



Government of **Western Australia**
Department of **Planning**

Our ref:
Enquiries:
Telephone:

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

Dear Mr Mrdak

**NATIONAL AIRPORTS SAFEGUARDING FRAMEWORK PAPER FOR THE 4TH
SCOTI MEETING, CANBERRA, 10 MAY 2013**

I write to advise that Western Australia does not support the current SCOTI paper and its attached report on the National Airports Safeguarding Framework (NASF) while it contains inaccurate statements about, and an incorrect assessment of, Western Australia despite our requests to have these matters addressed and an undertaking by your officers that the statements would be changed. My reasons are set out below.

It was agreed at the Transport and Infrastructure Senior Officials Committee (TISOC) meeting on 15 March that jurisdictions could raise these concerns with your Department (DoIT) out-of-session. We took advantage of this process through e-mail correspondence at officer level, and despite agreement to make changes to the statements about Western Australia, these changes have not been made, and neither has the assessment been revised in accordance with our request.

With respect to the statements, there are two areas where Western Australia is mentioned, namely: paragraph 9 of the SCOTI paper, and the Western Australian section in Attachment A to the SCOTI paper.

When your officers called for comment on the draft SCOTI paper and completion of the template from which to construct the implementation report (DoIT e-mail: 25 January 2013), we requested the following text be inserted immediately after paragraph 8 which recorded the outcome of the May 2012 SCOTI meeting (WA e-mail: 8 February):

At that meeting, and subsequently in Chief Officer and Ministerial correspondence, Western Australia also indicated that it did not support Guideline A while it contains the proposed alternate noise metrics in their current state and requested that these metrics be subjected to thorough research, documentation and a Regulatory Impact Assessment.

Your officers included only what is in the current SCOTI paper, and which was circulated for the first time as the TISOC paper. So, following, and as was agreed at,

the TISOC meeting, we again requested the full statement be included (WA e-mail: 20 March, point 1), to which your officers replied (DoIT e-mail: 21 March):

We will incorporate your input in point 1 as suggested.

Despite this undertaking, this change has not been made and the current SCOTI paper still does not acknowledge that Western Australia first articulated its position on Guideline A at the May 2012 SCOTI meeting.

Accordingly, I respectfully ask that you please replace paragraph 9 of the current SCOTI paper with the following text:

At the May 2012 SCOTI meeting, and subsequently in Chief Officer and Ministerial correspondence, Western Australia also indicated that it did not support Guideline A while it contains the proposed alternate noise metrics in their current state and requested that these metrics be subjected to thorough research, documentation and a Regulatory Impact Assessment

Clearly the completed templates supplied in response to DoIT's request of 25 January were designed to be used to construct Attachment A to the SCOTI paper – the NASF twelve-month progress report. While the exercise of editorial licence is appropriate in such situations, it has been applied in such a way here as to create very selective and distorted jurisdictional pictures by omitting key information supplied by the jurisdictions for this purpose, and, without reference to the jurisdictions, including information from other sources designed for other purposes — and without providing a draft for jurisdictional review prior to submitting it to TISOC.

While I cannot speak for others, I am aware that some jurisdictions had similar concerns to Western Australia about how their template contributions had been treated and the resulting confused and inaccurate picture that had been painted in the report that was submitted to TISOC as a result.

Furthermore, following the TISOC meeting, we requested the text relating to Western Australia which had been included in that version of the progress report be completely replaced by text supplied for the purpose (WA e-mail: 8 February), and to which your officers replied (DoIT e-mail: 21 March):

We will incorporate your input in point 1 as suggested.

Despite this undertaking, the text supplied for replacement has not been adopted in the version now attached to the current SCOTI paper.

I therefore ask that you please replace the whole Western Australian section in Attachment A to the current SCOTI paper with the attachment enclosed.

With respect to the assessment, we stated at the TISOC meeting, and reinforced those statements in the subsequent post-SCOTI correspondence at officer level (WA e-mails: 20 and 28 March), that we consider the traffic light approach to be both inappropriate and inconsistent in its representation.

As we explained, we consider it to be inappropriate because this is not a clearly measurable situation with standard steps and target dates against which all jurisdictions can be judged equitably and comparatively.

As we demonstrated in detail in the second e-mail, we consider it to be inconsistent because it has been applied differently to different jurisdictions. I stress that what follows is intended only to reflect on the assessment, and is in no way a criticism or even commentary on the other jurisdictions' actions or positions reported.

Inconsistency is shown by jurisdictions having been judged on different parameters.

For example, Queensland appears to be judged, and assessed as GREEN, on its pre-existing policies and practices which date back to 2002 and not on its implementation of the NASF. Similarly for Victoria which is assessed as AMBER, while all other jurisdictions are judged on their progress on or plans for implementation of the NASF, regardless of any pre-existing policies and practices.

On this basis, Western Australia should be assessed at least as AMBER on the strength of its existing policies and practices alone, such as its airport noise management policies for each of its metropolitan airports, its wind farm guidelines, and its hierarchy of planning policies under which the Cities of Belmont, Canning, Melville and Swan have variously addressed the special importance and needs of airports in terms of recognition and support for the economic importance of airports, and on factors which may impede their operations such as building heights, noise management and tower masts. Yet Western Australia is assessed as RED.

Inconsistency is also shown by the way jurisdictions have been assessed on the basis of their progress on or plans for implementation of the NASF.

Western Australia is assessed as RED despite clearly and repeatedly articulating its support for the NASF principles and objectives, its intention to use the framework (except for Guideline A) as a reference tool in strategic planning, and its intention to articulate this position in the relevant planning instruments when these are reviewed as part of their normal review schedule, as well as providing evidence of current and immediate forthcoming actions on the review and updating of its planning instruments covering noise and wind farms.

Yet the other jurisdictions are assessed as AMBER even though they have not demonstrated any actual progress in implementing the NASF to date, but rather provided clear statements of what they will not be implementing, and statements of intent to consider possible future actions which are often subject to the completion of some other activity with delivery dates well into the future.

These two examples clearly demonstrate that Western Australia has been incorrectly assessed so I reaffirm our request that Western Australia's assessment be changed from RED to AMBER, please.

I would also like to restate our view for your consideration that the report being presented to SCOTI at this time is a progress report on implementation only in response to SCOTI's fourth decision at its May 2012 meeting, and as such does not go to the heart of the Ministers' intent when they made their agreement to the

Guidelines conditional on a report on operations after 12 months (decisions two and three). To properly address the Ministers' expectations will require further analysis of the findings of the operations of the Guidelines, leading to conclusions and recommendations to SCOTI, which NASAG is best placed to deliver.

Should you choose to replace the paper and report with revised versions which incorporate the changes to the statements and assessment that we requested for the SCOTI meeting, then Western Australia will be pleased to support the paper.

Thank you for your consideration which I am available to discuss by telephone if required.

Yours sincerely

Eric Lumsden PSM
Director General

6 15 / 2013

cc: Minister for Planning (WA)
Director General Department of the Premier and Cabinet (WA)
SCOTI Members
TISOC Members
NASAG Members

Amended text for the Western Australian section of Attachment A to the SCOTI paper 13/11:

NATIONAL AIRPORTS SAFEGUARDING FRAMEWORK TWELVE MONTH PROGRESS REPORT



Western Australia

Western Australia (WA) fully supports the Objective and Principles of the Framework to enhance the current and future safety, viability and growth of aviation operations at Australian airports, which accords with its own approach to current and planned airports in this State. The two State Planning Policies for Perth and Jandakot Airports, respectively, are testament to the recognition WA has of the value of airports and of the concern the State has for balancing their economic and safety needs on the one hand with the safety, social and environmental needs of their surrounding communities on the other.

WA will not 'adopt' the Framework but will use it as a reference tool – in conjunction with the consideration of all other relevant social, economic and environmental factors – in strategic planning, with the exception of Guideline A.

WA cannot support Guideline A while it contains the proposed alternate noise metrics in their current state and until these metrics have been subjected to thorough research, documentation and a Regulatory Impact Assessment

WA's planning legislation and other planning instruments are reviewed and updated as considered appropriate. WA's position on the Framework will be articulated in relevant instruments as and when it is appropriate to their normal review schedule, with the exception of environmental instruments to which changes will not be made, and of legislation and related instruments dealing with noise which are excluded at this time

Recent reviews of relevance to the Framework involve the two State Planning Policies for Perth and Jandakot Airports and the Planning Bulletin on wind farm developments

State Planning Policy 5.1 – Land use planning in the vicinity of Perth Airport (SPP 5.1) and State Planning Policy 5.3 – Land use planning in the vicinity of Jandakot Airport (SPP 5.3) have been reviewed to incorporate the revised ANEF for the airports that was approved by Airservices Australia, and are likely to be finalised by mid-2013. In view of the WA position, consideration of Guideline A was not applied this time. A future review of SPPs 5.1 and 5.3 will be considered following and based on the outcome of the review of Australian Standard 2021-2000 Acoustics – Aircraft noise intrusion – Building siting and construction (AS2021) by Standards Australia

Planning Bulletin 67 – Guidelines for Wind farm Development (PB 67) is currently being updated, with Guideline D being given consideration in a strategic planning context. The revised PB67 is expected to be considered by mid-2013

In addition, Western Australia's planning system (from the highest level policies and strategies, through the region schemes and structure plans to the local planning strategies and schemes) already addresses many of the Framework requirements to ensure that land use near airports is compatible with airport noise and safety operations, through, for example, the Cities of Belmont, Canning, Melville and Swan variously addressing the recognition and support for the economic importance of airports, and factors which may impede their operations such as building heights, noise management and tower masts

Mr Scott Stone
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Our ref DDLPE2013/0148

Dear Mr Stone

Review of AS2021 Aircraft Noise

I refer to the above and in particular the forum held on 25 February 2013 to discuss your Department's proposed review of AS2021, which I attended on behalf of the Northern Territory Government in my capacity as Chairman of the NT Planning Commission. Following the forum, you revised your proposed scope to review AS2021 and have requested comment and/or letters of support.

I agree that an update of the technical tables in Part 3, i.e. revise the tables of aircraft noise levels to reflect current aircraft types, is required. I also agree to the proposal in relation to reviewing the approach for small airports and to the inclusion of an appendix on procedures for developing ANEF's.

However, I do not agree with the proposal to "include information in the standard to provide guidance about strategic planning close to but outside 20 ANEF, to take particular account of night time noise and higher frequencies of aircraft movements".

As you will recall, this was debated at some length at the forum and my recollection is that the overwhelming majority of participants, while accepting it would be useful to have additional information available explaining aircraft noise, it should not be included in the standard.

At the forum I made the very strong point (unfortunately not included in the meeting notes of the forum) that inclusion in the standard of such information could impact on how the ANEF standard would be interpreted by individuals, community groups and potentially the courts.

The expert evidence presented to the forum was clearly that the ANEF system was by far the best standard and other proposed metrics inferior for the purpose of land use planning. Their inclusion in the standard, even as additional information, would confuse the role of AS2021 as the principal standard for planning decisions.

I reiterate I do not support a review that includes any such document in AS2021.

Yours sincerely

Chairman



The Hon Brad Hazzard MP
Minister for Planning and Infrastructure
Minister Assisting the Premier on Infrastructure NSW

Mr Wilhelm Harnisch
Chief Executive Officer
Master Builders Australia
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13/06792

Dear Mr Harnisch

I refer to your letter of 5 April 2013 concerning the potential review of Australian Standard *AS2021 Acoustics- Aircraft noise intrusion- Building siting and construction (AS2021)* by Standards Australia. I note that you have also written to Mr Sam Haddad, the Director General of the Department of Planning and Infrastructure on this issue.

I am advised no final decision has been made by Standards Australia to undertake a formal review of AS2021. Whilst the Commonwealth Department of Infrastructure and Transport has been seeking such a review, it is understood Standards Australia is still considering the submissions of various stakeholders prior to making a decision as to whether a formal review should occur.

I am also advised my Department has previously written to both Standards Australia and the Department of Infrastructure and Transport noting that the New South Wales government does not support the use of alternate noise metrics to regulate land use and development decisions, and that Australian Noise Exposure Forecasts (ANEF's) remain the most useful tool for determining land use and development outcomes near airports.

I have asked my Department to seek representation on any technical panel where a review of AS2021 is undertaken that seeks to go beyond consideration of relevant technical information.

Please be assured the NSW Government will not be implementing any alternative noise metrics for the purposes of determining land use or development outcomes in the vicinity of airports without a thorough and scientific review of AS2021 being undertaken.

Should you have any further enquiries about this matter, I have arranged for Neil McGaffin, Executive Director – Rural and Regional Planning, to assist you. Mr McGaffin can be contacted on telephone number (02) 9228 6565.

Yours sincerely

HON BRAD HAZZARD MP
Minister