



# Office of the Mayor

Mayor Jenna Davey-Burns  
Wattle Ward



3 May 2024

Committee Secretary  
Senate Rural and Regional Affairs and Transport Legislation Committee  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

Dear Committee Secretary,

**Re: Kingston City Council response to the Senate inquiry on the impact and mitigation of aircraft noise**

Council values Moorabbin Airport through the extensive economic, environmental, and social benefits it brings to our wider community and views it as a critical component of the Australian aviation industry. It is an economic driver at local and national levels, creates employment and engagement of small to medium business and supports wellbeing of communities through transport connection.

Council has and will continue to actively urge action by the Federal government to protect the Moorabbin aviation ecosystems whilst balancing the needs of our community. Our key recommendations to the Inquiry are as follows:

1. The complexity, confusion, and lack of cohesive information regarding aviation noise in the planning system and the broader community, across Australia, must be addressed.
2. Review of management of federally leased airports with a priority focus on the depletion of aviation activity on airport land to expedite non-aviation development.
3. Further deployment of various mitigation strategies to address aircraft noise concerns whilst ensuring the continued operation of general aviation airports, such as:
  - The Fly Friendly program at Moorabbin to mitigate noise disruption.
  - Genuine community engagement and education. Noise monitoring programs and community forums can empower residents to voice their concerns constructively and actively participate in the decision-making process.

Yours sincerely,

**Mayor Jenna Davey-Burns**  
**MAYOR**  
**CITY OF KINGSTON**

## **Submission by Kingston City Council: Inquiry into the Impact and mitigation of aircraft noise by the Senate Rural and Regional Affairs and Transport Legislation Committee (the Committee).**

### **1. Terms of reference**

*The Committee are seeking to consider the impact and mitigation of aircraft noise on residents and businesses in capital cities and regional with reference to:*

- a) The effect of aircraft noise on amenity, physical and mental wellbeing, and everyday life of residents.*
- b) The effect of aircraft noise on small business.*
- c) Any proposals for the mitigation and limitation of aircraft noise, including flight curfews, changes to flight paths and alternatives to air travel.*
- d) Any barriers to the mitigation and limitation of aircraft noise.*
- e) Any other related matters.*

The City of Kingston welcomes the opportunity to make this submission to assist the committee with its consideration of the issues as above.

### **2. Background on Kingston City Council**

Kingston has a strong interest in aviation due to the significant national infrastructure asset that is Moorabbin Airport, which is situated in the centre of our municipality on a 294-hectare parcel of land. The site is owned by the Commonwealth Government and is located approximately 21 kilometres southeast of the Melbourne CBD. Moorabbin Airport is recognised as one of the nation's busiest airports due to its many flight movements, mainly related to pilot training, but results in concentrated aircraft activity within the vicinity of the airport with approximately 300,000 movements each year.

It produces approximately 28% of Australia's pilots per year and provides important connections for many services including but not limited to, emergency and medical responses into rural and regional Australia. Moorabbin Airport is consistently rated the second busiest airport in terms of flight movements, second to Sydney Airport.

The airport is operated by Moorabbin Airport Corporation (MAC), a private company, which in 1998 was granted a 50-year lease with a 49-year renewal option.

### **3. General Aviation**

General Aviation airports across Australia such as Bankstown, Moorabbin, Jandakot and Archerfield, are critical assets which must be protected for a number of reasons. This submission seeks to reflect upon the often overlooked benefits of general aviation airports and the way in which they play a crucial role in our transportation system and economy by way of reference to *e) any other related matters* and is written with only general aviation airports in mind. The submission also reflects upon some mitigation strategies using Moorabbin Airport as a live example and highlights some of the barriers to resolving this complex issue.

It is understandable that people living near airports may be concerned with noise (and other environmental issues) as these can impact upon quality of life and noise issues are a very valid concern. It is essential that a balance is sought, between reaping the benefits of an airport and addressing the concerns of the community.

### **4. Response to Inquiry term "e) any other related matters"**

Council believes that a more focused look into the management of federally leased airports is required to review the depletion of aviation activity on airport land to expedite non-aviation development. Whilst this does not pertain to noise issues, what Kingston's submission aims to demonstrate, is that these assets must be protected for the future and that they are essential infrastructure which bring numerous benefits to communities including economic, transportation, tourism, emergency services and connections to rural and regional parts of Australia.

There are federally leased general aviation airports nestled within all our major cities, surrounding existing communities. Importantly these assets were often there before many of our residents. For example, the control tower at Moorabbin Airport opened on 15 December 1949 with flying commencing on 31 December 1949. At the time of opening, the immediate area was largely utilised for agriculture.

The agricultural backbone of Australia relies on general aviation and the broader commercial aviation industry (major airports and commercial airlines) relies on general aviation to keep the industry thriving. With that stated, the proximity for general aviation in a major city such as Melbourne, means that for local students training, there is the ability to remain at home. Aviation consists of 95% of small businesses, according to Industry Skills Australia.

The importance of small and medium business, ensures that people and businesses across the country and around the globe, remain connected through the delivery and supply of critical goods and essential services. These airports serve as catalysts for economic growth. At airports such as Moorabbin and Bankstown, these attract aviation related enterprises, such as flight schools, aircraft maintenance facilities and charter services, which generate employment opportunities and stimulate local economies. Students from across the world specifically come to train at Australian flight schools due to the reputation that precedes Australia in terms of safety.

The accessibility provided by these airports facilitates business travel and trade, Moorabbin Airport services King Island and Tasmania amongst other regional and rural centres in Victoria and South Australia, fostering entrepreneurship and innovation within the broader region and neighbouring States.

The importance of general aviation airports for rural and regional centre cannot be understated. Australia is an island nation and whilst this Senate inquiry is examining noise impacts, there are a range of positive impacts on residents and businesses which requires further examination as well.

In terms of aircraft noise, this has the potential to adversely impact amenity (including health) of residents. In Victoria, aircraft noise is managed in the planning system by the application of a planning overlay (the Airports Environs Overlay- AEO). The Committee may wish to refer to the Melbourne Airports Environs Safeguarding Standing Advisory Committee (MAESSAC) final report (Part B Report)<sup>1</sup>. This Committee was appointed by the Victorian Minister for Planning in March 2020 and was tasked to advise the Minister on improvements to the planning provisions safeguarding Melbourne Airport and its environs (the terms of reference were expanded upon to include other matters). There was a large discussion around the very real disconnect between the National Airport Safeguard Framework (NASF), which is concerned with protecting airports from complaint action, the Australian Standard AS2021 which focuses on the protection of residents from noise (largely requires developments to be constructed with noise attenuation measures installed such as double glazing), and current controls in the Victorian Planning system, which heavily rely upon the Australian Noise Exposure Forecasts (ANEF) as the sole means of dealing with noise.

A significant portion of the hearings included discussion around noise and the final report may be quite useful for this Senate Committee. The MAESSAC final report stated *'In Victoria, planning controls that manage airport noise use the ANEF. The ANEF is a measure of annual noise exposure and considers amongst other things, average daily noise, noise intensity (level), duration and tonal content. The ANEF does not readily translate to an understandable noise level in decibels – the standard measure for how 'loud' something is.... the history and development of noise measurement systems commonly used to manage aircraft noise especially in relation to Melbourne Airport and the development of alternative additional metrics (measurement systems) that were considered more useful to residents affected by aircraft noise. These metrics include:*

- *N contours ('Number Above' contours) – the average number of aircraft operations per day exceeding a particular decibel level*
- *Flyover numbers – the average number of aircraft operations per day using a designated flight path*
- *Respite time – the average number of hours per day during which there are no aircraft movements.*

*Poor planning decisions of the past and changes in operations (that have led to ANEF boundary extensions) have resulted in existing dwellings and residents becoming exposed to higher levels and frequency of aircraft noise. The area where potentially intrusive noise impacts may occur is far greater than that shown within the ANEF contours. There is currently no formal mapping mechanism in the planning framework to indicate the true*

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<sup>1</sup> <https://planningpanels.vic.gov.au/panels-and-committees/projects/melbourne-airport-environs-safeguarding-standing-advisory-committee>

*extent of land around the airport which may be affected by noise. This type of information may assist in informing land use planning decisions as well as future residents about potential noise impacts.*

The complexity, confusion, and lack of cohesive information regarding aviation noise in the planning system and the broader community, across Australia must be addressed. The City of Kingston, for example, cannot amend its own planning scheme and must wait for the Victorian State Government, when it comes to the Airport Environs Overlay. Council have requested that this be updated as contours are updated and endorsed but does not happen in a timely manner, potentially affecting a number of our residents. An effective and easy to understand web based interactive map (such as Vic Plan) which has accurate and up to date reliable information would be a starting point. Furthermore, a thorough investigation into how the NASF can be implemented into Planning Schemes across Australia would help ensure consistency with the guidelines.

## **5. Effective Mitigation Strategies**

Various mitigation strategies exist to address aircraft noise concerns whilst ensuring the continued operation of general aviation airports. Moorabbin Airport is technically a 24/7 operation in terms of emergency flights however there is an agreement with operators on site to abide by flight curfews during sensitive hours.

### **i. Fly Friendly Program**

The Fly Friendly<sup>2</sup> program was implemented at Moorabbin Airport as they are committed '*to being a good neighbour in the sky. We have developed the Fly Friendly program to support flying activities that are considerate of local residents. The Fly Friendly program identifies practical measures to decrease noise, such as using the least noise-sensitive runways, providing a special test area for aircraft maintenance, limiting training hours and flights over residential areas, and promoting the good behaviour of pilots.*' The program was implemented in approximately 2010, as stated previously, Moorabbin Airport is rated the second busiest airport in the country in terms of flight movements (second to that of Sydney Airport).

Pilots in the circuit at Moorabbin Airport, optimise flight paths to minimise overflight of densely populated areas (there is a significant Green Wedge, along with a number of golf courses located within the immediate take off and landing areas for Moorabbin) and promoting the use of quieter aircraft. Council acknowledges that there is a significant difference between a A380 / A330 and a single/twin engine fixed wing used for training purposes. With training a major component of Moorabbin Airport, the fly friendly program ensures that training hours are limited in summer months. Runways for training pilots are selected to mitigate noise disruption in nearby residential areas. Once skyborne, and in conjunction with safety procedures (taking into account weather conditions), pilots are encouraged to fly high to lessen noise, with a minimum height that a plane will fly is 1,000 feet over inhabited areas.

Whilst this is not fool proof and there are at times complaints made, by and large the aviation community is respectful of the residential neighbours. In terms of complaints, Council are rarely contacted, which would be because we are not the regulator. At the latest Community Action Consultative Group (CACG) held on the 22<sup>nd</sup> March 2024, a presentation conducted by Air Services Australia outlined that the total number of complaints received (regarding Moorabbin Airport) in the last quarter was 216. 187 of those 216 complaints were from the same person, with a specific concern regarding fixed wing.

### **ii. New Development- Noise Attenuation Measures**

In the City of Kingston, any new development that is located within the N-above 60dB contour of Moorabbin Airport, requires noise attenuation measures, to comply with the AS2021. There is an ongoing issue (which is Australia wide) for dwellings that were constructed prior to these regulations being in place.

### **iii. Technology advancements**

Advancements in aircraft technology and operational procedures have and can continue to lead to quieter flights. Whilst we await the White Paper for Aviation, due approximately mid-2024, the Green Paper discussed mitigation measures which could be implemented, including exploring alternatives, such as promoting sustainable transportation options like electric aviation and/or investing further in public transportation infrastructure. These measures could help alleviate pressure on airport operations whilst reducing environmental impact. There is a fine balance however, more effective flight paths should reduce the cost to the consumer and cost to the environment, something which it is anticipated the White Paper will concentrate

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<sup>2</sup> <https://www.moorabbinairport.com.au/-/media/project/moorabbin-airport/files/aviation/conditions-of-use/moorabbin-airport-fly-friendly-booklet.pdf>

heavily on but may in turn increase noise to people who were not previously exposed (as we are seeing play out in Brisbane).

## 6. Barriers

There are certainly barriers to implementing noise mitigation measures effectively. There are regulatory challenges, financial constraints and resistance from stakeholders.

Proactive engagement between airport authorities, local communities and policy makers can help to identify feasible solutions and navigate potential obstacles. Collaborative efforts and transparent communication are essential to fostering understanding and gathering support for mitigation initiatives.

### *i. Communication and engagement with local communities*

There must be an acknowledgement as to the lack of communication that has previously been undertaken from the regulator. Local communities do not feel heard or have a place to turn to. The community have a right to understand how such decisions at a Federal level are made, particularly given the regulatory regimes being established off the airport that can have the consequence of restricting development.

A crucial aspect often overlooked, using the recent example of Brisbane flight paths and Moorabbin Airport Masterplan process, is genuine community engagement and education. Noise monitoring programs and community forums can empower residents to voice their concerns constructively and actively participate in the decision-making process.

### *ii. Transparency in decision making*

Council is concerned that, on occasion, development on airport land may not meet the technical requirements under a NASF guideline and would appear to receive some discretion when considered by CASA. This statement is made due to our concerns regarding legislation and overall decision-making process which is shrouded in secrecy. The overall lack of transparency creates an unfortunate perception of potential collusion and is not the manner in which such critical decisions should be made.

In our submission to the Green Paper we state at paragraph 45 *'due to the lack of transparency, there appear to be no formalised mechanisms whereby the Department completes an assessment against the accuracy of what is provided in the draft Master Plan, noting again it is provided by the entity who derives the direct commercial benefit with the outcome. It is unclear whether the Department has properly critiqued the accuracy of information and details provided in draft Master Plans and undertaken a robust assessment of consistency with relevant planning provisions. With respect to the Moorabbin Masterplan, there are several inconsistencies with the Kingston Planning Scheme and broader Victorian Planning Provisions. Kingston can demonstrate outcomes that would not be permitted in other locations and are routinely occurring to the detriment of the adjacent community. Parity and consistency in planning practice is critical, particularly when the land in question is Commonwealth owned land intended for a critical infrastructure purpose.* It would be most appropriate that this decision-making process better mirror that which occurs in State or Territory planning systems where significant decisions are publicly determined.

As part of our submission to the Aviation White Paper, Council have advocated for the CACG process to be amended to allow any individual a seat in the room. Currently as it stands, one must be selected to participate. There is an important education piece required given planes are here to stay. Consideration should be given to developing Government support programs when a flight path changes to assist residents to retrofit their dwelling for noise attenuation measures. Has the Department considered making recommendations to issue loans to those worst affected within a specific contour or recovering costs from airports themselves?

By fostering open dialogue and providing accurate information about aviation operations and noise mitigation efforts, along with the benefits that general aviation assets bring to the community, residents can develop a better understanding of the challenges and opportunities associated with these airports. This could be applied more readily for major airports.

## 7. Conclusion

Aircraft noise has the potential to adversely impact the amenity of residents and it is recognised it is not an easy issue to resolve. It's essential to strike a balance between reaping the benefits of an airport and addressing the concerns of the local community. Implementing noise mitigations measures, improving air quality and engaging with the community in planning and decision-making processes can help address these issues. The masterplan

and major development plan process needs to be fixed in terms of community engagement and is why Council are actively advocating for changes in the legislation. The City of Kingston have advocated for these changes numerous times including appearing before the RRAT 2021 Inquiry into *the (then) Current State of Australian's General Aviation Industry, with Reference to Aviation in Rural, Regional and Remote Australia*.

General aviation airports play a vital role in enhancing the vibrancy and resilience of communities from major airports to regional and rural centres across Australia. The presence of these airports helps to foster a sense of connectivity and accessibility, allowing people to explore new opportunities and experiences beyond their immediate surroundings. Many young families frequent Moorabbin Airport for their small children to revel in watching fixed wing and rotary movements. Engaging with aviation activities can stimulate curiosity and inspire individuals to consider the aviation industry.