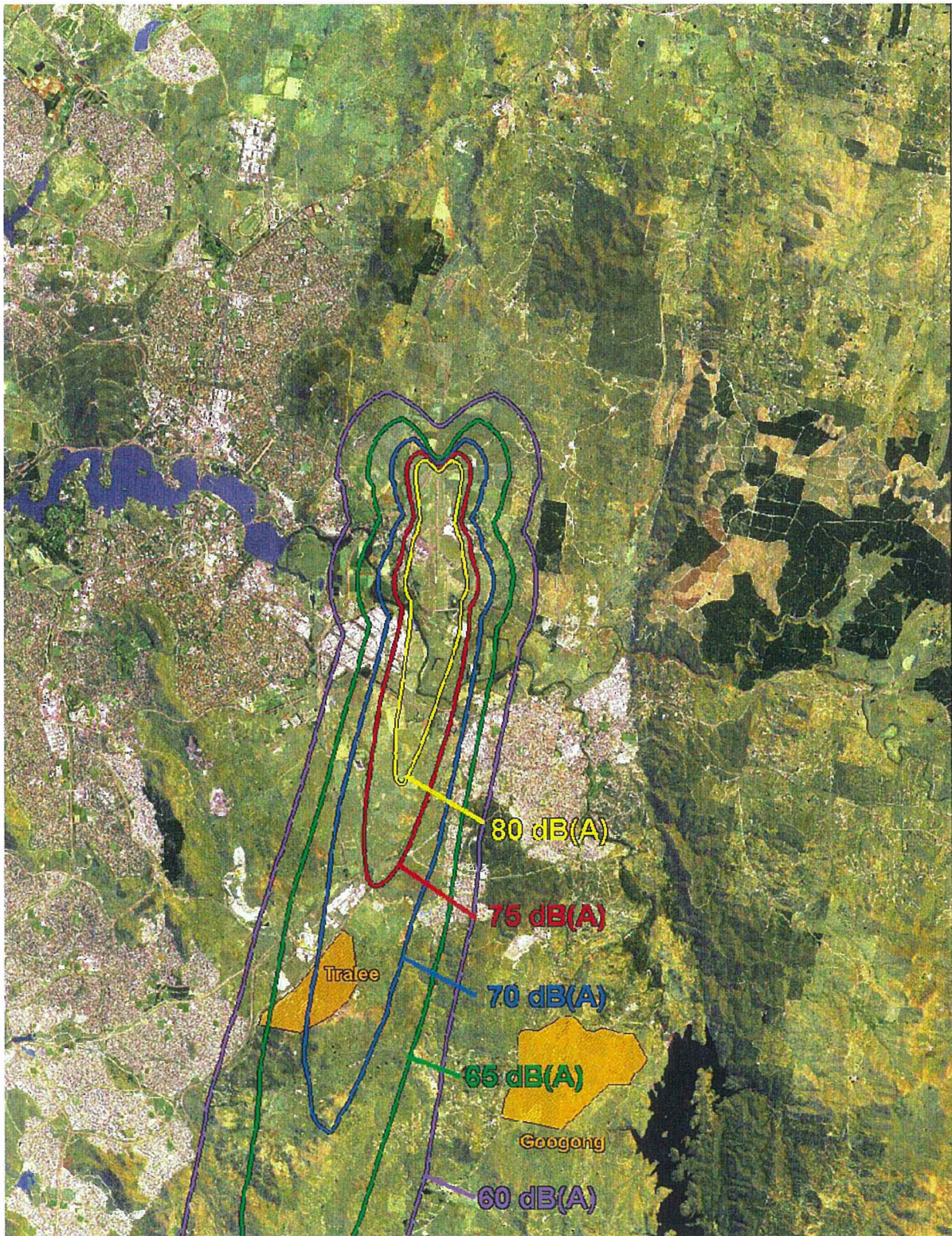


747-400 ARRIVAL – FROM THE SOUTH – Curved Approach Path  
(example only – based on RNP capability)





747-400 DEPARTURE – TO THE SOUTH – Curved Departure Path  
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South Tralee LEP Zones With Jet Radar Tracks for 3rd Quarter 2010 Traffic: 357 Jet Departures (green) and 3,837 Jet Arrivals (red)



**TABLE 3.3**  
**INDOOR DESIGN SOUND LEVELS\* FOR DETERMINATION**  
**OF AIRCRAFT NOISE REDUCTION**

Building type and activity	Indoor design sound level*, dB(A)
<i>Houses, home units, flats, caravan parks</i>	
Sleeping areas, dedicated lounges	50
Other habitable spaces	55
Bathrooms, toilets, laundries	60
<i>Hotels, motels, hostels</i>	
Relaxing, sleeping	55
Social activities	70
Service activities	75
<i>Schools, universities</i>	
Libraries, study areas	50
Teaching areas, assembly areas (see Note 5)	55
Workshops, gymnasias	75
<i>Hospitals, nursing homes</i>	
Wards, theatres, treatment and consulting rooms	50
Laboratories	65
Service areas	75
<i>Public buildings</i>	
Churches, religious activities	50
Theatres, cinemas, recording studios (see Note 4)	40
Court houses, libraries, galleries	50
<i>Commercial buildings, offices and shops</i>	
Private offices, conference rooms	55
Drafting, open offices	65
Typing, data processing	70
Shops, supermarkets, showrooms	75
<i>Industrial</i>	
Inspection, analysis, precision work	75
Light machinery, assembly, bench work	80
Heavy machinery, warehouse, maintenance	85

\* These indoor design sound levels are not intended to be used for measurement of adequacy of construction. For measurement of the adequacy of construction against aircraft noise intrusion see Appendix C.

NOTES:

- 1 The indoor design sound levels in Column 2 are hypothesized values based on Australian experience. A design sound level is the maximum level (dB(A)) from an aircraft flyover which, when heard inside a building by the average listener, will be judged as not intrusive or annoying by that listener while carrying out the specified activity. Owing to the variability of subjective responses to aircraft noise, these figures will not provide sufficiently low interior noise levels for occupants who have a particular sensitivity to aircraft noise.
- 2 Some of these levels, because of the short duration of individual aircraft flyovers, exceed some other criteria published by Standards Australia for indoor background noise levels (see AS 2107).
- 3 The indoor design sound levels are intended for the sole purpose of designing adequate construction against aircraft noise intrusion and are not intended to be used for assessing the effects of noise. Land use planning authorities may have their own internal noise level requirements which may be used in place of the levels above.
- 4 For opera and concert halls and theatres, and for recording, broadcast and television studios and similar buildings where noise intrusion is unacceptable, specialist acoustic advice should always be obtained.
- 5 Certain activities in schools may be considered particularly noise sensitive and 50 dB(A) may be a more desirable indoor sound level to select for any teaching areas used for such activities. However, the effect of other noise sources should be considered.
- 6 The provisions of this Standard relating to different internal design sound levels for different indoor spaces could result in the use of different construction and materials in contiguous spaces, and require the construction of substantial barriers between habitable spaces, e.g. heavy self-closing internal doors, detracting from the amenity of the building. Therefore consideration should be given to a uniform perimeter insulation approach.





## Australian Government

### Department of Infrastructure and Transport

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The General Manager  
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The Department notes that the Council of Australian Governments (COAG) agreed that, in relation to capital city strategic planning systems, by 1 January 2012, all States will have in place plans that meet new national criteria. The agreed criteria provide that capital city strategic planning systems should, inter alia:

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  - a) transport corridors,
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As you are aware, Canberra Airport is an important national infrastructure asset. It is an essential transport hub for the local region and contributes significantly to the national economy as well as to the economies of New South Wales and the Australian Capital Territory.

Further to the Department's submission to Queanbeyan City Council's draft Local Environment Plan (South Tralee) 2010, I reiterate that any rezoning of land for residential purposes under busy flight paths for Canberra Airport has the potential to seriously compromise Canberra's future development, as well as the national interest;



and the Australian Government would consider such action to be outside the spirit of the agreement entered into by NSW as part of the COAG process.

The Australian Government, in its December 2009 National Aviation White Paper, *Flight Path to the Future*, identified the development of a national land use planning regime for land near airports and flight paths as a priority to help safeguard airport operations and ensure their economic viability are not constrained by incompatible development, and to protect future communities from undue exposure to aircraft noise.

In delivering upon this commitment, the Department has established the National Airports Safeguarding Advisory Group (NASAG) – comprising Commonwealth, State and Territory transport and planning officials. The NASAG is currently considering a number of principles to guide a national approach to land use planning near airports and under busy flight paths.

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The potential for disturbance of sleep patterns from a relatively small number of noise events of some intensity is not adequately addressed by the ANEF system which has in many cases been adopted as the basis for assessing the impact of aircraft noise on the community.

The Department is conscious that suitable alternative airport sites are scarce and that it is strongly in the public interest to ensure that all governments work together to ensure maximum value from existing sites. The Department also believes that the effect of aircraft noise on communities is a serious issue and that every effort should be made to avoid new noise sensitive development in areas which are currently or will be in the future. The fact that there may be existing residential areas which experience significant levels of aircraft noise is no reason to allow the problem to spread or develop in new areas.



In the event that it should be seen as not feasible to curtail residential development in areas currently affected by aircraft noise, the Department asks the Queanbeyan City Council and the NSW Planning Minister to ensure that all other new residences, residential 'infill', and noise sensitive developments (including schools), under flight paths be required to meet the relevant indoor design sound levels standards set down in Table 3.3 of AS2021 prior to the issue of occupancy certificates.

The Department also seeks the introduction of full aircraft noise disclosure for potential new and future property purchasers for land under Queanbeyan City Council's jurisdiction through:

- the application of Section 88B certificates (under the NSW Conveyancing Act 1919) to any Development Control Plan in aircraft noise affected areas; and
- enforcement of Section 149 planning certificates with regard to aircraft noise disclosure and proximity to flight path corridors; and
- imposing an obligation on developers and sellers to ensure prospective purchasers are advised of the future exposure to aircraft noise through the Vendor Disclosure process under the Conveyancing Act 1919 and Conveyancing (Sale of Land) Regulations 2005.

The Department remains available to provide the Queanbeyan City Council and the NSW Government with any further information or advice in these matters.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Stone', with a stylized 'S' and 'M'.

Scott Stone  
General Manager  
Aviation Environment Branch  
Aviation and Airports Division

27 January 2011



## ***SUGGESTED AMENDMENTS TO THE DRAFT LEP (QUEANBEYAN)***

*Suggested additions or changes to standard text have been marked in red.*

The Department recognises that the draft LEP is based on a standard instrument with limited capacity for tailoring local ‘case-by-case’ provisions or clauses. To this effect the Department will be making representations to NSW Planning regarding the wording of standard phrases relating to aircraft noise and airspace operations.

### **Part 6 Urban release areas**

#### **6.3 Development control plan [local]**

- (1) The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.
- (2) Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.
- (3) The development control plan must provide for all of the following:
  - (a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,
  - (b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,
  - (c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,
  - (d) a network of passive and active recreational areas,
  - (e) stormwater and water quality management controls including the protection of water quality in Jerrabomberra Creek,
  - (f) amelioration of natural and environmental hazards, including bushfire, flooding, site contamination, **and aircraft noise**,
  - (g) detailed urban design controls for significant development sites,
  - (h) measures to encourage higher density living around transport, open space and service nodes,
  - (i) measures to accommodate and control appropriate commercial and retail uses.
  - (j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.

While recognising that Council has made efforts to consider the objectives contained in Section 117 Direction 3.5, relating to *Development Near Licensed Aerodromes*, and has included standard NSW Planning clauses relating to *Airspace Operations* and *Development in Areas Subject to Aircraft Noise*, the Department considers that these measures will still fail to fully reflect the actual impact of current and future aircraft noise particularly night time flights.

In relation to aircraft noise insulation, this can only be effective with windows shut with the consequence being a need for air conditioning in the summer months. The Department strongly believes that planning authorities should exercise all available discretion to avoid adverse planning outcomes, particularly where there is expert information available about the likely impacts of aircraft noise.

## **Part 7 - Additional Local Provisions**

### **7.1 Airspace Operations [local]**

(1) The objectives of this clause are as follows:

(a) to provide for the effective and on-going operation of the Canberra Airport by ensuring that such operation is not compromised by proposed development that penetrates the Obstacle Limitation Surface for that airport,

(b) to protect the community from undue risk from such operations.

(2) If a development application is received and the consent authority is satisfied that the proposed development may penetrate the Obstacle Limitation Surface as shown on the Obstacle Limitation Surface Map for the Canberra Airport, the consent authority must not grant development consent unless it has consulted with **Canberra Airport** and the relevant Commonwealth body about the application.

(3) The consent authority may grant development consent for the development, if **Canberra Airport** and the relevant Commonwealth body advises that:

(a) the development will penetrate the Obstacle Limitation Surface but it has no objection to its construction, or

(b) the development will not penetrate the Obstacle Limitation Surface.

(4) The consent authority must not grant development consent for the development, if the relevant Commonwealth body advises that the development will penetrate the Obstacle Limitation Surface and should not be constructed.

(5) In this clause:

**relevant Commonwealth body** means the body that is responsible for development decisions relating to the Canberra Airport under Commonwealth legislation.

### **7.2 Development in areas subject to airport noise**

(1) This clause applies to all land shown on the Land Application Map.

(2) **Development consent must not be granted for any development unless the consent authority is satisfied that proposal will achieve the relevant indoor design sound levels shown in Table 3.3 - Indoor Design Sound levels For Determination of Aircraft Noise Reduction in AS 2021-2000.**

(3) **Before determining a development application for development to which this clause applies, the consent authority:**

(a) **must consider whether approval of the development will result in an increase in the number of dwellings or people affected by aircraft noise, and ensure that the proposed**



development is in-keeping with Directive 3.5 (Development Near Licensed Aerodromes) of Section 117(2) of the Environmental Planning and Assessment Act 1979, and  
(b) must be satisfied that the developer has actively applied the guidance contained in AS2021-2000.

## ***FURTHER CONSIDERATIONS***

The Department recommends the addition of text to 7.2 of the draft LEP, requiring the provision of flight path information to enable prospective purchasers of land/housing to make an informed decision as to what level of amenity they require/expect. The Department is willing to provide annual flight path usage information to Council for this purpose.

The Department recommends the following practices be adopted and included in any Development Control Plans developed for the Tralee, Environa and Robin and Googong areas. This will ensure transparency and enable potential purchasers to make an informed choice in relation to living with aircraft noise.

- Application of Section 88B certificates under the NSW *Conveyancing Act 1919* to any Development Control Plan to ensure mandatory disclosure of noise issues, including aircraft noise;
- Enforcement of Section 149 certificates on aircraft noise disclosure and proximity to flight path corridors; and
- A requirement for all developers and real estate agents to ensure prospective purchaser are advised of the potential exposure to aircraft noise under the vendor disclosure provisions of the NSW *Conveyancing (Sale of Land) Regulations 2005*.

## ***CONCLUSION***

The Australian Government remains strongly opposed to noise sensitive development, including residences and schools, around airports and near busy flight paths.

The 2006 Independent Review, commissioned by the NSW Government to examine the Queanbeyan City Council land release strategy, endorsed the Australian Government's position recommending that the Poplars, Tralee and Environa/Robin would be better utilised as a future transport and employment hub. The draft Local Environmental Plan for Queanbeyan is a live example of the opportunity for better planning.

As stated in the Government's National Aviation Policy White Paper, best practice land use planning around airports and flight paths should take into consideration the range of noise information relevant to the local community including the location of flight paths, types of aircraft activity, numbers and timing of aircraft movements and the intensity of noise events from those movements.

The Australian Government is committed to an effective national land use planning regime to be put in place for land in the vicinity of airports and near busy flight paths to be agreed through the National Airports Safeguarding Advisory Group (NASAG). The Australian Government seeks the cooperation of all governments to ensure planning decisions made in the interim, such as those for South Tralee, are based on merit based judgement to achieve an optimal long-term outcome both for existing and future communities and for the development of aviation operations.



RECEIVED MFS

18 APR 2012

SF071006  
C1234608

4 April 2012

THE OFFICE OF THE MAYOR

The Hon. Anthony Albanese, MP  
Minister for Infrastructure and Transport  
PO Box 6022  
Suite MG43  
Parliament House  
CANBERRA ACT 2600

Dear Minister

**RECOMMENDATION 10 - JOINT STUDY ON AVIATION CAPACITY IN THE SYDNEY REGION**

I write to seek your support in not implementing Recommendation 10 of the Joint Study on aviation capacity in the Sydney Region. This request follows Council's consideration of a Mayoral Minute at its meeting of 28 March 2012 (attached) and its unanimous adoption of the following resolution:

**It is recommended that an appropriate submission be drafted and that this be forwarded to the Commonwealth Minister for Infrastructure and Transport, the Premier, the ACT Chief Minister, ACT and NSW Planning Ministers, the State Member, the NSW Cross Border Commissioner, as well as to the NSW Director General of Planning and Infrastructure and the Director-General of the ACT Department of Environment and Sustainable Development and other appropriate officers.**

As can be seen from the Minute, Council has a number of major concerns with Recommendation 10 of the Joint Study on aviation capacity in the Sydney region. This states:

*The Steering Committee recommends that the Australian, ACT and NSW governments work together to ensure that Canberra Airport is protected from encroaching noise-sensitive urban development which would be incompatible with 24-hour jet aircraft operations and could restrict the expansion of the airport over time into a significant domestic and international aviation centre for both passenger and freight services for south-eastern Australia.*

- *In particular, the current undeveloped approach and departure corridors to the north and south of the airport should be protected (as appropriate) from residential or other noise-sensitive development.*
- *The Australian, ACT and NSW governments should undertake a joint strategic planning study of these and other areas potentially affected by aircraft noise to ensure that appropriate zoning and infrastructure planning is put in place to avoid creating problems for the future.*



2.

- *Measures to protect the future growth at Canberra Airport should be put in place quickly, recognising that there is already pressure for approval of greenfield residential developments in the southern corridor.*
- *The Committee considers that greenfield residential development in currently undeveloped approach and departure corridors, are not appropriate, having regard to the expected growth of operations at the airport and its role as an overnight hub for jet freight, noting the particular sensitivity of night-time noise.*

My first concern is that there is no mention of Queanbeyan City Council's involvement in any way in the above although it is its strategic planning and urban future which would be affected. This is basically unfair and is very much contrary to the objects of shared planning responsibility of the NSW Planning Act and generally reflected throughout state planning jurisdictions.

Secondly, the recommendations go well beyond any role that the Australian Government should have in local planning.

This limited role is noted a number of times in draft Guideline A on alternative aircraft noise metrics recently released by the Department of Infrastructure and Infrastructure which observes at page 5:

*The Principles recognise that the responsibility of for land use planning rests primarily with State, Territory and local government, but that a national approach can assist in improving planning outcomes near airports and under flight paths.*

Thirdly, it is Council's long standing view that the planning of South Tralee and other areas in South Jerrabomberra has been planned to occur in such a way and are supported by such other measures which together enable Canberra Airport to grow as forecast in its Ultimate Practical Capacity ANEF and approved 2009 Master Plan. This is in accordance with the recommendations of the local environmental study supporting the draft local environmental plan for South Tralee which was both mindful of the capacity for Canberra Airport to grow as well as for Queanbeyan to. It was also done despite Council's and the Department of Planning and Infrastructure's strong reservations about the ability of Canberra Airport ever to reach the 282,000 fixed aircraft movements that the Ultimate Practical Capacity ANEF forecasts.

Consequently the above recommendation is strongly objected to.

I am more than happy to discuss this further with you and can be contacted on 6285 6223.

Yours sincerely



Cr Tim Overall  
Mayor

cc: Gary Chapman, General Manager, Queanbeyan City Council  
David Carswell, Queanbeyan City Council



**Proposed Regional Planning Initiatives (Ref: SF071006; Author: Overall)****Integrated Planning Framework**

Community Strategic Plan:	Strategic Priority No. 8
Delivery Program Title:	Land Use Planning
Operational Plan:	Program No. 528

**Introduction**

Recently a report and a discussion paper have raised the possibility of future joint government regional planning initiatives affecting Queanbeyan. In the first case it is considered that the reason for the initiative is fundamentally wrong while in the second case it is unclear if there is a role for this Council. As such both give rise to concern and should be responded to.

**Comment*****Joint Study on aviation capacity in the Sydney region***

Recommendation 10 of the Joint Study on aviation capacity in the Sydney region handed down on 2 March 2012 states:

*The Steering Committee recommends that the Australian, ACT and NSW governments work together to ensure that Canberra Airport is protected from encroaching noise-sensitive urban development which would be incompatible with 24-hour jet aircraft operations and could restrict the expansion of the airport over time into a significant domestic and international aviation centre for both passenger and freight services for south-eastern Australia.*

- In particular, the current undeveloped approach and departure corridors to the north and south of the airport should be protected (as appropriate) from residential or other noise-sensitive development.*
- The Australian, ACT and NSW governments should undertake a joint strategic planning study of these and other areas potentially affected by aircraft noise to ensure that appropriate zoning and infrastructure planning is put in place to avoid creating problems for the future.*
- Measures to protect the future growth at Canberra Airport should be put in place quickly, recognising that there is already pressure for approval of greenfield residential developments in the southern corridor.*
- The Committee considers that greenfield residential development in currently undeveloped approach and departure corridors, are not appropriate, having regard to the expected growth of operations at the airport and its role as an overnight hub for jet freight, noting the particular sensitivity of night-time noise.*



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**Proposed Regional Planning Initiatives (Ref: SF071006; Author: Overall)**  
**(Continued)**

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There are a number of concerns with the above.

Firstly, there is no mention of Queanbeyan City Council being involved in any way in the above although it is its strategic planning and urban future which would be affected.

Secondly, the recommendations go well beyond any role that the Australian Government should have in local planning.

This limited role is noted a number of times in draft Guideline A on alternative aircraft noise metrics recently released by the Department of Infrastructure and Infrastructure which observes at page 5:

*The Principles recognise that the responsibility of for land use planning rests primarily with State, Territory and local government, but that a national approach can assist in improving planning outcomes near airports and under flight paths.*

Thirdly, it is Council's long standing view that the planning of South Tralee and other areas in South Jerrabomberra has been planned to occur in such a way and are supported by such other measures which together enable Canberra Airport to grow as forecast in its Ultimate Practical Capacity ANEF and approved 2009 Master Plan.

Consequently the above is strongly objected to.

***NSW 2021 Regional Action Plan: Community Discussion Paper South East NSW***

This discussion paper is currently available for submission and provides a range of priority actions under 5 broad headings of:

- Economy
- Quality Services – Education and Training
- Quality Services – Health and Human Services
- Quality Services – Transport
- Local Environment and Communities.

Under Local Environment and Communities and its subheading Better Land Use Planning a priority action is:

- *The NSW Government will collaborate with the ACT Government to develop the Canberra and Region Strategic Plan – Land Use and Infrastructure. The Plan will examine the growth challenges affecting the region*
- *The South Coast and Sydney Canberra Corridor regional strategies will be reviewed in consultation with the community and along with the development of the Strategic Regional Land Use Plans using triple bottom line assessments of the region's environmental, social and economic values. The revised planning strategies will identify:*

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**Proposed Regional Planning Initiatives (Ref: SF071006; Author: Overall)  
(Continued)**

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- *Opportunities for future residential housing and employment land*
- *Measures to protect water catchments, agricultural land and natural resource assets.*

The above follows from the recently signed Memorandum of Regional Cooperation signed in December 2011 by the ACT and NSW Governments which succeeds the previously signed Regional Management Framework Memorandum of Understanding signed in 2006.

Again the above raises a number of concerns.

Firstly, again there is no mention of Queanbeyan City Council participating in this Strategic Plan even though it would affect its strategic planning and urban future. This is of particular concern as Council had no role under the previous Regional Management Framework or in the Memorandums negotiated under it on Water Supply and Cross Border Regional Settlement. This is unacceptable and this Council and any other Council which is to be affected by the proposed *Canberra and Region Strategic Plan – Land Use and Infrastructure* should be a full partner in the processes.

In addition Council has undertaken substantive strategic and infrastructure work which should be recognised and built on when developing a *Region Strategic Plan – Land Use and Infrastructure* which affects Queanbeyan. This includes the *Queanbeyan Residential and Economic Strategy 2031*, the Googong and Tralee Traffic Study (2031) by Gabites Porter, and the local environmental studies and their local environmental plans for the Poplars, South Tralee and North Tralee. In addition the previous work and the 1998 ACT and Sub Region Planning Strategy should also be acknowledged and used as a platform to build on.

**Community Consultation**

Nil at this stage

**Environmental Implications**

Nil at this stage but potentially significant.

**Financial Implications**

Nil at this stage but potentially significant.

**Legal/Compliance Considerations**

Nil.



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**Proposed Regional Planning Initiatives (Ref: SF071006; Author: Overall)  
(Continued)**

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**Recommendation**

**It is recommended that an appropriate submission be drafted and that this be forwarded to the Commonwealth Minister for Infrastructure and Transport, the Premier, the ACT Chief Minister, ACT and NSW Planning Ministers, the State Member, the NSW Cross Border Commissioner, as well as to the NSW Director General of Planning and Infrastructure and the Director-General of the ACT Department of Environment and Sustainable Development and other appropriate officers.**



**The Hon Anthony Albanese MP**

Minister for Infrastructure and Transport  
Leader of the House

*Reference: 02073-2012*

Cr Tim Overall  
Mayor  
Queanbeyan City Council  
PO Box 90  
QUEANBEYAN NSW 2620

12 JUN 2012

Dear Mayor

Thank you for your letter dated 4 April 2012 about the *Joint Study on aviation capacity in the Sydney region* (the Joint Study).

As you are aware, the independent Steering Committee overseeing the Joint Study provided their report to the Australian and New South Wales governments in early March 2012.

The independent Steering Committee was free to consider the future aviation requirements for the entire Sydney region, and looked at an area from Newcastle in the north to Canberra in the south.

The recommendations in relation to protecting Canberra and Newcastle airports are important and intended to benefit the communities they serve. For example, it is not appropriate to place residential developments directly under flight paths. The Government will continue to use appropriate forums, such as the National Airports Safeguarding Advisory Group to ensure that land use planning around these airports is appropriate and achieves the right balance in terms of economic, social and environmental outcomes.

The Government is addressing the joint study report and will continue to work in a collaborative way to achieve the right outcomes.

Thank you for raising this matter.

Yours sincerely

  
ANTHONY ALBANESE



Adam Sutherland

Andrew Wilson

South Tralee

= Carbon will poll. by

- file when this is not made

## O'Shea Karren

**From:** Stephen Byron [s.byron@canberraairport.com.au]  
**Sent:** Thursday, 7 June 2012 4:11 PM  
**To:** Mrdak Mike  
**Cc:** Doherty John; Stone Scott  
**Subject:** South Tralee  
**Attachments:** B Hazzard, Tralee Rezoning, 060612.pdf

1  
10/6

Dear Mike

I enclose a copy of a letter sent today to Minister Hazzard. Quite simply it is all there in the letter – any decision maker following good policy and the agreed decision-making framework, has only one way to go and they should make that decision now.

Kind regards

Stephen

**Stephen Byron**

Managing Director | Canberra Airport

2 Brindabella Circuit | Brindabella Business Park ACT 2609  
T 02 6275 2269 | F 02 6275 2207

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**From:** Stephen Byron  
**Sent:** Thursday, 7 June 2012 3:05 PM  
**To:** 'Jason de Sousa ([Jason.desousa@premier.nsw.gov.au](mailto:Jason.desousa@premier.nsw.gov.au))'  
**Subject:** FW:

Dear Jason

Please see attached letter for your information. This is a very important and obviously clear statement of our position, noting also the Coalition's long term policy to clean up the planning system and also the Premier's comments on a Sydney Second Airport.

Perhaps you could have a close look at the letter, raise it with the Premier or other relevant staff in the office and give me a call to discuss.

Many thanks

Stephen

**Stephen Byron**

Managing Director | Canberra Airport

2 Brindabella Circuit | Brindabella Business Park ACT 2609  
T 02 6275 2269 | F 02 6275 2207

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**From:** Stephen Byron  
**Sent:** Thursday, 7 June 2012 2:50 PM  
**To:** 'brad.hazzard@parliament.nsw.gov.au'; 'Simon.manoski@minister.nsw.gov.au'  
**Subject:**

Dear Minister

Please see attached letter. The original letter is in the post. This letter sets out the Airport's final position on a number of issues regarding the Tralee decision.

Yours sincerely

Stephen

**Stephen Byron**

Managing Director | Canberra Airport

2 Brindabella Circuit | Brindabella Business Park ACT 2609

T 02 6275 2269 | F 02 6275 2207

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6 June 2012

The Hon. Brad Hazzard, MP  
Minister for Planning and Infrastructure  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Minister

**South Tralee**

On 12 March this year you wrote to me regarding the proposed rezoning of the rural land at South Tralee. In that correspondence you advised:

**"I have been waiting on advice from the Commonwealth regarding the progression of various National Aviation Policy work prior to making a decision on South Tralee. This work includes the National Airports Safeguarding Advisory Group (NASAG) and the Joint Study Identifying Additional Aviation Capacity for the Sydney Region (Joint Study)".**

I note this work has now concluded with both bodies rejecting the rezoning of South Tralee to residential:-

**1. Joint Study into Aviation Capacity in the Sydney Region**

**"Canberra Airport is the only airport capable of accommodating substantial overnight freight operations for the region. It is important to protect Canberra Airport's expansion plans and curfew-free status." (Page 3)**

**"Canberra Airport is the only curfew-free airport within reach of Sydney and provides the potential for night-time services which cannot be accommodated in Sydney, in particular international LCC services and overnight freight services. It is important that Canberra's 24 hour unrestricted curfew-free status be protected." (Page 357)**

**"The Committee considers that greenfield residential development in currently undeveloped approach and departure corridors, are not appropriate, having regard to the expected growth of operations at the airport and its role as an overnight hub for jet freight, noting the particular sensitivity of night-time noise." (Recommendation 10, Page 357)**

## 2. National Airports Safeguarding Advisory Group:



**“Where there is no major existing or approved development, there is an opportunity to plan ahead to minimise noise disturbance for future uses, especially to minimise residential development” *National Airports Safeguarding Framework*, 22 February 2012.**

I further note that the NASF guidelines were adopted formally by the Commonwealth-State Standing Committee on Transport and Infrastructure (SCOTT) at its meeting on 18 May 2012 (at which the NSW Government was represented by Ministers Berejiklian and Gay). The Guidelines include giving guidance to planning officials for rezoning applications of greenfield areas for noise-sensitive land uses – with its use being specifically agreed by the Ministers to be “for the purposes of guiding strategic planning decisions.” Guideline A (Clause 17) states:

**“Zoning for noise sensitive development should be avoided where ultimate capacity or long range noise modelling for the airport indicates either:**

- 20 or more daily events greater than 70 dB(A)
- 50 or more daily events of greater than 65 dB(A); or
- 100 events or more daily events of greater than 60 dB (A).”

As documented in the approved Canberra Airport Master Plan, South Tralee breaches all three of these guidelines - please refer to the attached plan which highlights there is no way even a part of the site could be rezoned. It is entirely covered by the noise footprint from aircraft. This would clearly rule out a rezoning of the South Tralee greenfields development, which is an outcome consistent with the finding of the Sydney Aviation Capacity Study. The noise footprint which arises from these criteria is also consistent with Airservices Australia’s High Noise Corridor which has been included in each of the approved Canberra Airport Masterplans since 1999 and which was supported by the Housing Industry Association and the Master Builders Association in response to public consultation in 2001.

Clause 17 of Guideline A further states:

**“Zoning for noise sensitive developments should take into account likely night time movements and their impact on residents’ sleeping patterns. Specifically, where there are more than 6 events predicted between the hours of 11pm to 6am which create a 60dB(A) or greater noise impact, measures for aircraft noise amelioration and restriction on noise sensitive development would be appropriate.”**

Table 5.8 of the approved Canberra Airport Master Plan identifies that in 2029 there will be at least 60 movements per night between 11pm and 6am – and these will all exceed 60 dB (A) at South Tralee. This is 10 times the criterion set for night time noise. The Ultimate Capacity forecasts for Canberra Airport significantly exceed this 2029 level.

Given the critical importance for Sydney and NSW of protecting Canberra Airport’s 24 hour capability and curfew-free status, the importance of not rezoning this rural land to residential where it infringes this night time criterion is absolute.



Finally in relation to NASF, I would note that the proponents have long argued that their development meets AS 2021 (which is actually an insulation standard rather than a land use planning standard) and therefore should be allowed. With the adoption of the NASF Guidelines, that is no longer the case. This was acknowledged by the developer and the proponent following the release of the guidelines in draft form in early March this year:

"The executive general manager of Tralee developer, Village Building Company, Ken Ineson, said the development would not comply with the new guidelines if they were adopted." *The Canberra Times*, 3 March 2012.

"Queanbeyan Mayor Tim Overall said if the draft guidelines were adopted they would put the Tralee project in jeopardy." *The Canberra Times*, 3 March 2012.

### **Planning Assessment Commission**

Minister, I note your public position on recognising the role of the Planning Assessment Commission and applaud your commitment to keeping the planning process independent:

"It's all at arm's length. The view I take as Minister for Planning, is that it's important there be a transparent process, and one that is distant from political influence." The Hon. Brad Hazzard, NSW Minister for Planning, *ABC Radio News Canberra*, 21 February 2012.

Your remarks here in relation to Tralee are consistent with your position on fixing the planning culture generally and the central role that the Planning Assessment Commission and independent panels play in achieving that goal:

"It was like stepping into "ground zero", Hazzard says, "The system was corrupt from top to bottom and confidence had been lost at every level ....

Significantly, Hazzard approves the panels set up by his predecessor, Frank Sartor, to separate the politics from development decisions. So are they making the right decisions? "That is not the issue," he says instructively. "My job is to make the system work, as opposed to the rotten system before." *The Australian Financial Review*, 27 March 2012.

The integrity of your position, Minister, in this regard is to be applauded and I note it is consistent with your approach on other contentious issues, for example wind farms, where you have indicated a desire to commission and heed advice from independent experts.

You will recall that the advice of the independent Planning Assessment Commission (to which this proposal was referred because of political donations) with respect to rezoning South Tralee was:

"The Commission recommends adopting a more cautious planning approach of minimising land use conflicts with operations of Canberra Airport by avoiding new residential development in greenfield areas affected by aircraft noise particularly when alternative residential areas have not yet been fully investigated. The Commission notes that the future housing supply in Queanbeyan will be largely met by development in Googong, where it will take approximately

19 years to complete 5,500 dwellings.” *Planning Assessment Commission Report No. 1*, 18 March 2011.

“The Commission does not consider the s117 Direction implies that residential development is necessarily suitable in greenfield areas located either within the 20 and 25 ANEF contours or outside but in close proximity to the 20 ANEF...

For greenfield areas located within the 20 and 25 ANEF, the Commission does not consider it to be sound planning practice to allow new residential development that will require noise attenuation measures, as determined by AS 2012, to be incorporated into the construction of new buildings in order to provide acceptable indoor noise levels ... the Commission reiterates earlier advice that a more appropriate planning outcome would be to locate new residential development in areas less affected by aircraft noise that do not require noise protection ... The Commission considers avoiding the need to mitigate aircraft noise to be a more sound planning solution.” *Planning Assessment Commission Report No. 2*, 5 April 2012.

I further note that in Opposition, Premier O’Farrell was a vocal opponent of the way the previous Labor Government had managed the planning process and pledged to clean up planning in NSW:

“Can [Premier Iemma] explain why he is prepared to allow his Minister for Planning to determine the outcome of multi-million dollar developments belonging to individuals and companies who have donated to his fundraising events and to the Labor Party, so creating a climate conducive to corruption?” Barry O’Farrell, Question Time, NSW Legislative Assembly, 27 February 2008.

“I assume if we don’t clean up the culture, we’ll be voted out of office.” Barry O’Farrell, *Sydney Morning Herald*, 29 September 2009.

Your National Party colleagues have also expressed concerns about the transparency of the process specifically surrounding the South Tralee proposal:

“The Tralee development was in direct contradiction to the advice of [the Minister’s] independent panel, the views of his two predecessors in the Planning portfolio and the views of the Federal Minister for Energy and Tourism who warned him not to think about lining the pockets of one developer.” Andrew Stoner, NSW Legislative Assembly, 27 February 2008.

“Think smart, do not think about lining the pockets of one developer, placing at risk the future operation of Canberra Airport.” Melinda Pavey, Speech to the NSW Legislative Council, 9 May 2007.

### **Sydney’s Airport Needs**

Since your last correspondence to me, much has been made in the media by the Commonwealth Government of options for Sydney’s second airport – whilst there is much debate about site locations, it is now clear that further airport capacity is needed. Premier O’Farrell has reiterated his pre-election commitment to avoiding placing residents in the path of aircraft noise:



"We took to the last election campaign a view that we shouldn't dump aircraft noise...we are going to be a Government that delivers on our promises." *Sydney Morning Herald*, 9 April 2012.

Significantly, the fundamental problem of residents living under flight paths and being exposed to aircraft noise is central to the NSW Premier's opposition to a new airport at Badgery's Creek or Wilton or indeed anywhere else:

"My point though Ross is, Badgerys Creek was identified twenty, twenty five years ago. It may well have been an option once, but if you've been out there and you've seen the residential development that's grown close to it, put an airport there today and you're simply going to contaminate them with the noise that comes from a major airport." Barry O'Farrell, NSW Premier, *2GB Radio Interview*, 15 February 2012.

"No other part of Sydney's going to be contaminated by the sort of noise that is connected with an airport. Let's accept that fact, and start to invest in linking the Canberra Airport and this city." Barry O'Farrell, NSW Premier, *ABC 666 Radio Interview*, 15 February 2012.

"Well I don't believe, and I said this during the campaign, there'll be another airport built in the Sydney basin. What part of Sydney are you going to impose an airport on? I've always believed, Andrew that the way to address this was through fast train links. I've always been a big supporter of the fast train link to Canberra, and if you wanted to do a Snowy Mountains style scheme you'd go Melbourne, Canberra, Sydney, Brisbane. You'd change the population growth of a couple of states and a territory. But importantly it also solves the airport issue. So I cannot envisage where in the Sydney Basin you'd put a second airport.

I'll look with interest to what the Federal Government's proposing, but you know whether the Central Coast, whether the South West, whether the Western Suburbs, you know, find me an area that's not going to end up causing enormous grief to people that currently live around it and you're a better person than I am." Barry O'Farrell, NSW Premier, *2GB Radio Interview*, 5 April 2011.

The rezoning of South Tralee would place residents in the path of aircraft noise which is clearly at odds with the logic of the Premier's policy position and his election commitment. Quite simply any houses built at Tralee and the residents living in them would "be contaminated by" aircraft noise from a major 24 hour airport. Just as you should not "impose" a new airport on existing residents, you should not approve thousands of new houses which are exposed to aircraft noise from an existing airport.

While debate continues over a second Sydney airport, given existing residents' concerns about aircraft noise, it is highly unlikely that any new airport will be constructed in the short to medium term. Further, because of their proximity to existing residential areas, both preferred sites for a second Sydney airport - Badgery's Creek and Wilton - would be subject to night time curfews. As the only curfew-free 747-capable airport in NSW, Canberra will play an increasingly critical

strategic role in Australia's national infrastructure, particularly where overnight freight and low-cost international air carriers are concerned.

It is therefore critical that Canberra Airport's ability to manage overflow from Sydney is protected. Premier O'Farrell has been unequivocal in his support for Canberra Airport as an option for Sydney's aviation capacity problems.

"If we're serious about a second airport for Sydney, we ought to look to Canberra's airport, and we ought to do something about a fast rail connection between Canberra and Sydney." Barry O'Farrell, Interview with Ross Greenwood, *2GB Radio interview*, 15 February 2012

The NSW Government must make sure its preferred option for Sydney's Second airport is not lost to them forever by allowing new housing development at South Tralee where residents will be affected by aircraft noise. This is exactly what happened at Badgery's Creek, and as a consequence the Premier has ruled that out as a viable option for an airport. The NSW Government cannot have it both ways. It cannot solve Sydney's airport problems with a fast train to Canberra Airport and at the same time destroy Canberra Airport's capability to fulfil that role by approving thousands of houses directly under the flight paths.

Even absent a fast train connection, Canberra Airport's role in assisting Sydney's aviation capacity needs is significant as identified by the Joint Aviation Study – its role with freight and international low cost carriers as the **only** night time airport within reach of Sydney.

#### Section 47 (business)

1. Airservices Australia – August 2002
2. Sartor's Independent Planning Panel – 2006
3. Planning Assessment Commission Report No 1 – March 2010
4. Planning Assessment Commission Report No 2 – April 2010
5. Joint Aviation Study into Sydney's Airport Needs – March 2012
6. COAG Reform Council's Review of Capital City Strategic Planning Systems – December 2011
7. COAG Minister's endorsement of NASF (at SCOTT) – May 2012

In summary, I urge you to reject the rezoning of South Tralee on the basis that:

1. The independent NSW Planning Assessment Commission recommended against the rezoning of South Tralee for residential development;



2. The two bodies of aviation policy work on which you have been waiting to make your decision have now been finalised and both recommend against the rezoning of South Tralee to residential;
3. The proposed development does not comply with the new National Airports Safeguarding Framework;
4. The NSW Coalition is committed to independence and transparency in the planning process, is opposed to inflicting aircraft noise on residents generally and this development in particular, and has previously raised questions about the propriety of the planning process surrounding this development; and
5. The need to protect Canberra Airport and its 24 hour operating capability as a key economic capability for Sydney, NSW and Australia.

Minister, given the long history of this matter, we would respectfully request that this inappropriate rezoning proposal be rejected and that decision be made in the near future. Alternatively, the proposal could be referred back to the Planning Assessment Commission for final advice now that the NASAG work and the Joint Study have been completed.

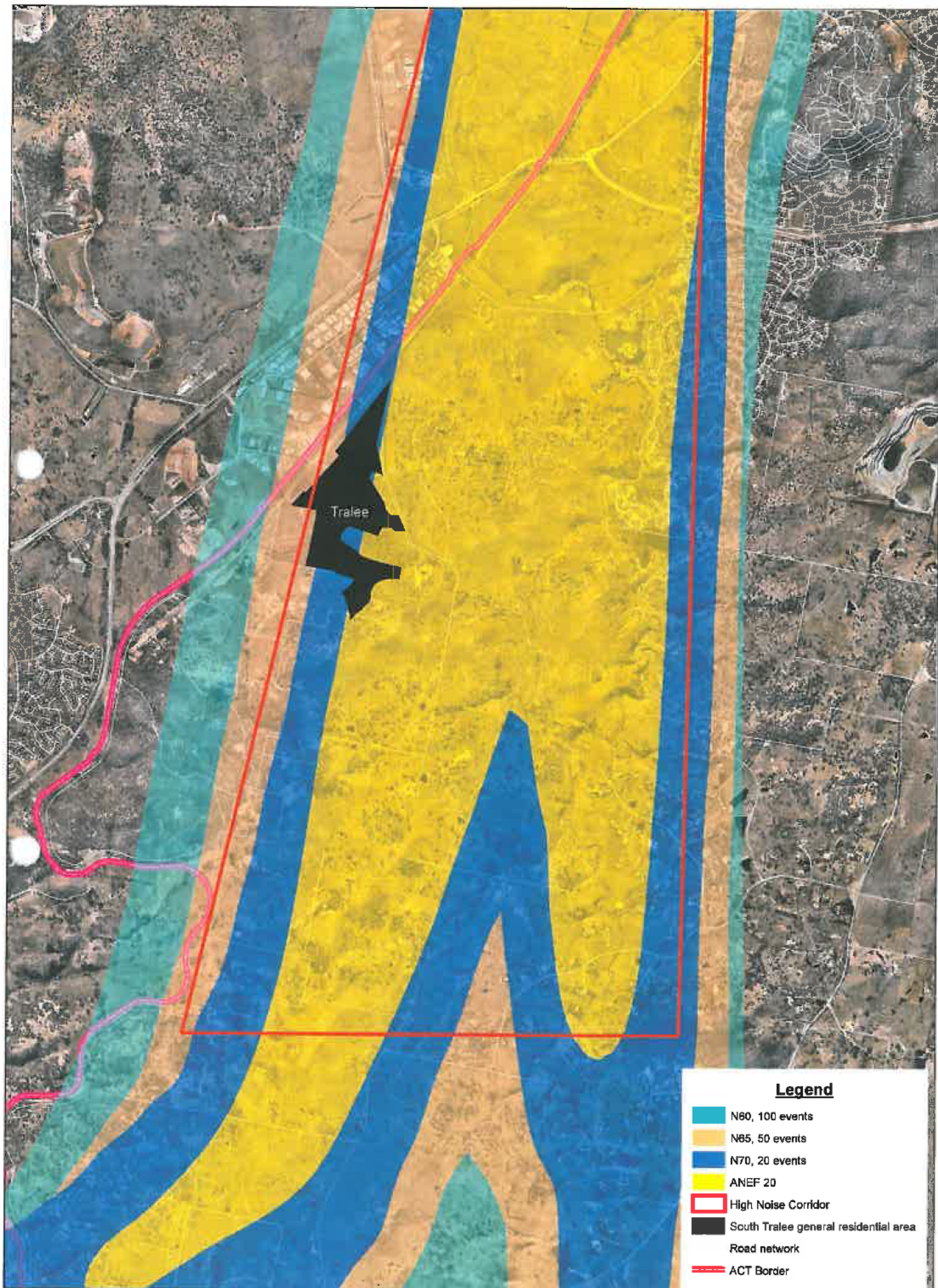
Yours sincerely



Stephen Byton  
Managing Director

enc.







4 July 2012



Dear Mr Albanese

Please find enclosed copy of correspondence for your information.

Yours sincerely

A handwritten signature in blue ink, appearing to be "S Byron", with a long horizontal stroke extending to the right.

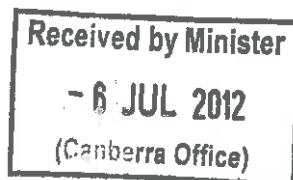
Stephen Byron  
Managing Director

RECEIVED MP RECEIVED MP  
10 JUL 2012

With Compliments

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[www.canberraairport.com.au](http://www.canberraairport.com.au)

SB:mk  
Our ref: NOI:TRA



4 July 2012

Mr Sam Haddad  
Director General of Planning  
NSW Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

**COPY FOR YOUR  
INFORMATION**

Dear Mr Haddad

I refer to the attached article which appeared in The Queanbeyan Age, 29 June 2012, and wish to express my concern in relation to two comments:

1. The introductory paragraph seems to imply that the decision has been made to approve the residential development at Tralee and that that approval will be granted in a couple of months. Would you please advise if such a decision has been made and if so why has Mr Barilaro got information about this decision?
2. At the end of the article Mr Barilaro is quoted as saying Mr Hazzard has rejected the NASAG guidelines and further that the Federal Government has been sidelined from the process. Would you please advise if the Minister has rejected the NASAG guidelines and if so, how that that has occurred and on what basis given the record of the SCOTI meeting of Ministers on 18 May 2012 indicates that all Governments signed up to NASAG. Lastly, would you please advise if the Federal Government have been sidelined from the process in relation to Tralee and if that if is the case, why does Mr Barilaro have knowledge of this information?

Yours sincerely

Stephen Byron  
Managing Director

enc.



CC

Mr Barry O'Farrell, MP  
Premier of NSW  
NSW Legislative Assembly (Parliament)  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

The Hon. Brad Hazzard, MP  
Minister for Planning and Infrastructure  
Level 33 Governor Macquarie Tower  
1 Farrer Place  
SYDNEY NSW 2000

# Enough's enough on Tralee: Barilaro

By David Butler

## ■ DEVELOPMENT

Approval of a 1600-lot residential development at Tralee is only a couple of months away, according to Member for Monaro John Barilaro.

The comments follow a May 18 meeting of state and federal planning staff where draft National Airports Safeguarding Advisory Group (NASAG) guidelines proposing tougher noise restrictions for developments near airports were considered - and rejected - by the states.

With final planning approval for the development resting solely in the hands of NSW planning minister Brad Hazzard, Mr Barilaro has been under pressure from local supporters of Tralee to secure the development for his electorate.

"A decision on Tralee could be only a couple of months away now the Federal Government's NASAG guidelines have been rejected," Mr Barilaro said.

Although consideration of the



John Barilaro

draft NASAG guidelines has not prevented minister Hazzard from making a decision on Tralee, Mr Barilaro said the path was now completely clear for approval.

"When Minister Hazzard rejected the NASAG guidelines he was, in effect, telling the Federal Labor Government that enough was enough.

"Now the Federal Government has been sidelined from the process, the sky is clear for a Tralee decision," Mr Barilaro said.



RECEIVED MP

- 6 NOV 2012

**Todd Sally**

---

**Subject:** FW: Letter from Stephen Byron [SEC=UNCLASSIFIED]  
**Attachments:** A Albanese, Aircraft Noise.pdf; ATT00001.htm

**From:** Stephen Byron [<mailto:s.byron@canberraairport.com.au>]  
**Sent:** Friday, 2 November 2012 5:48 PM  
**To:** Kim, Virginia  
**Subject:** Fwd: Aircraft Noise

Our request to your minister for his consideration

Sent by iPhone

Begin forwarded message:

**From:** "Michelle Knighton" <[M.Knighton@canberraairport.com.au](mailto:M.Knighton@canberraairport.com.au)>  
**To:** "[a.albanese.mp@aph.gov.au](mailto:a.albanese.mp@aph.gov.au)" <[a.albanese.mp@aph.gov.au](mailto:a.albanese.mp@aph.gov.au)>  
**Subject:** Aircraft Noise

Good Afternoon

Please see attached correspondence from Stephen Byron.

Michelle Knighton  
Personal Assistant | Canberra Airport

2 Brindabella Circuit | Brindabella Business Park ACT 2609  
T 02 6275 2267 | F 02 6275 2207

---

>>> CONFIDENTIALITY NOTICE <<<

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There are now more than 160,000 homes in Canberra and Queanbeyan, housing over 400,000 residents benefiting from living in Noise Abatement Areas created in 1995. Canberra Airport has undertaken studies in consultation with the ACT and NSW planning agencies that confidently suggest that over 1,000,000 residents - that's right, more than 150% increase in population - can be housed in Canberra and the sub-region without one (1) more house being sited under flight paths and exposed to unacceptable aircraft noise.

The South Tralee proposal could create 1,200 new homes that may house 3,000 people (less than 0.5% of existing residents) in an incompatible site exposed to unacceptable aircraft noise. The outcome would mean that 3,000 residents sited in incompatible locations will lobby for aircraft noise respite and benefit from less aircraft noise whilst the ACT and Region community will lose economic and social benefits due to operational constraints on the Airport and noise sharing.

I write to you in frustration that this stupid planning decision may happen within days. I request that you urgently arrange to suspend the Queanbeyan noise abatement procedures for one (1) month so that the residents of Queanbeyan understand what unacceptable aircraft noise is and what their Council, State Government and local members are likely to expose them to unacceptable aircraft noise when noise sharing is implemented in the future. || \*

I know this drastic action is against everything that you, Canberra Airport, the Airlines and Airservices Australia have worked co-operatively for in the past in response to community concerns. The Queanbeyan Council, NSW Government and the local members just don't get it, rezoning any of South Tralee for residential homes is trouble.

I invite you to ring me to discuss this request.

Yours sincerely



Stephen Byron  
Managing Director

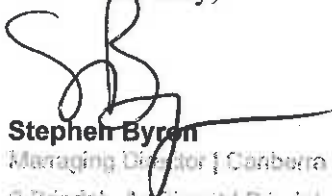
7 November 2012

Doc 8

Dear Mr Mrdak,

Please find enclosed correspondence to r Barry O'Farrell and The Hon. Brad Hazzard, dated 7 November 2012.

Yours sincerely,



**Stephen Byron**

Managing Director | Canberra Airport

2 Brindabella Circuit | Brindabella Business Park ACT 2609  
T 02 6275 2222 | F 02 6275 2244



With compliments

**RECEIVED**

*Secretary's Office*

**08 NOV 2012**

Ref:.....

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NM:mm  
Our ref: NOI:TRAPD

7 November 2012

Mr Barry O'Farrell, MP  
Premier of NSW  
NSW Legislative Assembly  
(Parliament)  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

The Hon. Brad Hazzard, MP  
Minister for Planning and  
Infrastructure  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Premier and Minister

**Tralee Rezoning and Canberra Airport Remaining Curfew Free**

I refer to the Minister for Planning's press release of 6 November 2012 which states that your Government, through this decision, will "ensure that Canberra Airport remains a 24 hour, curfew free passenger and freight hub."

I note that this rock solid guarantee lies as the foundation stone upon which this planning decision has been made. It is for that reason that I am extremely concerned about developments in the last 24 hours in relation to this particular issue:

1. The Queanbeyan Council has publically called for a curfew to restrict the 24 hour operation of Canberra Airport – see attached transcript from the Mayor on ABC Radio 666 at 8.35 am yesterday morning.
2. The Jerrabomberra Residents Association has also recommenced their calls for the immediate implementation of noise sharing and their support for the Curfew for Canberra Community Group. Attached is a Jerrabomberra resident calling for noise sharing yesterday.

These actions and the extremely high likelihood that they will grow substantially if these 2,000 houses are constructed not only undermines the basis and credibility of this planning decision but it also undermines the entire financial and operational viability of the investment in moving of Canberra Airport from domestic to international operations.



I am writing to ask you to reconsider your Government's decision. Further, in the event that this decision is not reversed, I implore you to work closely with us to discuss what legislative guarantees can be put in place to protect Canberra Airport's curfew free operations which are now seriously at threat as a result of this decision.

I would invite you to contact me on \_\_\_\_\_ as a matter of urgency to discuss this matter.

Yours sincerely

Stephen Byron  
Managing Director

nowhere near the noise impact, all being outside the ANEF 20.

ROSS SOLLY:

All right. So in future years if anyone complains in there and suggests that there should be a curfew, anyone from the Tralee development, they'll get pretty short shrift?

TIM OVERALL:

Well, it's not about short shrift. We'll listen, but I don't think the situation's going to arise, quite frankly.

ROSS SOLLY:

But just in case it does, I mean, this is the argument being put forward by the airport and by Anthony Albanese and by the ACT Government. I suppose they're just looking for some reassurance, Tim Overall, that the Queanbeyan Council would not at some stage down the track take up a fight to have any noise-sharing arrangements or curfew put in place because of concerns raised by Tralee residents.

TIM OVERALL:

Well, I'd have to say it's already on the record, Ross, going back quite a few years now that council does not support a 24-hour operation of the Canberra Airport and supports a curfew. But that has nothing to do with South Tralee. That's been on the books and a confirmed motion of council going back quite a few years now.

What I can say is that, you know, as the planning authority, we are sensible people. We're not about building new suburbs under designated flight paths, and I for one would not support that. And that's what this case is not about.

## Transcript

Station:	<b>666 ABC CANBERRA</b>	Date:	<b>06/11/2012</b>
Program:	<b>MORNING</b>	Time:	<b>09:20 AM</b>
Compere:	<b>ALEX SLOAN</b>	Summary ID:	<b>W000510C5457</b>
Item:	<b>CALLER JOHN SAYS HE HAS NO PROBLEM WITH THE PROPOSED HOUSING DEVELOPMENT AT TRALEE.</b>		

<b>Audience:</b>	Male 16+ 7800	Female 16+ 10400	All people 18400
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ALEX SLOAN: And John's on the line with his perspective. Hello John.

CALLER JOHN: G'day Alex, how are you?

ALEX SLOAN: Well.

CALLER JOHN: I live at Jerrabomberra and I don't...

ALEX SLOAN: How is lovely Jerra?

CALLER JOHN: It is. I don't have any problem with the new development. But if they're going to expand the airport and make it into a freight hub, I think that all Canberrans should share it, including that that's the noise. Including Tuggeranong, there's no reason why they can't fly in over Tuggeranong. But I think we should share it all around.

Another thing that I - just your last caller.

ALEX SLOAN: Mmm.



CALLER JOHN:

One thing I have noticed quite distinctly in the 20 years that I've been here is aeroplanes have actually got quieter, much quieter. So, you know, in the old days you could hear the old T Jets(\*) and the 707s coming in and you'd hear them coming for minutes - coming and minutes going. Well, you just don't any more.

So, I think that that's another thing. The only thing is, of course, if the aircraft get bigger in a freight hub, like 747s, I think you might have an issue there. But like I said...

ALEX SLOAN:

And John, what about - you know, if you've got the chance to get the planning right...

CALLER JOHN:

Yeah.

ALEX SLOAN:

... is this really the right way to go?

CALLER JOHN:

Look, I agree with that, but I think that there's vested interests on both sides here. Very clearly vested interests on both sides. And I think there's a strong case to say that provided they meet all the planning regulations, I mean, what more can they do.

But as I said, just my original point, share it out, Canberra. Come - let's bring them in from Tuggeranong, Hume, you can even cut the corner at Jerrabomberra occasionally if you want to. But share it out. And I tell you what, if you start sharing it, Alex, you listen to the squeals then.

ALEX SLOAN:

[Laughs] I hope we're not all like that, John, but thanks for the call and nice to hear from you, thanks for calling in.

\* \* END \* \*

TRANSCRIPT PRODUCED BY MEDIA MONITORS

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CLIENT SERVICE CENTRE  
1300 880 082

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AGENCY REPORT For private research and not to be disseminated. Every effort made to ensure accuracy for the benefit of our clients but no legal responsibility is taken for errors or omissions. (\*) - Indicates unknown spelling or phonetic spelling. Metro TV demographics are supplied by OzTAM, Radio and Non-Metro TV demographics are supplied by Nielsen Media Research.

ABs = Managers, administrators, professions. GBs = Grocery buyers.

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The Hon Anthony Albanese MP  
Minister for Infrastructure and Transport  
Leader of the House

*Reference: 05068-2012*

12 NOV 2012

Mr Stephen Byron  
Managing Director  
Canberra Airport  
2 Brindabella Circuit  
BRINDABELLA BUSINESS PARK ACT 2609

Dear Mr Byron

Thank you for your letter dated 2 November 2012 about the imminent NSW Government decision to rezone South Tralee for residential purposes. Thank you also for your letter dated 22 October 2012 in which you enclosed a copy of a report examining the impact on high-speed rail between Sydney and Canberra if a second Sydney Airport is not built.

As you are aware, on Tuesday 6 November 2012 the NSW Minister for Planning and Infrastructure, the Hon Brad Hazzard MP, announced his decision to approve the rezoning of South Tralee. This decision, as you have consistently recognised, is totally inconsistent with Premier O'Farrell's publicly-stated view that Canberra Airport should operate as a second airport for the Sydney basin.

The Commonwealth has always strongly opposed residential development at South Tralee and will continue to do so. In the days since the announcement, I have made numerous media appearances to highlight the contradictory NSW positions and the poor planning outcomes that would surely result from this decision being implemented.

I have written to Minister Hazzard and Premier O'Farrell requesting that the decision be reconsidered, and I enclose a copy of this correspondence for your information.

Thank you for raising this matter.

Yours sincerely

ANTHONY ALBANESE

Enc





The Hon Anthony Albanese MP

Minister for Infrastructure and Transport  
Leader of the House

Reference: 05034-2012

COPY

The Hon Brad Hazzard MP  
Minister for Planning and Infrastructure  
Minister Assisting the Premier on Infrastructure NSW  
Leader of the House  
Level 31  
Governor Macquarie Tower  
1 Farrer Place  
SYDNEY NSW 2000

6 NOV 2012

Dear Minister *Brad,*

I am writing about your recent decision to approve the *Queanbeyan Local Environmental Plan (South Tralee) 2011* including significant residential development under and near major aircraft flight paths south of Canberra Airport. I express, yet again, my strong opposition to approval of this development and request that you reconsider your decision and the poor planning outcome for the region and for NSW that will be its inevitable result.

As you are aware, the South Tralee site lies directly to the south of Canberra International Airport's main runway. It is situated in what is currently a non-residential corridor of land that is used as the main approach and departure flight path for aircraft serving the Airport to and from this direction. There are no other possible flight path options to the south of the Airport that avoid aircraft over-flying residential areas.

I am particularly concerned about media reports that suggest you may have received advice it is possible to ameliorate the noise implications of this development in some way, while still allowing for significant residential development under and near the aircraft flight paths. This certainly contradicts the advice I have received and, as you are aware, contradicts the advice of your own Planning Assessment Commission (PAC).

PAC noted that the future housing supply in Queanbeyan will be largely met by development in Googong.

As I am sure you recall, PAC recommended adopting a more cautious planning approach of minimising land use conflicts with operations of Canberra Airport by avoiding new residential development in greenfield areas affected by aircraft noise, particularly when alternative residential areas have not yet been fully investigated.

I further note Premier O'Farrell's comments that, in his view, Canberra Airport should serve as Sydney's Second Airport, as well as his sensitivities towards placing NSW residents in the path of aircraft noise. While I disagree with the Premier's position on Sydney's Second Airport, it is an extraordinary contradiction to approve this development.

The *National Airports Safeguarding Framework*, as agreed at the May Standing Council on Transport and Infrastructure (SCOTI), is intended to guide strategic planning in the vicinity of airports. In particular the guidelines aim at avoiding the mistakes of the past. There will be no opportunity to reverse or adequately manage the siting of significant residential housing in the high-noise corridor of Canberra Airport should this development go ahead.

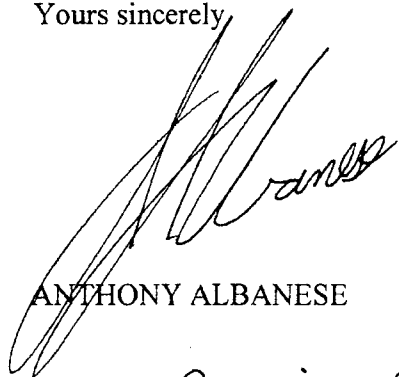
The noise implications of residential development at the site will be substantial and will inevitably result in pressure from future residents for operational restrictions at the Airport. Already, I read with some concern (*Canberra Times*, Monday 5 November) views attributed to the President of the Jerrabomberra Residents Association, Mr Michael Ziebell, claiming "there would be a lot of opposition from several suburbs if the airport was to expand to incorporate freight operations". Maintenance of the high-noise corridor including the South Tralee area is critical to facilitating the future night-time operations referred to by Mr Ziebell. These operations are already identified in the Airport's approved 2009 Master Plan.

Should this development proceed, the Commonwealth will not support any funding requests for building insulation, nor would we support airport operational restrictions, or any other noise abatement measures.

Finally, you will be aware of the ACT Government's strong opposition to this development due to its proximity to the Hume industrial estate and the lack of any agreement about how cross-border traffic will be catered for. This development is likely to seriously compromise the future growth of the Hume industrial area which is being linked with the upgraded Majura Parkway to create a regional employment zone. Not only does the development create serious amenity issues for future residents of South Tralee, it also removes the possibility of the creation of a regional employment zone which would create jobs for the Queanbeyan region.

I trust you will reconsider your decision based on this information.

Yours sincerely



ANTHONY ALBANESE

cc. Premier O'Farrell

RECEIVED MPS

14 NOV 2012

13 November 2011

Dear Minister Albanese

Please see attached copies of our media release regarding Tralee and a copy of our correspondence to Minister Hazzard.

Stephen thought you would be interested.

Yours sincerely



Michelle Knighton



With Compliments

---

2 Brindabella Circuit  
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[www.canberraairport.com.au](http://www.canberraairport.com.au)



NM:mm  
Our ref: NOI:TRAPD

**COPY FOR YOUR  
INFORMATION**

12 November 2012

The Hon. Brad Hazzard, MP  
Minister for Planning and Infrastructure  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Minister

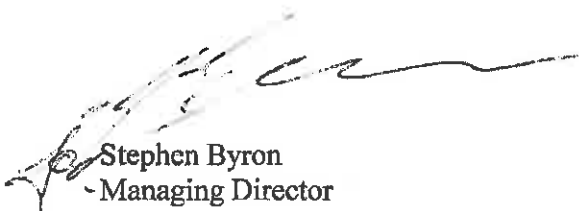
**South Tralee land between 20 and 25 ANEF**

Please find attached a letter received 12 November 2012 from your Acting Director General, Richard Pearson, in the context of South Tralee LEP announcement of 6 November 2012, stating his decision was "to defer those lands between the 20 and the 25 ANEF", not rule out.

Mr Pearson's decision to 'defer' is inconsistent and in stark contrast with your announcements of 6 November 2012 regarding future development of Tralee, protection of Canberra Airport and certainly conveys that your announcement of 6 November 2012 is but Stage 1 and that there is more residential rezoning to come by incremental creep.

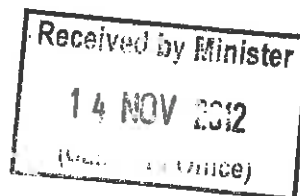
I call on you to confirm that I can rely on your undertaking of 6 November 2012 to protect Canberra Airport and that you have ruled out this land for residential purposes, not 'defer' for a future decision as suggested by Mr Pearson.

Yours sincerely



Stephen Byron  
Managing Director

Encl.





## Planning & Infrastructure



12 NOV 2012

Office of the Director General

Mr Stephen Byron  
Managing Director  
Canberra Airport  
2 Brindabella Circuit  
Brindabella Business Park ACT 2609

Dear Mr Byron

### Queanbeyan Local Environmental Plan (South Tralee) 2012

I refer to the abovementioned draft Local Environmental Plan (LEP).

I am writing to advise that I have now made the LEP as delegate of the Minister for Planning and Infrastructure.

As part of my considerations I have decided to defer those lands between the 20 and the 25 Australian Noise Exposure Forecast contours prepared for Canberra Airport. I took this decision in light of the concerns raised by the ACT Government, the Commonwealth Department of Infrastructure and Transport, as well as your own representations.

I believe that this outcome for South Tralee is a reasonable compromise between the need to provide residential accommodation in Queanbeyan that does not prejudice growth of the airport, which is a significant economic driver for both the ACT and NSW.

If you require any further information in relation to this matter please do not hesitate to contact the Regional Director for the Southern Region, Mr Brett Whitworth. Mr Whitworth can be contacted on (02) 4224 9450.

Yours sincerely

Richard Pearson  
A/Director General

**12 November 2012**

**Tralee Approval Thin Edge of the Wedge**

Noise sharing around Canberra and a curfew for Canberra Airport looks even more certain today with the receipt of advice from the NSW Department of Planning and Infrastructure regarding the Tralee development.

"The brief letter from the Acting Director General of Planning is the first actual formal advice we have received on the matter," said Canberra Airport Managing Director Stephen Byron.

In that advice, the Acting Director General says:

*...I have decided to defer those lands between the 20 and the 25 Australian Noise Exposure Forecast contours...*

"We suspected from the moment the announcement was made under cover of Melbourne Cup Day last week that the remaining land in the area would not be protected from development and the fact that this section of the development has been only 'deferred' is evidence that the NSW Government, hand in hand with the developer, has every intention of making it open slather in that area.

"This is in complete contradiction to the Minister's statement about the Airport maintaining 'its curfew free operation' and that development would be restricted to below the 20 ANEF.

"To simply defer the development means it will come later, and if that bit comes later there will be nothing to stop up to 6,000 houses originally planned there (and a planned sewerage plant for 10,000 houses), including Environa in which the Village Building Company also has an interest.

"While making the obvious point that aircraft noise does not stop at some invisible line as the Minister seems to think, the inevitable outcome will be more and more complaints about aircraft noise, noise sharing across Canberra and Queanbeyan and a curfew which will utterly curtail Canberra Airport's long term growth plans," Mr Byron said.

A copy of the advice from the department is attached.

**Media inquiries: Jane Seaborn 0414 829 282**





**Planning &  
Infrastructure**



12 NOV 2012

**Office of the Director General**

Mr Stephen Byron  
Managing Director  
Canberra Airport  
2 Brindabella Circuit  
Brindabella Business Park ACT 2609

Dear Mr Byron

**Queanbeyan Local Environmental Plan (South Tralee) 2012**

I refer to the abovementioned draft Local Environmental Plan (LEP).

I am writing to advise that I have now made the LEP as delegate of the Minister for Planning and Infrastructure.

As part of my considerations I have decided to defer those lands between the 20 and the 25 Australian Noise Exposure Forecast contours prepared for Canberra Airport. I took this decision in light of the concerns raised by the ACT Government, the Commonwealth Department of Infrastructure and Transport, as well as your own representations.

I believe that this outcome for South Tralee is a reasonable compromise between the need to provide residential accommodation in Queanbeyan that does not prejudice growth of the airport, which is a significant economic driver for both the ACT and NSW.

If you require any further information in relation to this matter please do not hesitate to contact the Regional Director for the Southern Region, Mr Brett Whitworth. Mr Whitworth can be contacted on (02) 4224 9450.

Yours sincerely

Richard Pearson  
**A/Director General**

## Powick Taryn

---

**From:** Stone Scott  
**Sent:** Wednesday, 21 November 2012 3:42 PM  
**To:** Martin Brown  
**Cc:** Brett Whitworth; Neil McGaffin; Sutherland Adam; Rosengren Shona  
**Subject:** RE: GIS data for Queanbeyan [SEC=UNCLASSIFIED]

Hi Martin

We would support an initiative like this and would be happy to talk in more detail about it. I will be interstate for the rest of this week but perhaps next week we could pick it up.

Airports should be the source of the information in the first instance but we could work with them to standardise presentation. I think we spelled out that responsibility in the NASAG Principles. We might expect regional airports/councils to need some assistance.

My view is that, for public information including S149 certificates, information on number of aircraft movements at each sound level could be presented without judgement as to how many is too many. In other words, present the N70 at various frequency contours and N60 at various frequency corridors. Flight path diagrams and peak sound levels can also be useful.

Scott

---

**From:** Martin Brown [<mailto:Martin.Brown@planning.nsw.gov.au>]  
**Sent:** Wednesday, 21 November 2012 3:14 PM  
**To:** Stone Scott  
**Cc:** Brett Whitworth; Neil McGaffin  
**Subject:** GIS data for Queanbeyan

Hi Scott,  
 Trust you are well.

We're currently putting together some options for our Minister about possible approaches for placing notifications on property titles in respect of the noise metrics we have been discussing at NASAG. Particularly relevant for Sth Tralee but also potentially more broadly across the State.

In NSW, when someone purchases a property they get a s149 certificate from the local council as part of the standard conveyancing. The certificate sets out the restrictions that apply to the land, both legal/legislative restrictions, and also, any other relevant matters the council may be aware of.

One option we are considering, is to amend our relevant regulations to require all relevant councils place on their s149 certificates some advice that notes the property may potentially be effected by aircraft noise and referring purchasers to a website (or some source of information) that clearly shows the NASAG noise metrics to the extent they effect that individual property (ie, N70/10, N65/50, N60/100 and Nighttime N60/6). Essentially part of a 'buyer beware' type approach.

I'm trying to work through the practicalities of how this might occur. Which brings me the crunch:

- Where do we get accurate maps with the noise metrics from?, and
- Where should the information be held for future reference (ie, where do purchasers go to view the information - do we get airports to show it on their websites and councils provide a link to that website, do airports provide the metrics directly to councils and councils pass on this information with the s149 certificate?, and
- If we go down this path, is this something the Commonwealth can assist us with in terms of airports working together with councils to produce this information on regular basis? Unless we can get a commitment from airports to make this information available to local councils it probably can't work.

More than happy to come over a discuss directly with you if useful.

Regards  
Martin

**Martin Brown**  
Environmental Planning Officer  
Southern Region  
Department of Planning  
Telephone 02 6229 7913  
Facsimile 02 6229 7901

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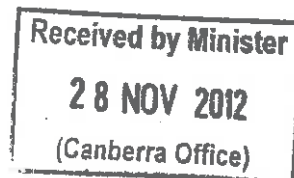
RECEIVED MPS

28 NOV 2012

CANBERRA  
AIRPORT

SB:mm  
Our ref: NOI:TRAPD

27 November 2012



The Hon Anthony Albanese MP  
Minister for Infrastructure and Transport  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Dear Minister, *Anthony,*

I enclose for your information a copy of my correspondence to The Hon. Brad Hazzard, dated 7 November 2012, where I have urgently requested that the NSW Government amend the Section 117 direction in respect of Canberra Airport to protect and exclude from all residential development any land within the ANEF 20 contour.

I have also enclosed a transcript where Queanbeyan Mayor, Tim Overall has already stated on ABC Radio, 6 November 2012, that:

*"Council does not support a 24-hour operation of the Canberra Airport and supports a curfew."*

I look forward to your ongoing support in safeguarding Canberra Airport to ensure that homes are not built under its flight path at South Tralee or other lands under the flight path and that Canberra Airport remains curfew free.

Yours sincerely

Stephen Byron  
Managing Director

nowhere near the noise impact, all being outside the ANEF 20.

ROSS SOLLY:

All right. So in future years if anyone complains in there and suggests that there should be a curfew, anyone from the Tralee development, they'll get pretty short shrift?

TIM OVERALL:

Well, it's not about short shrift. We'll listen, but I don't think the situation's going to arise, quite frankly.

ROSS SOLLY:

But just in case it does, I mean, this is the argument being put forward by the airport and by Anthony Albanese and by the ACT Government. I suppose they're just looking for some reassurance, Tim Overall, that the Queanbeyan Council would not at some stage down the track take up a fight to have any noise-sharing arrangements or curfew put in place because of concerns raised by Tralee residents.

TIM OVERALL:

Well, I'd have to say it's already on the record, Ross, going back quite a few years now that council does not support a 24-hour operation of the Canberra Airport and supports a curfew. But that has nothing to do with South Tralee. That's been on the books and a confirmed motion of council going back quite a few years now.

What I can say is that, you know, as the planning authority, we are sensible people. We're not about building new suburbs under designated flight paths, and I for one would not support that. And that's what this case is not about.

SB:mk  
Our ref: NOI:TRAPD

  
**CANBERRA**  
AIRPORT 

7 November 2012

The Hon. Brad Hazzard, MP  
Minister for Planning and Infrastructure  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

cc Mr Sam Haddad  
Director General of Planning  
NSW Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Hazzard

**Protection of Aircraft Noise Corridor into Canberra Airport**

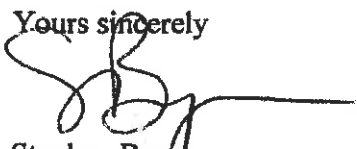
I refer to your press of yesterday confirming that the growth of Canberra Airport would be protected, as would it's 24 hour curfew free status.

I note in that context the public commentary that a 2km corridor free from housing has been identified. Putting aside for a moment our concern that aircraft noise does not stop at an imaginary line in the sky and that as the attached map indicates, the 70 decibels 20 events per day (20 N70) extends over Tralee as does the 50 events 65 decibels (50 N65) and 100 events 60 decibel (100 N650) guidelines, I wanted to engage with you and your government in a constructive way regarding the permanent protection of the aircraft noise corridor into and out of Canberra Airport.

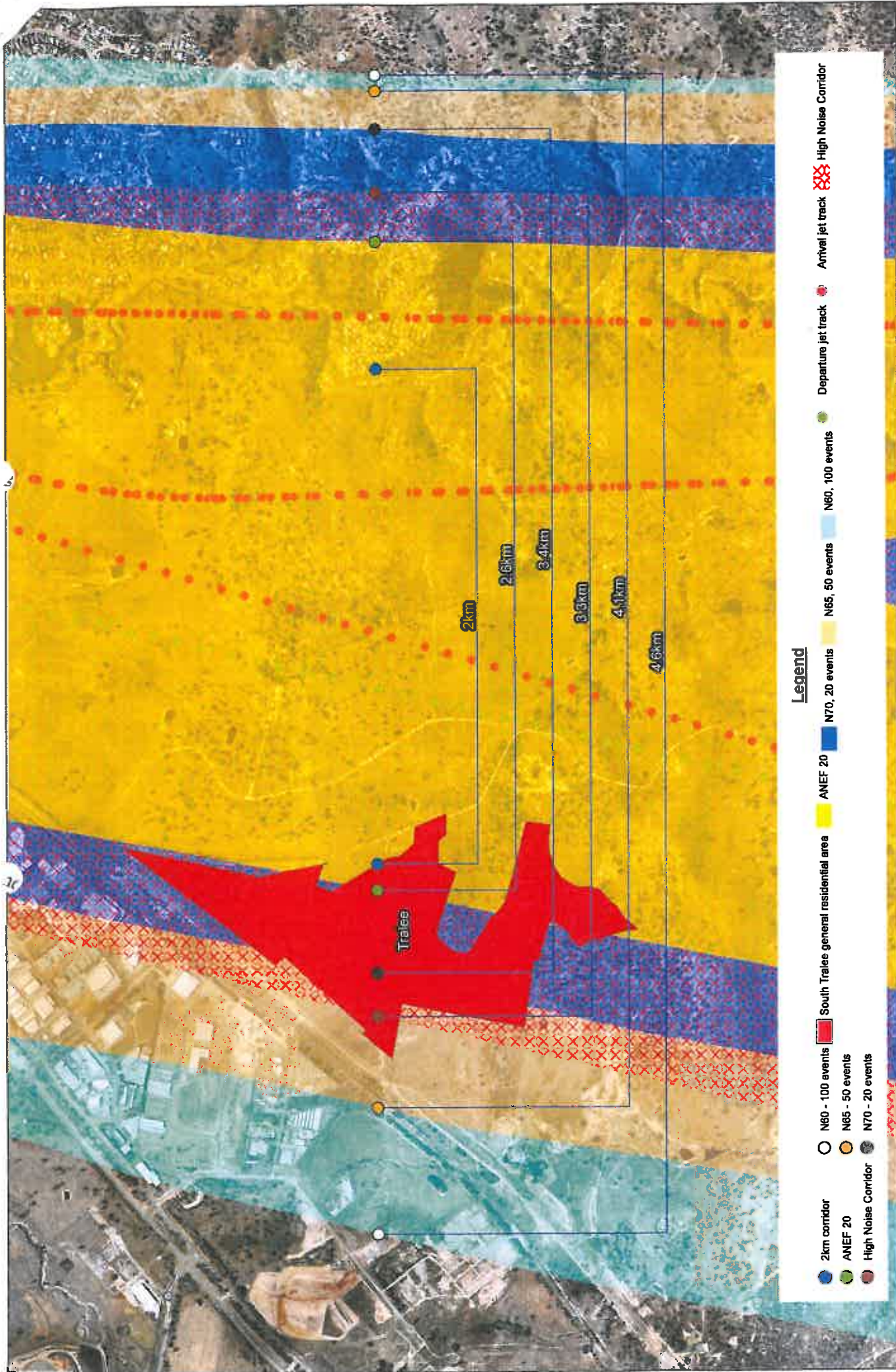
The developer is on record as wanting to develop further than Tralee into the adjoining Envirova property and it has in place option, contracts and development agreements with the current land owner which oblige it to seek such an outcome. Accordingly the Airport remains at huge risk from further encroachment once the first stage of Tralee is developed.

Can I ask that as a matter of urgency, the NSW Government amend the Section 117 direction in respect of Canberra Airport to protect and exclude from all residential development any land within the ANEF 20 contour? I have put on the record our view that this is in itself inadequate given the future prospect of a curfew, however we see this as something that is critically necessary to be implemented immediately.

Yours sincerely

  
Stephen Byron  
Managing Director





### Legend

- 2km corridor
- ANEF 20
- High Noise Corridor
- South Tralee general residential area
- N60 - 100 events
- N65 - 50 events
- N70 - 20 events
- N80, 100 events
- N65, 50 events
- N70, 20 events
- Arrival jet track
- Departure jet track
- High Noise Corridor

0 250 500 1,000 Meters

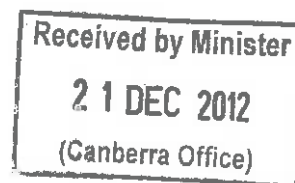


21 DEC 2012

SB:ks  
Our ref: NOI:TRAPD

19 December 2012

The Hon Anthony Albanese MP  
Minister for Infrastructure and Transport  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600



Dear Minister

A handwritten signature in black ink, appearing to read 'Anthony'.

I enclose for your information comment from Australia's major airlines, Qantas and Virgin Australia about the NSW Government decision to move forward with residential development in high noise areas directly under the flight paths into and out of Canberra Airport. Both airlines express their opposition to the decision and concern for operational growth when the noise complaints start rolling in.

I particularly wish to bring to your attention a comment from Qantas, "the introduction of a curfew would further restrict potential international services at Canberra Airport by limiting airlines' flexibility in scheduling services." The enclosed correspondence is early notification that the NSW Government decision will result in diminishing the viability of international air operations for airlines, and flags that the introduction and growth of international operations for our region is now in jeopardy.

To provide our region the best opportunities in employment and economic growth we must continue to do everything possible to foster a market for international operations, and to this end I seek your support in ensuring this NSW Government decision will not result in operational restrictions for airlines using Canberra Airport.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Stephen Byron'.

Stephen Byron  
Managing Director

Enc.





6 December 2012

Mr Stephen Byron  
Managing Director  
Canberra Airport  
2 Brindabella Circuit  
Brindabella Business Park  
Canberra ACT 2609

Dear Mr Byron

Thank you for your letter to Qantas' Chief Executive Officer, Alan Joyce, dated 7 November regarding the recent decision by the New South Wales Government to rezone land in South Tralee and the reaffirmation by Queanbeyan City Council of its support for a curfew at Canberra Airport.

Qantas is concerned both about the impact of restrictive flight path rules on the future of international operations at Canberra Airport and the potential introduction of a curfew.

In our experience, the presence of aircraft noise over time leads to calls for operational restrictions such as noise sharing, changed operating conditions and the call for the imposition of curfews. These measures have deleterious environmental and economic outcomes for communities. Further, such measures can also cause complexity, sub-optimal scheduling, poor aircraft utilisation and increased fuel and engineering cost, all of which are detrimental to the commercial interests of airlines and the broader contribution the aviation sector makes to the national economy.

International services from Canberra Airport are a future possibility for Qantas and restrictive flight path rules would make it more difficult to develop this type of service. As Canberra grows it is highly likely that international services will become economically viable for a number of markets and it is important to ensure there is sufficient flexibility to encourage this growth. Restrictive flight path rules would impact potential international operations by limiting scheduling and operational flexibility. Further, if Canberra Airport was restricted to domestic use, airlines would be unable to use Canberra Airport as a planned alternate resulting in additional economic and environmental cost.



Qantas Airways Limited ABN 16 009 661 901  
10 Bourke Road Mascot NSW 2020 Australia  
Telephone +61 2 9691 3636

[qantas.com](http://qantas.com)



The introduction of a curfew would further restrict potential international services at Canberra Airport by limiting airlines' flexibility in scheduling services.

Qantas appreciates Canberra Airport's efforts to date to protect the current flight paths around the airport and would be concerned if the rezoning limited the ability for airlines to operate international services from Canberra Airport into the future.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Olivia Wirth', written in a cursive style.

**OLIVIA WIRTH**  
Group Executive  
Government and Corporate Affairs



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13 November 2012

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Mr. Stephen Byron  
Managing Director  
Canberra Airport  
2 Brindabella Circuit  
Brindabella Business Park ACT 2609

Dear Mr. ~~Byron~~ *STEPHEN*

### **Tralee and the Future of International Operations at Canberra Airport**

John Borghetti has asked that I respond to your letter regarding the proposed Tralee development.

In recent years, Virgin Australia has made a number of submissions expressing our opposition to the proposed development of a substantial housing estate at Tralee directly under the Canberra Airport flight path. Our position remains unchanged.

On the face of it, the recent NSW Government decision to re-zone land to allow the development of up to 2,000 homes at South Tralee is in conflict with the principles of the Federal Government's National Airports Safeguarding Framework, which recognised the importance for all levels of government, in their planning decisions, to ensure they "balance growing demand for aviation services with urban growth pressures".

These principles were considered and agreed by Commonwealth, State and Territory Ministers as recently as 18 May 2012 at a Standing Council on Transport and Infrastructure (SCOTI) meeting.

Again, Virgin Australia does not believe the recent NSW Government decision is consistent with the principles of this framework.

Yours sincerely

Sean Donohue  
Chief Operating Officer

**Powick Taryn**

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**From:** Stone Scott  
**Sent:** Thursday, 7 February 2013 11:27 AM  
**To:** 'Kathryn Scarano'  
**Cc:** Noel McCann; Stephen Byron  
**Subject:** RE: Draft 117 / Canberra Airport / FYI

Thanks Katie

Mr Hazzard has written to Mike Mrdak with the draft S117 direction also.  
Scott

Sent with Good ([www.good.com](http://www.good.com))

-----Original Message-----

**From:** Kathryn Scarano [[K.Scarano@canberraairport.com.au](mailto:K.Scarano@canberraairport.com.au)]  
**Sent:** Thursday, February 07, 2013 09:47 AM AUS Eastern Standard Time  
**To:** Stone Scott  
**Cc:** Noel McCann; Stephen Byron  
**Subject:** Draft 117 / Canberra Airport / FYI

Good morning Scott - See attached for your information a draft 117 for development near Canberra Airport. For discussion at PCF on 19 February, though Noel or Stephen are happy to discuss in the interim.

Regards

**Kathryn Scarano (nee Conn)**  
Planning & Environment | Canberra Airport

2 Brindabella Circuit  
Brindabella Business Park ACT 2609  
T 02 6275 2260 F 02 6275 2212

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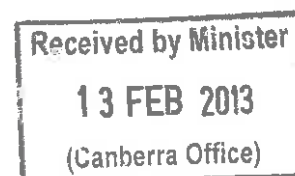


SB:ks  
Our ref:NOI:TRAPD



12 February 2013

The Hon Brad Hazzard MP  
Minister for Planning and Infrastructure  
Level 31 Governor Macquarie Tower  
1 Farrer Place  
SYDNEY NSW 2000



Dear Minister

### Acoustic attenuation – South Tralee proposed residential buildings

I write to request further information about the implementation of your 6 November 2012 announcement that residential development at South Tralee will be built using strict noise management criteria thereby “ensuring that Canberra Airport remains a 24 hour, curfew free passenger and freight hub” and your observation that “this approach will allow Canberra Airport to pursue ongoing development with capacity to expand”.

I note from your Planning Report on the South Tralee Land Environment Plan (LEP) you intend to use the Australian Standard, *Acoustics-Aircraft noise intrusion-Building siting and construction* (AS2021-2000) for noise management at Tralee. In particular page 16 of the Report provides the following extract of noise performance requirements from Table 3.3 of AS2021-2000.

**Table 3.3 Indoor Design Sound Levels for Determination of Aircraft Noise Reduction**

Houses, home units and flats – internal spaces	Indoor design sound level (dBA)
Sleeping areas, dedicated lounges	50
Other habitable spaces	55
Bathrooms, toilets and laundries	60

“Note 1: A design sound level is the maximum level dB(A) from an aircraft flyover which, when heard inside a building...” AS2021-2000

While Aircraft Noise Exposure Forecast (ANEF) contours based on average noise are referenced in AS2021-2000, the Standard also references Table 3.3 for levels of intermittent aircraft noise at any time of the day or night.

The average and intermittent noise concepts in AS2021-2000 can be at odds because, as illustrated by the decision on Tralee, residential development may be deemed ‘Acceptable’ using an ANEF contour, while also requiring noise mitigation to achieve indoor noise levels.

This is an important consideration because it demonstrates that AS2021-2000:

- provides minimum guidance on aircraft noise management; and
- was not intended to prevent a curfew.

I am encouraged by the NSW Government commitment to protect aviation growth, and I support and appreciate recent moves to implement a section 117 direction that no residential development can occur inside the ANEF20 contour of Canberra Airport (and I will respond in detail on that issue separately). I am concerned however because your Department's reliance on AS2021-2000 for noise management does not reflect the contemporary objectives of noise management in new residential development.

The Commonwealth Aircraft Noise Ombudsman, Ron Brent, recently stated "government planning and building control agencies should take responsibility for emphasising (rather than downplaying) potential noise concerns", and AS2021-2000 states "land use planning authorities may have their own internal noise level requirements which may be used in place of the levels above". While the sources of noise vary, the NSW Government should not discriminate by source or avoid the issue of effectively managing noise because it is emitted from an aircraft.

With these points in mind I wish to highlight more recent guidance on noise management and mitigation developed by the NSW Government for residential development. Notwithstanding its application to road and rail, I think the *State Environment Planning Policy (Infrastructure) 2007* (SEPP) has relevance for aircraft noise levels to be experienced by future residents at South Tralee.

Clauses 87 and 102 of the SEPP provide the following guidance for the development of houses near existing rail and roads:

**State Environmental Planning Policy (Infrastructure) 2007 – Housing Development near Road & Rail**

Type	Noise Level dB(A) Leq	Time
Sleeping areas	35	At any time 10pm to 7am
Other habitable rooms	40	At any time of day or night

The SEPP prescribes average internal noise levels during the relevant time period, and is supported by other noise policies that external noise not exceed 60dB(A). This external noise objective is achieved for road and rail by the use of acoustic barriers.

The trouble with your approval of Tralee is that as pointed out in the LEP acoustic report, a level of at least 75dB(A) external noise is expected for future residents, and there is little that can be done to reduce this external noise. As recently stated by the Aircraft Noise Ombudsman "Unlike the barriers that you see along busy roads as they pass close to houses, aircraft noise cannot be shielded", and so Tralee residents will always be subject to external noise 15dB(A) above your own road and rail policy setting. This must be brought to the attention of potential buyers at Tralee particularly in reference to exceeding your own external residential limits when homes are nearby roads and rail.

The second problem with your acceptance of 75dB(A) of external noise is Tralee dwellings must be built to reduce noise by a minimum of 25dB(A) and not 10dB(A) as is your policy for road and rail in NSW. I am not aware of any examples where this level of noise attenuation has been achieved in residential developments in Australia, and am concerned that despite your intention of achieving 50dB(A) inside as an aircraft flies past, housing at Tralee will simply not meet this standard.

I now refer to guidance published by the Australian Association of Acoustical Consultants in 2010 of a 'star rating system' which I set out below to compare to both AS2021-2000 'intermittent' and SEPP 'continuous' noise performance requirements.

**Australian Association of Acoustical Consultants – Performance Guidelines for Acoustic Rating 2010**

<b>External Noise Intrusion</b>	<b>2 Star dB(A)</b>	<b>3 Star dB(A)</b>	<b>4 Star dB(A)</b>	<b>5 Star dB(A)</b>	<b>6 Star dB(A)</b>
<b>Bedrooms</b>					
<b>Continuous Noises</b>	36	35	32	30	27
<b>Intermittent Noises</b>	50	50	45	40	35
<b>Other Habitable Rooms</b>					
<b>Continuous Noises</b>	41	40	37	35	32
<b>Intermittent Noises</b>	55	55	50	45	40

The reality is that if you adopt AS2021-2000 noise standards, Tralee homes will not go so far as to perform at two-stars for residents using the above rating system, and the problem is in rising continuous noise and increasing frequencies of sleep disturbance over time.

You have applied a noise standard of 50dB(A) intermittent noise in sleeping areas, and yet as the Airport grows substantially both the continuous noise level and frequency of disturbance will ensure the noise experienced at Tralee exceeds your own continuous bedroom noise performance requirement of the 2007 Infrastructure SEPP of 35dB(A)Leq. Should for example the intermittent noise level be at 50dB(A) in a bedroom, the continuous noise level for a Tralee bedroom will likely exceed 40dB(A)Leq which is not even 'on the map' for a bedroom as far as the above rating system goes.

The six-star rating provides an intermittent noise level of 35dB(A) and a continuous noise level of 27dB(A)Leq which in themselves are much more likely to deliver a good night sleep for Tralee residents, but the added bonus is the relatively small 8dB(A) variance between continuous and intermittent noise. A six-star acoustic rating will mean more Tralee residents will be able to get to sleep and stay asleep - and not seek a curfew.

Clearly, if Tralee is built using AS2021-2000 noise standards Tralee residents will join existing noise complainants at Jerrabomberra, as represented by the Queanbeyan City Council, in demanding a curfew be placed on Canberra Airport operations (see attached transcript). For some time a curfew has been demanded by residents at Jerrabomberra because of sleep disturbance and external noise, and I am at a loss as to why the Council believes Tralee residents will not experience the same if not greater aircraft noise than its current constituents.

The truth of the matter is a curfew free outcome can only be achieved if South Tralee residents live in quiet homes with a low risk of sleep disturbance from passing aircraft, and this is why you must apply a noise rating that is consistent with the curfew free outcome you hope to achieve. AS2021-2000 will not deliver contemporary objectives of amenity, human health and sustainability of the built environment. A six-star acoustic rating should be applied to homes at Tralee, in both continuous and intermittent terms, to ensure the right balance is achieved between residential amenity, a good night sleep and growing aircraft operations.

I request you direct the Queanbeyan City Council to notify potential Tralee residents they will be exposed to external noise of 75dB(A) which is 15dB(A) or 150 per cent greater than your maximum policy for road and rail, and I also request you commit to ensuring a six-star acoustic rating is applied to homes at Tralee throughout the growth of the Airport, in terms of both intermittent and continuous noise.

In addition to my request for you to apply the six-star acoustic rating at Tralee, I will push for this standard to be applied for non-curfewed airports in AS2021-2000, and I seek your support on this matter.

We need your proactive assistance Minister to apply the six-star noise standard at Tralee that will deliver the right outcome for our community and our Region.

Yours sincerely

Stephen Byron  
Managing Director

Encl.

Attachments:

- Ron Brent, Aircraft Noise Ombudsman, *The Truth About Aircraft Noise*. 30 January 2013
- Tim Overall, ABC Radio Transcript. 6 November 2012



cc.

The Hon. Anthony Albanese MP  
Minister for Infrastructure and Transport  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Mr Colin Blair  
Chief Executive Officer  
Standards Australia  
GPO Box 476  
SYDNEY NSW 2001

Mr Mike Mrdak  
Secretary  
Department of Infrastructure and Transport  
GPO Box 594  
CANBERRA ACT 2601

Mr Ron Brent  
Aircraft Noise Ombudsman  
GPO Box 1985  
Canberra ACT 2601

Mr Sam Haddad  
Director General  
Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

nowhere near the noise impact, all being outside the ANEF 20.

ROSS SOLLY:

All right. So in future years if anyone complains in there and suggests that there should be a curfew, anyone from the Tralee development, they'll get pretty short shrift?

TIM OVERALL:

Well, it's not about short shrift. We'll listen, but I don't think the situation's going to arise, quite frankly.

ROSS SOLLY:

But just in case it does, I mean, this is the argument being put forward by the airport and by Anthony Albanese and by the ACT Government. I suppose they're just looking for some reassurance, Tim Overall, that the Queanbeyan Council would not at some stage down the track take up a fight to have any noise-sharing arrangements or curfew put in place because of concerns raised by Tralee residents.

TIM OVERALL:

Well, I'd have to say it's already on the record, Ross, going back quite a few years now that council does not support a 24-hour operation of the Canberra Airport and supports a curfew. But that has nothing to do with South Tralee. That's been on the books and a confirmed motion of council going back quite a few years now.

What I can say is that, you know, as the planning authority, we are sensible people. We're not about building new suburbs under designated flight paths, and I for one would not support that. And that's what this case is not about.

# **The Truth About Aircraft Noise**

**By Ron Brent – Aircraft Noise Ombudsman**

*(The Australian Government appointed Ron Brent as Australia's first Aircraft Noise Ombudsman in 2010, to help improve the handling of complaints about aircraft noise, the information about aircraft noise and consultation about changes in air traffic that will alter the impact of aircraft noise. The views expressed in the article below are those of Ron Brent, as Aircraft Noise Ombudsman. They are not necessarily the views of the Government or of Airservices Australia or any other government agency.)*

Recent housing developments around some of Australia's busiest airports, and further proposals for such developments have been the catalyst for some heated debate about the impacts of aircraft noise. Unfortunately the heat in the debate often comes at the expense of clarity, leaving the public with little understanding of what the noise will be like. Worse, those buying in these new estates often do so in ignorance of the noise that they will or might have to bear.

I hope to shed a little more light on what the noise will mean. In doing so I do not want to take sides on whether new developments near airports (such as the Tralee proposal near Canberra Airport) should go ahead or not. Rather I want to help those confronting decisions about such developments to have a better understanding of the issues.

The first thing to note is that the experience of aircraft noise (or any noise for that matter) by an individual is highly subjective. Unbearable noise for one person might not be of any concern at all to another. Research in USA has shown that, even in areas below the 'ANEF 20' noise rating up to 45% of the residents are likely to be moderately or severely affected by aircraft noise. The ANEF noise measurement standard is set by Standards Australia (and is currently being considered for review). I discuss this standard later in this article, but I note here that the ANEF standard suggests that outside the ANEF 20, housing construction does not need to be modified due to aircraft noise.

The second important thing about aircraft noise is that it is very different from the noise created by railways or busy roads. The key differences are that aircraft noise will reach a much wider area, cannot be shielded by barriers along the route, and is not restricted to a narrow and predictable path. I will explain each of these differences.

Noise from an aircraft in flight does not fall in a straight line, and is not limited to those directly under the aircraft. It spreads widely over an area that gets wider as the aircraft gets higher. It also gets quieter as the aircraft climbs. This means that the noise can reach more people once the aircraft is further from the airport, yet it can be many kilometres from the take-off point before the noise stops becoming intrusive for most people.

There is much talk about insulating houses under noisy flight paths. Unlike the barriers that you see along busy roads as they pass close to houses, aircraft noise cannot be shielded. Insulating buildings certainly makes a difference (by using noise reducing materials and construction techniques such as double-glazing). Unfortunately there is little that can be done outdoors and even insulated houses can suffer intrusive noise from aircraft. (Double glazing is not effective for those with a preference for leaving windows open.)

Most importantly, aircraft do not fly along precise tracks. Flight paths do not look like roads. The flight paths shown on maps are indicative but the actual tracks will splay over a much wider area. One of the causes of this, the limitations of navigation systems, is changing as more precise technology is introduced (now increasingly based on the satellite technology that is used in the GPS systems we all know from our phones and car navigation devices). On the other hand Air Traffic Control needs to adjust flight paths and deliberately spread aircraft along particular tracks to keep aircraft safely spaced in the sky.

To measure aircraft noise there is an Australian standard, the Australian Noise Exposure Forecast (ANEF). It is a forecast of noise exposure levels around an airport and in many jurisdictions is an input to land use planning decisions. It is also one of few prominent pieces of information available to members of the public seeking information about aircraft noise. Unfortunately, while this tool can provide high-level guidance to those considering the suitability of certain areas for residential or other noise sensitive developments, it does little to help those trying to decide if they can live with the noise at a certain ANEF level.

The ANEF level comes from a complex formula and is not easy to understand or explain. It includes factors such as; how loud the noise is, how frequent it is and the distribution of the noise across the day and the night. It is based on a forecast of aircraft activity (which may or may not bear out) and uses standard noise estimates for known aircraft types. It assumes consistent flight routes (which do not necessarily correspond to how planes fly in reality). The final averaged level will not tell you if you will get occasional loud noises, frequent quieter noises, lots of night noise, or most of the noise between 6 a.m. and 7 a.m. when you hope to sleep in. (The ANEF measure is currently being considered for review by Standards Australia.)

Furthermore, the ANEF level will not tell you how bad things will be on the worst days. In summary, it is impossible to convert an ANEF rating into a description of what the noise will be like. By way of contrast, there are alternative measures. One example is an 'N70 contour' which outlines areas within which there will be a given number of times a day (on average) that will get noise loud enough to disrupt a reasonably loud conversation (i.e. above 70 decibels). With additional information (such as maximum and minimum daily forecasts), this can be a better guide to what the noise may be like in a particular area.

So what does all this mean for housing developments near airports? There is no doubt that many people live very happily in close proximity to busy airports and can cope with lots of aircraft noise. There is also no doubt that, no matter how close to an airport houses are, there will be those who move into them unsuspecting about the aircraft noise they will experience or how it might affect them.

It is easy to criticise those people who buy or rent close to an airport for not realising what they are letting themselves in for – 'buyer beware'. On the other hand, it is easy to understand why people can feel misled. References to the 'ANEF' can make it seem as though the noise is acceptable, but the experience of noise is such a subjective and personal matter that there can be no standard of 'acceptable' (other than silence) that will meet every individual's notion of acceptable. The experience of my office bears this out.



It is easy to suggest that people who want to move to an area near an airport only need to park at the property for a while to make their own judgments about the noise. Unfortunately the noise will vary by time of day, day of the week, season, wind direction, local weather generally, and weather at remote airports. (For example, on this last point, a storm at Sydney Airport can affect traffic levels at every other major airport in Australia.) Short of spending a year or two parked there, this is not a reliable guide. Indeed even that won't help given that the aviation sector is not only growing rapidly, but the mix of planes and technologies is also changing rapidly, which further affects noise.

Currently there are initiatives underway to improve the information that is available about aircraft noise but, until there is a clear unambiguous warning as part of every transaction for houses anywhere near an airport, many buyers will not even think to check out the aircraft noise situation. The warning that is included in the advice from councils to people enquiring about a house purchase is usually in soft form mentioning possible aircraft noise. This form of warning has proved to be too general, and not backed by useful and comprehensible information.

It is important to look at aircraft noise in as many different presentations as possible. This includes maps showing the number of events over a certain loudness (e.g. N70 contours showing average daily events louder than 70 decibels), often broken up by day and night, season, and ideally showing maximum and minimum daily numbers as well as averages.

Some locations have maps showing noise without precise contours but rather shading where the noise fades out. Living just outside a particular noise contour does not necessarily make a noticeable difference. As the loudness drops from 70 to 69 decibels a house may look like it is in a quieter zone, but in reality most people cannot detect a change in loudness of less than about 3 decibels.

In the end the best approach would be to avoid building homes or other noise sensitive developments in high noise zones. On the other hand, it can be difficult to argue that people for whom the noise is not a problem should be denied access to homes in convenient locations that suit them.

If there are to be homes in these areas, I would want to see clear statements about the aircraft noise. It is not helpful to point out that the houses are not under a flight path or outside a particular noise level contour if the truth is that the houses are right on the edge of a noise contour, and that they are near enough to a flight path that planes will fly overhead. Even if the aircraft do not fly directly overhead the noise will be no less than when the planes fly over the parkland the other side of the back fence.

The recent debate over the newly approved development at Tralee (near Canberra airport) provides some good examples of the problems that concern me. It has been pointed out that the houses are outside the '20 ANEF'. What has not been pointed out is that the houses go right to the '20 ANEF' line at which point the average person would not be able to hear the difference from being on the other side of the line. Also not discussed was that the airport operators have forecast that most of the houses could potentially have noise at 70 decibels or more as many as 20 times a day on average (on busy days more than this).

At 70 decibels the noise will drown out conversation around the barbecue (where an insulated house will not help). The Airport's forecast suggests that the houses could potentially get up to an average of 100 events a day at 60 decibels, a level that complaints show is intrusive to many people living on the edge of a rural area.

It is also worth pointing out that the ANEF is based on forecasts by the Airport of expected, planned, or hoped for traffic levels. (This is true also of most N70 contours, and indeed any other measures of likely future noise around airports.) These forecasts may or may not be accurate. This raises the question of who should provide the noise information. In the end it is a shared responsibility. I am aware that airports are currently working with Australia's air traffic control provider (Airservices Australia) to provide better information about aircraft noise. Most importantly, for new land developments the developers and the government planning and building control agencies should take responsibility for emphasising (rather than downplaying) potential noise concerns.

As Aircraft Noise Ombudsman I receive many complaints about aircraft noise and only in a minority of cases is there anything that can be done in the short term to reduce the impacts. I would prefer to see high noise corridors left for uses other than residential houses. If developments are to occur in these corridors I would like to see the possible impact of the noise emphasised rather than downplayed so that potential buyers can make an informed decision.

30 January 2013

Contact Details:

Ron Brent  
Aircraft Noise Ombudsman  
[ano@ano.gov.au](mailto:ano@ano.gov.au)  
ph 1800 266 040

64 Allara St  
GPO Box 1985  
Canberra ACT 2601

## Powick Taryn

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**From:** Stone Scott  
**Sent:** Thursday, 21 February 2013 10:04 AM  
**To:** Sutherland Adam; Martin Brown  
**Subject:** RE: NASAG Email Update: 12-month report [SEC=UNCLASSIFIED]

Martin, should have this signed off by tomorrow.

Essentially it says we support the proposed s117 direction and would be pleased to continue working with your department in its implementation. We also make the point that we still don't like residential housing in the area, as you might expect.

Scott

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**From:** Sutherland Adam  
**Sent:** Thursday, 21 February 2013 10:01 AM  
**To:** Martin Brown; Stone Scott  
**Subject:** RE: NASAG Email Update: 12-month report [SEC=UNCLASSIFIED]

Hi Martin,

Yes he has received it. We've prepared a response for the Secretary's signature, and it's just awaiting sign-off. We anticipate that it'll be sent out this week.

Cheers,  
Adam.

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**From:** Martin Brown [<mailto:Martin.Brown@planning.nsw.gov.au>]  
**Sent:** Thursday, 21 February 2013 9:53 AM  
**To:** Stone Scott  
**Cc:** Sutherland Adam  
**Subject:** RE: NASAG Email Update: 12-month report [SEC=UNCLASSIFIED]

Hi Scott,  
Do you know if your Secretary has received the correspondence from the NSW Minister for Planning & Infrastructure in regards to the proposed s117 direction for Canberra Airport (dated 29 Jan 2013)?  
Thanks  
Martin

**Martin Brown**  
Environmental Planning Officer  
Southern Region  
Department of Planning  
Telephone 02 6229 7913  
Facsimile 02 6229 7901

>>> Stone Scott <[Scott.Stone@infrastructure.gov.au](mailto:Scott.Stone@infrastructure.gov.au)> 4/02/2013 1:17 pm >>>  
Thanks Martin. Have you guys been invited to the 25 Feb AS2021 forum at Standards Australia?

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**From:** Martin Brown [<mailto:Martin.Brown@planning.nsw.gov.au>]  
**Sent:** Monday, 4 February 2013 12:15 PM  
**To:** Stone Scott

**Cc:** Neil McGaffin

**Subject:** Re: NASAG Email Update: 12-month report [SEC=UNCLASSIFIED]

Hi Scott,  
Trust you are well.  
Just following up on your email of 25th Jan.

Firstly, in respect of need for any further NASAG meetings, we agree no meetings are probably required in the near future, though maybe worthwhile once we know what is happening re AS2021 review. Happy to assist with TISOC papers as necessary.

We've reviewed the draft SCOTI agenda you sent through. Whilst we note some of the agenda refers to NSW not agreeing to Guideline A, there is still a concern that some of the agenda implies the Safeguarding Framework was agreed to in its entirety. We'd prefer to see this appropriately qualified to note NSW's concerns. See attached. It may just be a matter of wording, but we did get significant representations to the Minister (and Premier) previously asking why NSW had agreed to the Safeguarding Framework (and by implication Guideline A) at the previous SCOTI meeting. It needs to be clear this is not the case.

We also understood other jurisdictions had raised similar concerns with Guideline A, though accept its their responsibility to pursue this with you.

I've filled out Parts 1 and 2 of the 12 month report. In respect of Part 1 - we'll have greater clarity in NSW re implementation once we have completed the review of the planning system - we're waiting on a draft White Paper at the current time. However have filled in as much detail as possible.  
Have also given a few case studies. Whilst Sth Tralee probably wasn't the ideal outcome the Commonwealth was looking for, the plan was significantly amended to take into account the representations of the Commonwealth and the NASAG work. A better outcome than if we'd just applied AS2021.

Happy to discuss if useful

Regards

Martin

**Martin Brown**

Environmental Planning Officer

Southern Region

Department of Planning

Telephone 02 6229 7913

Facsimile 02 6229 7901

>>> Stone Scott <[Scott.Stone@infrastructure.gov.au](mailto:Scott.Stone@infrastructure.gov.au)> 25/01/2013 11:21 am >>>

Dear NASAG members,

Happy new year and I hope you had a safe and restful Christmas break.

As you would be aware, the time is rapidly approaching to provide SCOTI with a 12-month progress report on the implementation of the Safeguarding Framework. Whilst the next SCOTI meeting is scheduled for 10 May, this report will first need to go through TISOC on 15 March, with papers for that meeting due on 15 February.

You may remember that we had planned to hold a NASAG meeting in mid-February to discuss the content of the 12-month report. However, as Andrew Wilson is not available until late February and TISOC papers are due before then, we now propose to work on the 12-month report out-of-session. We are also mindful of the travel restrictions faced by many jurisdictions. I would be grateful for any feedback on this proposal, in particular if you believe a meeting is still required.

With respect to the 12-month report, we have written the first draft of this document, which consists of the draft SCOTI agenda paper and the 12-month report, including Part 1 (Legislation and Planning Policies) and Part 2 (Case Studies). Could you please:

- Review the draft agenda paper and provide comment.



- Complete Part 1 of the 12-month report (approximately one page per jurisdiction, noting that some jurisdictions will have more to say than others).
- Complete Part 2 of the 12-month report, if suitable case studies from your jurisdiction are available.

It is not the intention to have a full set of case studies for each jurisdiction, rather to have one example for each guideline drawn from across the jurisdictions. We will be happy to provide suggestions on these where none are forthcoming from states. In the first instance I suggest members provide ideas about where they would like to contribute; the NASAG Secretariat can then allocate who does what. We will be happy to do our bit at a Commonwealth level.

Please return your comments and inclusions to me no later than Friday 8 February.

With respect to the ongoing work program for NASAG, there are still a number of incomplete matters to progress; namely:

- The AS2021 review;
- Work on public safety zones;
- Review of ANEF development technical processes; and
- Protection of communications, navigation and surveillance equipment;

We think it is important for NASAG to remain in place and to maintain momentum on these tasks. We envisage NASAG will operate more as an out-of-session group than over the past three years, noting that the need for face to face meetings falls away somewhat with the completion of the Safeguarding Framework . But we won't lose sight of the remaining tasks. The Public Safety Zones and CNS/ATM infrastructure papers are still in development and we will circulate updates of these at a later date. We anticipate discussing these papers at a NASAG meeting in late April/early May, and we will be in touch to confirm an exact date.

Kind regards,

Scott Stone  
General Manager  
Aviation Environment  
Department of Infrastructure and Transport  
GPO Box 594  
CANBERRA ACT 2601

Telephone: (612) 6274 7605

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**Australian Government**

**Department of Infrastructure and Transport**

Contact: Scott Stone (02) 6274 7605

Proposed Planning Policy – Canberra Airport  
Department of Planning and Infrastructure  
PO Box 5474  
WOLLONGONG NSW 2520

Dear Sir/Madam,

**RE: Proposed s117 Direction 5.9 – Development near Canberra Airport.**

I write to make a submission, on behalf of the Commonwealth Department of Infrastructure and Transport, on the proposed s117 Direction 5.9 – Development near Canberra Airport.

The Department welcomes the proposed direction as a positive step towards protecting both Canberra Airport and its surrounding communities. Whilst the Department remains opposed to residential development at greenfield sites in close proximity to major aircraft flight paths, the proposed direction goes some way towards striking a balance between residential growth in the Queanbeyan region and the future operational requirements of the Airport.

I have attached for your information correspondence previously sent on this matter from the Secretary of this Department, Mike Mrdak, to the NSW Minister for Planning and Infrastructure, the Hon Brad Hazzard MP.

I trust this information is of assistance.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Scott Stone'.

Scott Stone  
General Manager  
Aviation Environment

9 May 2013

Enc.



**Australian Government**

**Department of Infrastructure and Transport**

**Secretary**

Contact: Scott Stone (02) 6274 7605

The Hon Brad Hazzard MP  
Minister for Planning and Infrastructure  
Level 31 Governor Macquarie Tower  
1 Farrer Place  
SYDNEY NSW 2000

Dear Minister

Thank you for your letter dated 29 January 2013 about your intention to prepare a new planning direction in respect of development near Canberra Airport.

The Department welcomes the proposed s117 Direction 5.9 – Development near Canberra Airport. Whilst I must reaffirm the Department's ongoing opposition to residential development at greenfield sites in such close proximity to major aircraft flight paths, the proposed direction goes some way towards striking a balance between residential growth in the Queanbeyan region and the future operational requirements of Canberra Airport.

In addition to your proposal, I would suggest that some consideration is given to the formal assessment for strategic planning purposes of land outside, but in close proximity to, the 20 ANEF contour. As you are aware, aircraft noise does not stop at a fixed line, and our analysis shows that residents who live close to this contour can still expect to experience significant noise impacts.

Thank you once again for the opportunity to comment on this proposal and I look forward to engaging further with your Department on its implementation.

Yours sincerely

Mike Mrdak

27 February 2013