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18 June 2010

Jeanette Radcliffe
Committee Secretary
Senate Standing Committee on Rural Regional Affairs and Transport.
Jeanette.Radcliffe@aph.gov.au



Dear Ms Radcliffe,

Senate Inquiry into the Effectiveness of Airservices Australia's Management of Aircraft Noise. Supplementary Submission.

Airservices Australia and the Department of Infrastructure and Transport have given evidence to this Inquiry that the assumptions behind an ANEF are not checked by any Commonwealth government agency before endorsement by AirServices and approval in an Airport Master Plan.

The attached letter dated 11 July 2007 from the former NSW Minister for Planning, the Hon Frank Sartor MP to the former Commonwealth Minister for Transport and Regional Services indicates the high level of concern that the NSW Government has with the endorsement process for the ANEF for Canberra Airport. The letter indicates the possible consequence of an ANEF based on unachievable assumptions.

The former NSW Minister for Planning expressed strong concerns about the suitability of continuing with the NSW government's planning policies for land use planning based on ANEF contours resulting from a deficient process lacking any testing of what appears to be unrealistic assumptions that underpin the ANEF.

The evidence given to the Inquiry by AirServices and the Department of Infrastructure and Planning has further exposed the inadequacy of the processes for endorsing ANEFs and validates concerns expressed by the former NSW Minister for Planning.

The protection afforded to airports in State government legislation that adopts the ANEF system is at risk unless confidence can be restored in the endorsement process for ANEFs.

The recommendations we have made to this inquiry will resolve this problem:

- (1) The regulation governing the approval of ANEFs should be amended to include an independent body to produce ANEFs based on feasible, achievable and reasonable assumptions;
- (2) The process for endorsing ANEFs should be incorporated into the process for approving master plans, so that the two are consistent;
- (3) The process for the review of master plans, including ANEFs should be open and transparent;
- (4) The proposed Aircraft Noise Ombudsman should have the power to review the processes of the Department and Airservices in relation to airport master plans and ANEFs as well as noise complaints, and should report directly to parliament; and
- (5) Government policy frameworks on aircraft noise and land use planning should be uniformly applied and an individual development should not be singled out for inconsistent treatment at the behest of a Council, a developer or an airport. The ANEF system should continue to be defended and not opened to subversion by a particular interest in a particular instance.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ken Ineson', written over a light blue horizontal line.

Ken Ineson

General Manager, Special Projects and Feasibilities.



NEW SOUTH WALES

TO DEPT. *A Shly*
The Hon Frank Sartor MP
Minister for Planning
Minister for Redfern Waterloo
Minister for the Arts

COOPY

The Hon Mark Vaile MP
Deputy Prime Minister
Minister for Transport and Regional Services
Suite MG41
Parliament House
Canberra ACT 2600

11 JUL 2007

Dear Mr Vaile

I write to you concerning Canberra Airports Group's proposals to revise its Australian Noise Exposure Forecast (ANEF) map and my serious concerns over both the process that has been followed and the assumptions that underpin the ANEF.

I understand that Canberra Airports Group have received technical endorsement from Airservices Australia for the proposed ANEF, subject to consultation with State, Territory and local authorities. I am also advised that the ANEF, once endorsed by Airservices Australia will become the ANEF map governing operations at Canberra Airport.

The Department of Planning has undertaken a preliminary assessment of the ANEF and its supporting assumptions.

Overall, I have an in principle concern that an ANEF for an airport can be prepared for a practical ultimate capacity that may not occur for another 50 or 60 years, if at all. It would seem more practical and realistic to consider a 20 – 25 year period for planning purposes.

With regard to the underlying assumptions, the Department's assessment suggests that the Airport's projected growth figures are optimistic at best. The assumptions suggest Canberra Airport will have the same ultimate number of movements at Canberra that are currently experienced at Sydney's Kingsford Smith Airport.

I believe that the projected growth in aviation movements cannot be sustained for a region with a population that will, at best reach 460,000 people by 2030. To say that Canberra Airport will have the same number of flights as Kingsford Smith, which services a population of 4.5 million appears to be absurd. I also strongly question the predicted growth in international and freight based movements given the strength of the existing tourism and freight markets in Melbourne and Sydney.

The preliminary assessment also indicates that the mix of aircraft and time of flights is skewed in favour of heavier aircraft movements during noise sensitive periods. I am sure that you are aware that the ANEF process multiplies the impacts of any

flights arriving or departing between 7pm and 7am by a factor of four. The obvious consequence is an ANEF corridor that sterilises extensive areas of land that could contribute towards providing affordable residential development for Queanbeyan and the broader ACT region.

There is also a question as to the legitimacy of the ANEF given that it has been prepared by Canberra Airports Group and only reportedly checked by Airservices Australia for technical accuracy. There is little credibility to this process and it is akin to a developer assessing their own proposal and then writing out their own approval.

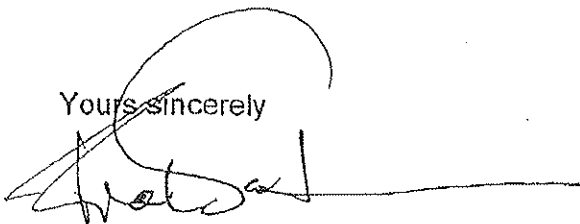
As endorsed ANEF contours have a direct affect on the potential use and value of properties, it would seem reasonable that the assumptions should be independently tested for both technical accuracy and validity.

When I deal with major developments such as coal mines and quarries, where the issue of noise impacts can potentially sterilise land or have unreasonable impacts on residents, it is common practice to require the proponent to acquire the land. There is also extensive and thorough scrutiny of the proposal and testing as to whether the relative merits of the proposal outweigh the impacts on surrounding uses and activities. In addition, any land use zoning that sterilises land requires the inclusion of an acquisition clause and a designated acquiring authority.

Under NSW planning policies the management of conflicts between aircraft noise and landuse planning is governed by the *Section 117 Direction Number 12 – Development near Licensed Aerodromes (Ministerial Directions)*. This Direction adopts the Australian Standard (AS 2021) and is consistent with the approach of other jurisdictions in terms of managing aircraft noise. However, given my concerns about the deficiencies in the process under which the ANEF for Canberra Airport has been developed, as well as the lack of testing of what appear to be unrealistic assumptions that underpin the ANEF, I have strong concerns as to the suitability of continuing with the section 117 Direction in its current form.

I believe that your intervention in this particular matter is strongly warranted. Moreover, I believe that the system of setting ANEF should be overhauled to provide for independent verification of all aspects relating to the development of ANEF contours for an airport.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Frank Sartor', written over a horizontal line.

Frank Sartor