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The Office of The Chief Executive



Committee Chair
Senate Rural and Regional Affairs and Transport Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600

Att: Committee Secretary

5 February 2007

To the Chair of the Committee,

Airports Amendment Bill 2006 further submission to the Standing Committee on Rural and Regional Affairs and Transport

This submission responds to the Senate Committee and the false and misleading statements made by representatives of the Canberra Airport in their written and oral submissions and misleading statements by DOTARS in their oral submission.

NSW Planning processes

Reference is made at several points in the transcript to the fact that the Tralee project is currently under consideration by the NSW Minister for Planning. A strong implication is made that the NSW Minister should have regard to the "so-called" facts put forward in these proceedings, in formulating his decision. If left unanswered, some of the material presented so far to the Committee may mislead the NSW Minister because it is false. This of course would be highly prejudicial to us and would undermine five years of environmental studies and scientifically based investigative work on Tralee and its surrounds.

Commonwealth Government Position on Tralee

In his evidence Mr Mrdak of the Department of Transport and Regional Services said:

"The Department has in the past put its view, as have Ministers, that it would not be sensible to allow residential development to take place in the Tralee area."

This is a reckless misrepresentation of the Commonwealth's position by an official who would be aware of the Commonwealth policy on aircraft noise.

"The long term viability" of an aerodrome is preserved by planning in accordance with the ANEF system, as stated in Airservices Australia's policy document, "The Australian

Noise Exposure Forecast System and associated land use compatibility advice for areas in the vicinity of airports”.

The Standard accepted by the Commonwealth and every State and Territory Government for residential development is Australian Standard AS2021.

In 2001 in a West Australian Town Planning Appeal Tribunal, Rob Walter of the Department of Transport & Regional Services was called as an expert witness. He said:

“The Commonwealth Government has, for many years, endorsed and supported a national policy for landuse planning around airports based on the Australian Noise Exposure Forecast (ANEF) system for application in conjunction with the Australian Standard 2021, ‘Acoustics-Aircraft noise intrusion-building siting and construction’”.

I therefore raise the following concerns in relation to Mr Mrdak’s statements:

1. The Commonwealth Government policy with regard to residential development in the vicinity of airports is as stated in AS2021 using the ANEF system. Residential development at Tralee is in full compliance with this policy.
2. Presumably because this policy is clear, the Department of Transport and Regional Services did not make any submission to the Queanbeyan Land Release Inquiry.
3. The Commonwealth Minister for Transport, the Hon. Mark Vaile has indicated to this company that the issue around the rezoning of Tralee falls within the jurisdiction of the NSW Government and that he and the Federal Department of Transport will take no position on the issue.

We are particularly concerned that this misrepresentation will be used by the Airport to misinform the NSW authorities who have the Tralee project under very active consideration.

Flight Path Terminology & the ANEF Standard

In his submission Mr Byron repeatedly uses the term “under a flight path”. This term needs to be explored more fully. The reality is that virtually all of Australia is under some sort of flight path. The Simpson Desert is under the Brisbane – Perth flight path and Tralee is under the Canberra Airport flight path. The term has no useful meaning unless it is related to some measure of the noise impact of the land in question. Mr Byron’s use of this term is at least unnecessarily emotive and at worst mischievous.

Much has been made of the point that there will be aircraft noise outside the 20 ANEF contour and this is true. The impact of the noise outside the 20 ANEF is relatively low, for most people. Tralee is located between 8 and 12 kilometers from the airport. People who are particularly noise sensitive will choose not to move into parts of Tralee in the same way that people who are noise sensitive choose not to live adjacent to road traffic.

Certainty for the Community and the Development Industry

The ANEF System was developed by the Commonwealth Government in the 1970s and has been adopted by every state and local government jurisdiction throughout Australia. In the case of NSW the ANEF system is given effect through Ministerial Direction 12, made under the *Environment Planning and Assessment Act*. It is the land-use planning standard on which the development industry and all local governments and the Minister himself rely.

From a town planning and community perspective, the ANEF system has worked well, by providing certainty in land use decision-making. It is subject to periodic review and amendment. The airport is proposing the abandonment of the ANEF system and its replacement with a handover of regional land use decision-making to the airport itself. The ANEF system was accepted as a fair and proper approach when airports were in Commonwealth ownership. When the Capital Airport Group acquired Canberra Airport, it sought to assert a right to control planning way beyond the airports boundaries. It seeks minimum planning constraints within its own boundaries and maximum influence well beyond its own boundaries.

Well located, developable land is required to deliver affordable housing in an environmentally efficient and compact city. The push by the airport has inevitably come into conflict with other commercial, environmental and planning objectives. A Standard is in place specifically to resolve this conflict.

The Airport's claim that the ANEF system is not intended as a land use planning system is preposterous and knowingly false as this paper and our appearance before your Committee will demonstrate. Just because the airport does not like the outcome does not mean that the standard should be abandoned.

The Airport as Regional Infrastructure.

The airport and Mr. Byron have stressed the importance of the airport as a regional infrastructure resource. We agree that the long term operations of the airport should be assured but this need not exclude all other legitimate interests. Mr Byron is seeking to sterilize and take full land use planning control over a so-called "high noise corridor" that is approximately 145 square kilometers in area. To put this in perspective, it is equal to the total area of land currently zoned for residential development in Canberra, which houses over 360,000 people. There is a housing affordability crisis in the Canberra region. This has emerged over recent years with the exhaustion of raw land to the south of Canberra and Queanbeyan. House and land prices are second only to Sydney. Rental vacancies, are extremely low at 1%. There is a need for well located development land to facilitate efficient and affordable housing.

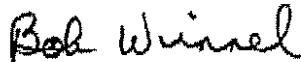
In 1998, after eight years of public and inter-government consultation and the development of thirteen technical papers, the ACT Government, the existing Federal Government, the existing NSW Government and Queanbeyan City Council, formally adopted the ACT Sub-Region Planning Strategy for the future development of the region. This agreement states that it protects the airport by adopting the ANEF system. It

identified the Tralee area as the only future urban development area in the South of the region. The agreement stated that it was to give certainty to governments, industry, and planning authorities in the region to the year 2023.

VBC purchased a half interest in Tralee at a public tender, following a thorough due diligence process, which relied heavily on the still current 1998 ACT and Sub Region Planning Strategy agreed by the Commonwealth.

The submissions attached add further justification that we should be provided an opportunity to give oral evidence before your Committee, and to enable your Committee to question us and an expert witness Dr Rob Bullen, who would appear with myself and the project manager Ken Ineson. In the interests of natural justice and to rectify damage done to this firm, we request an urgent opportunity to appear before your Committee and we request that this letter and the attached submissions be tabled along with other submissions to your Inquiry.

Yours Sincerely,



R Winnel
Chief Executive

Attachment 1: *Airports Amendment Bill 2006 further submission to the Standing Committee on Rural and Regional Affairs and Transport*

Attachment 2: *Letter from Wilkinson Murray dated 31 January 2007*

Airports Amendment Bill 2006 Further Submission to the Standing Committee on Rural and Regional Affairs and Transport by the Village Building Co.

The Village Building Co Ltd offers the following comments on the written submissions of the Airport and DOTARS and identifies false and damaging comments by Canberra Airport.

Our industry closes down every January for three weeks, and staff returned to work progressively from 15th January onwards. As a housing company, we are not advised of hearings of this type and were unaware of the Airports opportunity to misuse this inquiry to gain publicity for untruthful attacks on this company and its senior officers. The Committee hearing only came to our attention on 17th January. We then prepared a submission with assistance from our consultants, and obtained a formal extension, lodging our brief submission on 29th January. Only recently have we accessed other submissions and oral statements by witnesses and only now able to deal with these statements which are of very grave importance to this firm as well as to the community at Jerrabomberra,

The written and oral submissions given by the Canberra Airport contain many misleading statements that are an abuse of parliamentary privilege, and certainly damage the legitimate interests of this company. The Airport has misused the Senate Committee as a platform for publicity, just prior to a visit to Queanbeyan by the leader of the NSW Opposition in the lead up to the election. We wish to put our case to the Committee, in writing and verbally to restore some balance and truthfulness to the Senate Committee's contribution to public debate and to rectify some of the damage done to our company and its associates by Airport untruths.

A number of statements in Mr Stephen Byron's oral submission would be defamatory if not protected by parliamentary privilege. As Managing Director of the Canberra Airport, Mr Byron would be aware of the untruthful nature of many of his statements.

Comments on Canberra Airport's oral submission

"The developer organised their political lobbyist, Mr Paul Whalan, who was also the chief fundraiser and campaign manager for Steve Whan, to get onto the Jerrabomberra residents' committee-and he even became president." (Mr Stephen Byron pg 52 RRA&T transcript).

The above statement by Mr Byron is false and mischievous. Mr Whalan became involved with the JRA as a resident. This was totally consistent with many years of involvement in community activities and with community organisations. He was elected President of the JRA without our knowledge and he was counselled on the potential negative impact of this decision on the interests of the company. Mr Whalan chose to stay President for one year.

We are advised that the minutes of the JRA of some years past formally acknowledge Mr Whalan's involvement with the Village Building Co and confirm his non-participation in discussions or decisions of the JRA in land development issues in the local area.

'Do you know where they want to put a school? Directly under the apex of that curved flight path you can see on the document in front of you. Under Frank Sartor's planning regime the school will not get up-the developer will get away without the building the school-yet there will be 4000 homes there.' (Mr Stephen Byron pg52 RRA&T transcript)

Mr Byron's statement is untrue. The proposed location of the school is outside Canberra Airport's Ultimate Capacity 20 ANEF contour and is therefore entirely acceptable under NSW's planning policy for use as a school site. The Village Building Co. is absolutely committed to the provision of a site for the school and will alter its location if required in order to comply with NSW Government requirements.

"The developer paid about \$15 million for the land and that would turn into more than \$750 million on a rezoning." (pg52 RRA&T transcript) *"That \$15 million can be turned into probably \$800 million."* (Mr Stephen Byron pg53 RRA&T transcript).

Mr Byron's statements are untrue. VBC and a consortium of Canberra businesses paid \$3.75m for the land and the profit margin would only be a very small fraction of the figure quoted by Mr Byron. This pales into insignificance compared to the profit that Mr Byron's company as made from property development at Canberra Airport.

"...funnily enough 94 per cent of Jerrabomberra residents and 93 per cent of Queanbeyan residents say that, if houses are built at Tralee, they will complain about aircraft noise. There is no doubt about it." (Mr Stephen Byron pg52 RRA&T transcript)

There is no basis for Mr Byron's claim. Canberra Airport's records of complaints that we have obtained under Freedom of Information, indicates that the Airport receives only a handful of complaints every year, from residents of Jerrabomberra, which has more aircraft noise than Tralee.

Mr Byron also claimed that the development of Tralee would guarantee a curfew. (at pg 53) Evidence from other airports does not support this claim.

"If you ask me in the future I would say that if houses are not built there is the opportunity over a period of time to reduce the noise over Jerrabomberra towards zero - not completely but towards zero - and have all the noise at Tralee: that is over rural" (Mr Stephen Byron pg57 RRA&T transcript)

Again, Mr Byron misrepresents the truth. VBC supports these measures, however advice VBC has obtained from expert consultants indicates that the offset approach proposed by Mr Byron will only reduce noise levels over Jerrabomberra by 1 to 2 dBs.

7/15

Mr Byron falsely claims that the NSW Government Land Release Inquiry said "There is an aircraft noise problem at Tralee, so do not build there." (Mr Stephen Byron pg53 RRA&T transcript)

This is yet another of Mr Byron's blatant misrepresentation of the Inquiry's findings. The Inquiry found that Tralee (South Jerrabomberra) complied with State, Local and Federal noise regulations. The Inquiry did not recommend any changes to these stringent regulations. South Jerrabomberra (including Tralee) complies with the Australian Standard for aircraft noise, AS2021-2000.

**Comments on Canberra Airport's written submission
"The ANEF and aircraft noise".**

The Airports submission contains the following:

"However, the ANEF system, under Australian Standard AS2021, is the standard designed for the insulation of buildings from aircraft noise – it is not a land-use planning tool and it does not suit airports that wish to remain curfew-free and maintain night time operations. It also does not suit airports which have flight paths over key marginal electorates." (pg 1)

Page 4 of Airservices Policy document, "The ANEF System and Associated Land Use Compatibility Advice for the Areas within the Vicinity of Airports, September 2001" states as follows: The ANEF System "is intended for land-use planning around aerodromes"...it is considered that the public interest is best protected by ensuring that the long-term viability of the aerodrome is preserved wherever possible by planning in accordance with the guidance material contained in this document" (i.e. AS2021).

The Airservices document also states "the land-use recommendations... (i.e. unrestricted housing outside 20ANEF, noise insulated housing between 20 and 25 ANEF) are most readily applicable to new development on undeveloped land around aerodromes". In respect of Canberra, the Airport has sought a unique "High Noise Corridor" to replace the ANEF system. This concept was rejected by the Queanbeyan Land Release Inquiry. The AS2021 remains the standard. Tralee should not be treated differently from every other proposal for housing developments in Australia.

The ANEF system was designed specifically to provide building siting advice, which is inherently connected to planning. It is a land use planning tool, and has been accepted as such by all levels of Government. All relevant planning documents and strategies endorse the ANEF system and the Australian Standard as it applies to land use planning in the vicinity of airports. Canberra Airport should not be an exception.

Noise complaints extend beyond ANEF 20

The Airport's submission also states "ANEF contours are never constant, and thus land-use planning decisions made on the basis of an ANEF contour are rendered irrelevant once a new ANEF is endorsed." (pg 2)

This is true, however for an Ultimate Capacity ANEF, as in the case of Canberra Airport the tendency will be for the extent of the ANEF contours to shrink over time as new generations of aircraft become quieter.

The Canberra Airport sites the Inquiry Panel report and the Expanding Ways Paper to state that *"noise affected areas go beyond the 20 ANEF contour line"*. (pg2)

This is true, the Standard itself states this. The 20ANEF contour line is the point at which the majority of people will not be significantly affected by aircraft noise. This does not mean that there is no noise at all.

The limitations of the ANEF system must be distinguished from its adequacy as a land use planning tool. These are two very separate functions, which need to be clearly differentiated. In this regard, although the Expanding Ways paper outlines the need for additional methods to describe and explain aircraft noise exposure to lay people. However, *Expanding Ways* clearly states:

"The ANEF System continues to be the most technically complete means of portraying aircraft noise exposure and the Department is not proposing any changes to the land use planning principles and restrictions embodied in Australian Standard AS2021."

All informed parties understand that aircraft noise goes beyond the 20ANEF contour. Complaints about aircraft noise come from ALL urban areas and primarily in response to unusual events or changing conditions. The ANEF system establishes the limits for uses of land which the vast majority of people are not seriously affected by aircraft noise.

The Airports submission makes references to the 1995 Report of the Senate Select Committee on Aircraft Noise "Falling on Deaf Ears". While this report finds that the public has difficulties comprehending the ANEF system, it does not state that it is inappropriate as a land use planning standard.

The Expanding Ways paper was DOTAR's response to Falling on Deaf Ears, and whilst acknowledging the difficulties of the ANEF system for explaining noise to the lay person, continued to endorse it as a land use planning tool.

The Airport later goes on to claim: *"It was acknowledged in the Senate Select Committee Report and it is widely known that significant levels of aircraft noise complaints emanate from areas that, according to the ANEF, are not impacted by Aircraft Noise (i.e. outside ANEF 20)"* (pg 4)

This assertion is false and misleading. The ANEF System does not state that areas outside the ANEF 20 are not impacted by aircraft noise.

ANEF for Canberra Airport

It is the practice of Airservices Australia not to undertake proper review of the projections behind the ANEC maps or public consultation prior to approval. This practice may have been acceptable when airports were owned by the Commonwealth. Privatised airports have commercial interests that result in a biased approach when producing ANEFs.

In 2002 Airservices Australia approved an "Ultimate Capacity" ANEF for Canberra Airport. This ANEF assumes that the single jet-capable runway of Canberra Airport will take more flights than Sydney's three jet capable runways do today in a 24 hour operation period. This would mean an average aircraft frequency of 1.75 minutes. Comparison of aircraft numbers and passengers indicated that the occupancy rate is 52% which is unviable. The Ultimate Capacity ANEF is unachievable.

The process for approvals of ANEF's should be subject to the consultation processes of the Airports Act, and they should be applied strictly. Moreover, the benefit of a public review process of ANEF assumptions would be beneficial. This may take the form of a tribunal or panel of independent experts.

Dr Rob Bullen, from Wilkinson Murray is Australia's leading expert on aircraft noise issues. He was heavily involved in the development of the ANEF System, and the development of AS2021. Attached are his comments on the Canberra Airport's written submission to the Committee which comments primarily on their lies about the voracity of the ANEF system as a land use planning tool.

Public Consultation Processes

- Given the profound affect of a new MP/MDP there should be no issue with a lengthy time frame for public consultation. It is vital that all stakeholders have a chance to be informed and to have their say on these matters. Time periods for approvals are not vastly different, and given lack of regulation of the MP it is appropriate that it is given due consideration..
- The CIA proposes removing all checks and balances from the approval process. Clearly this would be a commercial windfall, but checks and balances need to be in place to protect the community and other vested interests. There should not be any reduction in public consultation and assessment timeframes. The stop clock provisions are an important element of the process to give more complex issues due consideration.
- It is important to have all interested parties involved in the assessment in order that issues can be assessed from varying perspectives.

"Airports Act Planning Regime and Canberra International Airport"

The Canberra Airport's written submission makes the following statement
"Accordingly, Canberra Airport has ensured that the Airport is strongly integrated into the metropolitan and sub-regional planning strategies. (Pg 1)

It may be true that Canberra Airport is integrated into local and regional strategies. Each strategy through which it is integrated also endorses the application of AS2021 and the ANEF System as the relevant land use planning standard for areas in the vicinity of airports.

The Airport is far from the only relevant contributor to the growth of the region. A lack of affordable housing is a major constraint on the regions growth. Planning documents are written to ensure a balanced approach to development. The Airport,

and developer's interests are factored in all regional planning documents, in the form of the ANEF System and the Australian Standard.

The "ACT and Sub-Region Planning Strategy", endorsed by the NSW, ACT and Commonwealth Governments endorses the ANEF System and the Australian Standard. (see comments on this Strategy in the covering letter)

A regional airport has an important impact over a huge area, more specifically the urban area in which it is located. Yet, their planning decisions, are by their own admission much faster than any other jurisdiction in the Canberra area. The Tralee rezoning process has been ongoing for the past five years.

WILKINSON MURRAY

31 January 2007

WM Project Number: 02147
Our Ref: [Click here to insert]
Fax/Email: klineson@villagebuilding.com.au

Ken Ineson
The Village Building Company
92 Hoskins St
MITCHELL ACT 2911

Dear Ken

Re: Submission by Canberra International Airport - Review of Airports Amendment Bill 2006

I have read the above document, as found at

http://www.aph.gov.au/Senate/committee/rat_ctte/airports/submissions/sub49.pdf,

and have the following comments on its contents. My comments are restricted to issues raised in the section "ANEF and Aircraft Noise". Comments on the recommendations in this section are presented first, followed by comments on other specific points in the submission.

Recommendations (page 4 of "ANEF and Aircraft Noise")

My strongest comments are related to Point 4 of the recommendations, and these are presented first. Comments on the other points are then presented in order.

Point 4

I strongly oppose the proposal that airports be provided with "certain controls over land use planning in the vicinity of airports". This is a muted version of the statement made on page 4 immediately above "Recommendations":

"The airport should be identified as a referral agency in the State/Territory/Local planning system, with full rights to veto a development on the grounds of excessive aircraft noise affectation".

First, although I am not legally trained, I would have thought it would be outside the realm of any Commonwealth legislation to mandate that certain provisions be made in State planning legislation. Perhaps some power can be found under the Constitution to override State legislation in this way, but in my view this particular request would be totally contrary to proper planning practice.

Airports are already referral agencies in most, if not all, relevant State planning instruments, and have an effective "veto" in issues related to safety, in the sense that no authority would realistically approve a development that an Airport declares to be unsafe (e.g. due to obstacle limitation requirements). Airports can and do make strong submissions to planning authorities in relation to noise issues, together with all other interested parties. However, the intent of this recommendation appears to be to provide Commonwealth legislation allowing an Airport (a private company) to "veto" a decision of a

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ACOUSTICS AND AIR

State Government Minister, on the grounds that in its view the decision may negatively impact its operations.

Would there be any right of appeal against this "veto"? On what grounds could an aggrieved party appeal, and to whom? I am not a legal specialist, but to me the proposal appears quite ill-conceived.

Point 1

ICAO's "balanced approach to aircraft noise management" involves *"analysing the various measures available to reduce noise through the exploration of four principal elements, namely reduction at source (quieter aircraft), land-use planning and management, noise abatement operational procedures and operating restrictions, with the goal of addressing the noise problem in the most cost-effective manner."* (ICAO document "Aviation and the Environment".) Most airport planning documents consider all these principles. Whether a Master Plan and similar instruments should be required to specifically address each of these elements is questionable, but I see no problem in acknowledging them in the legislation.

I believe the phrase "an airport-by-airport approach" is unclear and ambiguous, and should not be used in legislation. Noise abatement procedures and operating restrictions will clearly depend on the specific airport. However, I believe that land use planning principles should be fundamentally consistent between airports, to provide fair outcomes for all parties and avoid undue influence from local political or other interests.

Point 2

Use of an Ultimate Capacity ANEF for land use planning is appropriate for larger airports, and is currently adopted in many cases. However, many smaller airports will clearly never achieve the "ultimate capacity" of their runway system - i.e. operations occurring consistently at the minimum allowable time separation. I believe it would be more appropriate for the role of Airservices Australia in this issue be clarified to include assessment of whether the scenario(s) for which an ANEF is provided represent a conservative but realistic picture of long-term airport usage.

Provision of the 15 ANEF contour on officially-produced charts may help to dispel the misconception (also promulgated in this submission) that areas outside 20 ANEF contour "according to the ANEF, are not impacted by aircraft noise". However, I believe this is better achieved by providing additional noise information in other ways.

Point 3

The submission assumes that the term "flight paths" in the proposed legislation means "flight paths modelled in the ANEF". I did not make this assumption, but agree that clarification would be useful. I presume it is intended that this clarification should be provided in the Regulations referred to in the draft legislation. I agree that for major airports, much more detailed noise information than a simple ANEF chart should be provided, and in current practice this is almost always done. However, the situation is different for smaller airports, and requirements need to be carefully considered. Given the complexity of the issues, it is probably best that they be handled in regulations.

Inclusion of "a zone where no further residential development should be undertaken" should not be a requirement of a Master Plan. An airport is, of course, free to include any such proposal in its Master Plan document, or any other document (as Canberra Airport has done). However, any such inclusions need to be seen as proposals to be considered on their merits by the appropriate planning authority. A Master Plan (or Major Development Plan, or other similar document) represents a statement of the Airport's intentions with respect to actions over which it has control and authority. In my view, it is

preferable that submissions, requests and lobbying be presented in separate documents, so that the distinction between proposals and requests is clear.

Point 5

I presume it is not suggested that a policy of "no more curfews" should be incorporated in the legislation under discussion. I would have thought that current government policy was strongly in favour of avoiding curfews wherever possible, and I believe this is appropriate. A specific statement of a "no more curfews" policy would be a political, rather than a technical, statement, and I do not offer comment on this.

Other Points In the Submission

"ANEF system flaws – additional information required in Master Plans"

Point 1:

I agree that "ANEF levels do not coincide with levels of community complaints about aircraft noise". Complaints are also not well correlated with actual levels of long-term noise impact.

Point 2:

I also believe the provision of additional information in Master Plans and other documents is a good thing.

Points 3 and 4:

No-one reading AS 2021 could be in any doubt that the Standard includes advice as to what is an appropriate location for siting specific types of buildings, including residences. The Standard is called *"Acoustics – Aircraft noise intrusion – Building siting and construction"*. Section 1.1 "Scope" begins:

"This Standard, together with the relevant Australian Noise Exposure Forecast (ANEF) chart or locality map available for the aerodrome under consideration, provides guidelines for determining –

(a) whether the extent of aircraft noise intrusion makes building sites 'acceptable', 'unacceptable' or 'conditionally acceptable' for the types of activity to be, or being, undertaken ..."

Table 2.1 of the Standard is headed *"Building Site Acceptability Based on ANEF Zones"*.

In the original (1977) version of the Standard the emphasis was on the provision of noise insulation – for example, in that version the equivalent of point (a) quoted above reads

"whether the extent of aircraft noise intrusion makes indoor spaces unacceptable for the activities to be, or being, accommodated"

In this sense, the Standard was "developed" to provide advice on noise insulation, but following receipt of relevant survey information in 1982, its role in providing advice on building siting was expanded. I would see any distinction between "building siting" and "land use planning" as being largely semantic, but perhaps it could be argued that "land use planning" refers only to enforceable policies, and in this sense it is obviously true that advice in the Standard does not constitute enforceable policy. However, the Standard definitely provides "a land use planning tool" – that is, advice that can be used by planning authorities to inform their decisions and obtain a consistent approach to land use planning policy around Airports.

It is certainly true, as stated in the letter quoted from Standards Australia, that the Standard was never intended "for the purpose of aircraft noise management". As indicated in ICAOs "balanced approach", aircraft noise management involves many issues apart from land use planning. Most of these are the responsibility not of Standards Australia nor of land use planning authorities, but of Airports, airport regulators and aircraft designers.

AS 2021 explicitly offers advice on development in "greenfield" locations (e.g. note 5 to Table 2.1). The recommendations may not "suit" some Airports who would prefer, as private companies, to exercise unlimited planning controls over land they do not own. However, the dangers of an approach that allows "case-by-case" decisions on land use planning are summed up in the Airport's last sentence in point 3. Is it seriously suggested that it would be a good thing for planning decisions to depend on whether the area in question lies in a "key marginal electorate"?

Point 5:

ANEF contours do change, but generally in the direction of reducing their extent due to the introduction of new-generation aircraft. This point is important, and indicates the importance of preparing an ANEF carefully, with due consideration to all factors that may affect Airport operations into the future. The many assumptions underlying the ANEF must all be reasonable, and should all be open for transparent external review to ensure that future exposure is neither underestimated nor dramatically overestimated. In this way, any future changes in the ANEF should be small, and preferably in a downward direction.

Point 6:

This point appears quite misconceived, in that it calls on the Commonwealth to develop:

- a policy on aircraft noise in the vicinity of Airports. Such a policy exists, and is enunciated by Airservices Australia in various documents describing the ANEF system; and
- an Australian Standard. Standards are developed by Standards Australia, not the Commonwealth Government.

With respect to the ANEF system, I note that the Australian Airports Association, the peak airport body in Australia, indicates in its submission that *"the continued use of the ANEF system, particularly the ultimate capacity ANEF for long-term land use planning off airport is supported."*

Noise complaints extend beyond ANEF 20

It is, I believe, accepted and understood by all informed parties that noise complaints often arise from areas outside the 20 ANEF contour, and that the ANEF system is a poor tool for communicating information about noise impacts.

I agree with point 4 that provision of additional information in Master Plans (as well as other similar documents) is important. This may include actual and predicted future flight tracks, and single-event noise contours. However, other tools developed by DoTARS have in fact proved more useful for communicating the extent and importance of noise impacts, including "flight zone" diagrams and N70 contours. Whether presentation of any or all of these should be mandatory is debatable, but I consider they are all useful to some extent.

My comments on identification of a "zone in which no new residential development should be permitted" are above.

Use of ICAO Balanced Approach

Point 2:

The "High Noise Corridor" identified by Canberra Airport provides no information at all on noise levels or impacts - it simply represents an area within which the Airport desires that there should be no residences. The Airport has indicated that the "High Noise Corridor" approximates the 65dBA maximum single-event noise level contour for certain aircraft operations, and presentation of this contour, properly labelled (as in the Airport's Master Plan) provides some information. However, it would be much better if this were supplemented by other information, preferably more informative measures such as N70 contours.

Airports to have a say in local planning in the vicinity of the Airport

My general comment on this section is that airports already have a "say" in local planning - they can make submissions along with all other interests, and I have no doubt their submissions are given considerable weight. What the Airport seeks here is a "veto". My comments on this are above.

I trust this information is sufficient. Please contact us if you have any further queries.

Yours faithfully

WILKINSON MURRAY PTY LIMITED



Rob Bullen
Director