

SB:ks
Our ref: GOV:NSW



14 May 2013

Mr Richard Pearson
A/g Director General
Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001



Dear Mr Pearson

Proposed Planning Policy – Canberra Airport

Thank you for the opportunity to provide comment on the NSW Government Proposed Planning Policy about Canberra Airport. I note that this draft has included most of the comments I made in my comments of 22.2.2013 on the earlier draft.

Canberra Airport supports this draft proposal and the NSW Government intention to safeguard the community from the growth of air operations in our Region.

I think it is useful to reflect on the planning policy framework and the outcomes of the settlement pattern planning set up in 1995 when aircraft noise protection was provided to over what was then 99.7% of Canberra and Queanbeyan residents.

The Canberra and Queanbeyan Noise Abatement Zones were implemented by the Keating Labor Government in 1995 (18 years ago) in response to community outcry including intense lobbying and public meetings against direct overflight and aircraft noise. As a result, jet aircraft are generally not permitted to fly over Noise Abatement Zones unless they are above 5,000 feet (1,524 metres) and Turbo prop aircraft above 3,000 feet (914 metres) ground height, refer to figure 1 attached setting out the location of the Canberra and Queanbeyan Noise Abatement Zones.

Since 1995 over 44,000 additional (new) homes have been built in Canberra and Queanbeyan. About 400 of these new homes were built outside of the Queanbeyan Noise Abatement Zone at Jerrabomberra. The total stock is now over 165,000 homes currently there are now some 800 homes located outside of the Queanbeyan Noise Abatement Zone which means that 99.5% of residences enjoy protection from aircraft noise.

The settlement pattern outcome over the past 18 years is an outstanding planning success in response to the Federal Government's 1995 policy planning principle objective "to protect the community from excessive aircraft noise." This policy outcome has delivered an ongoing 24/7 operation curfew free Canberra Airport and no noise sharing over the Canberra and Queanbeyan communities. As you are aware Canberra Airport has been active in defending this planning framework so there was no opportunity to degrade the Federal Government's 1995 policy planning principal objective "to protect the community from excessive aircraft noise."



As illustrated on figure 1, the Canberra and Queanbeyan Noise Abatement Zones do not join. The designed use of the gap between the two Noise Abatement Zones was to create a corridor for aircraft operations at lower altitudes to facilitate aircraft arrival to and departure from Canberra Airport. The principal consequence of the establishment of the Noise Abatement Zones was therefore to concentrate flight paths and thus aircraft noise in this High Noise Corridor, refer figure 2, away from current and future residential areas for the benefit of the community.

In our Master Plans approved by the Commonwealth Minister in 1999, 2005 and 2009, the High Noise Corridor was designated as a no new residential development zone.

Your Minister's decision represents a degradation of the 1995 Federal Government's policy by permitting 2,000 new homes outside the Noise Abatement Zones. However, the draft Section 117 Direction does recognize that no new residential should be permitted within 20 ANEF.

Canberra Airport is prepared to accept the Section 117 Direction as representing the reduced (but now absolutely minimum) standard for protecting the community from aircraft noise by preventing new or additional incompatible development within 20 ANEF so long as appropriate noise attenuation and disclosure is in place (see below). The enactment of this Section 117 Direction with full statutory force is a critical pre-requisite for the houses at Tralee to proceed.

Canberra Airport is also prepared to rename the High Noise Corridor to be the designated Aircraft Departure and Arrival Zone, noting that it results from the establishment of the Noise Abatement Zones. It is important that this Aircraft Departure and Arrival Zone is included in the Section 117 Direction and the Local Environmental Planning Instruments for Queanbeyan, Palerang and Yass Valley local government areas consistent with the provisions for Environmental Protection and Waterways Zones and the Quarry Buffer Area Map and the Flood Planning Map of Queanbeyan LEP 2012 so as to guard against future aircraft noise sharing. Consistent with the Quarry and the Flood land maps, the public has the right to know about aircraft noise.

Finally, it is necessary to deal with land outside 20 ANEF so as to ensure no further degradation of the Federal Government's 1995 planning policy principal objective "to protect the community from excessive aircraft noise." In this regard I suggest the following be included in the Section 117 Direction:

1. Noise attenuation consistent with table 3.3 AS2021-2000 be required for any housing between 20 ANEF and 15 ANEF – figure 3 identifies this as the Aircraft Noise Attenuation Zone. This is entirely consistent with the Minister's approval of Tralee.
2. Disclosure of aircraft noise levels within the Aircraft Departure and Arrival Zone to existing and future property owners by inclusion of the N60, N65, N70 noise footprints consistent with the public's right to know – figure 4 identifies this area as the Aircraft Noise Disclosure Zone.

3. A clear statement in the Section 117 Direction and on the title of all blocks within the Aircraft Departure and Arrival Zone as follows:

This land is subjected to aircraft noise at anytime by the 24 hour/7day passenger, freight and defence aircraft flight operations arriving and departing Canberra Airport. The frequency of aircraft movements and the size of aircraft are forecast to increase indefinitely into the future. It is the responsibility of landowners to noise attenuate their property to ensure their amenity as Canberra Airport will remain curfew free.

I am encouraged to note the NSW Government agrees that protecting the community from "excessive aircraft noise" is the right planning principle and design objective for our region, consistent now with the Commonwealth and ACT Governments.

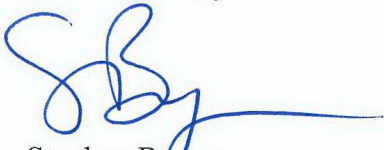
Going forward, maintaining a curfew free operation at Canberra Airport will require commitment and agreement that sensitive developments should not be built in close proximity to the 20 ANEF contour. Minister Hazzard's decision to attenuate aircraft noise for homes built at South Tralee consistent with table 3.3 AS2021-2000 in part demonstrates how this intent can be achieved.

I note in this regard the concern of the NSW Government in protecting the community from "excessive road noise." A local example of this concern is the recent funding by the NSW Government of extensive and significant sound abatement walls in Queanbeyan to abate Canberra Avenue road noise impacts for adjoining residents. Unfortunately aircraft excessive noise cannot be abated as easily as this example.

I am open to work with your Minister and Department to achieve the multi-government agreement of the planning policy principal objectives to protect the community from excessive aircraft noise and Canberra Airport from operational constraints.

I look forward to meeting with you and Brett Whitworth at the next Planning Co-ordination Forum meeting 5.6.2013 to obtain a report on the progress of this draft Section 117 Direction and other measures to protect the community and Canberra Airport.

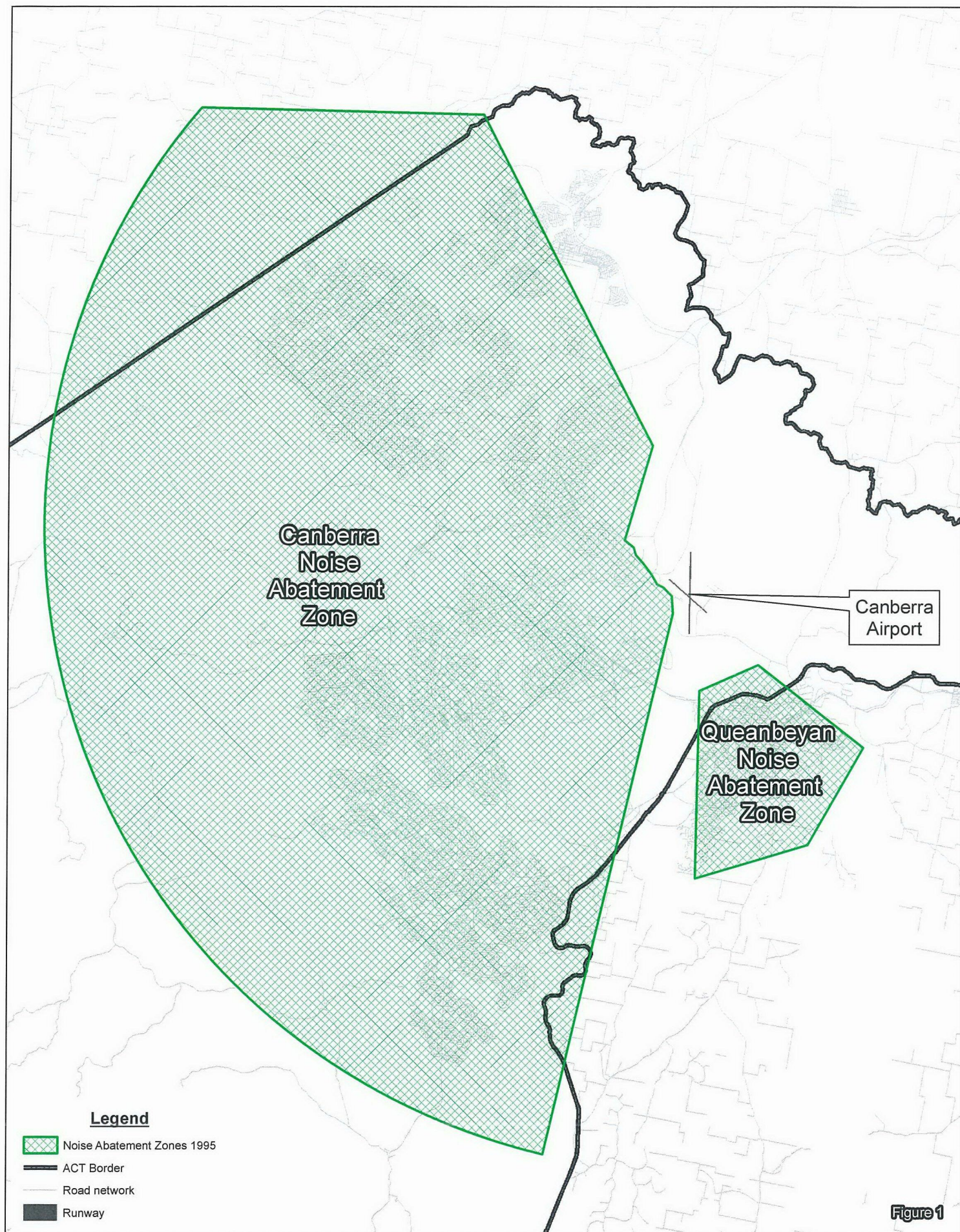
Yours sincerely

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

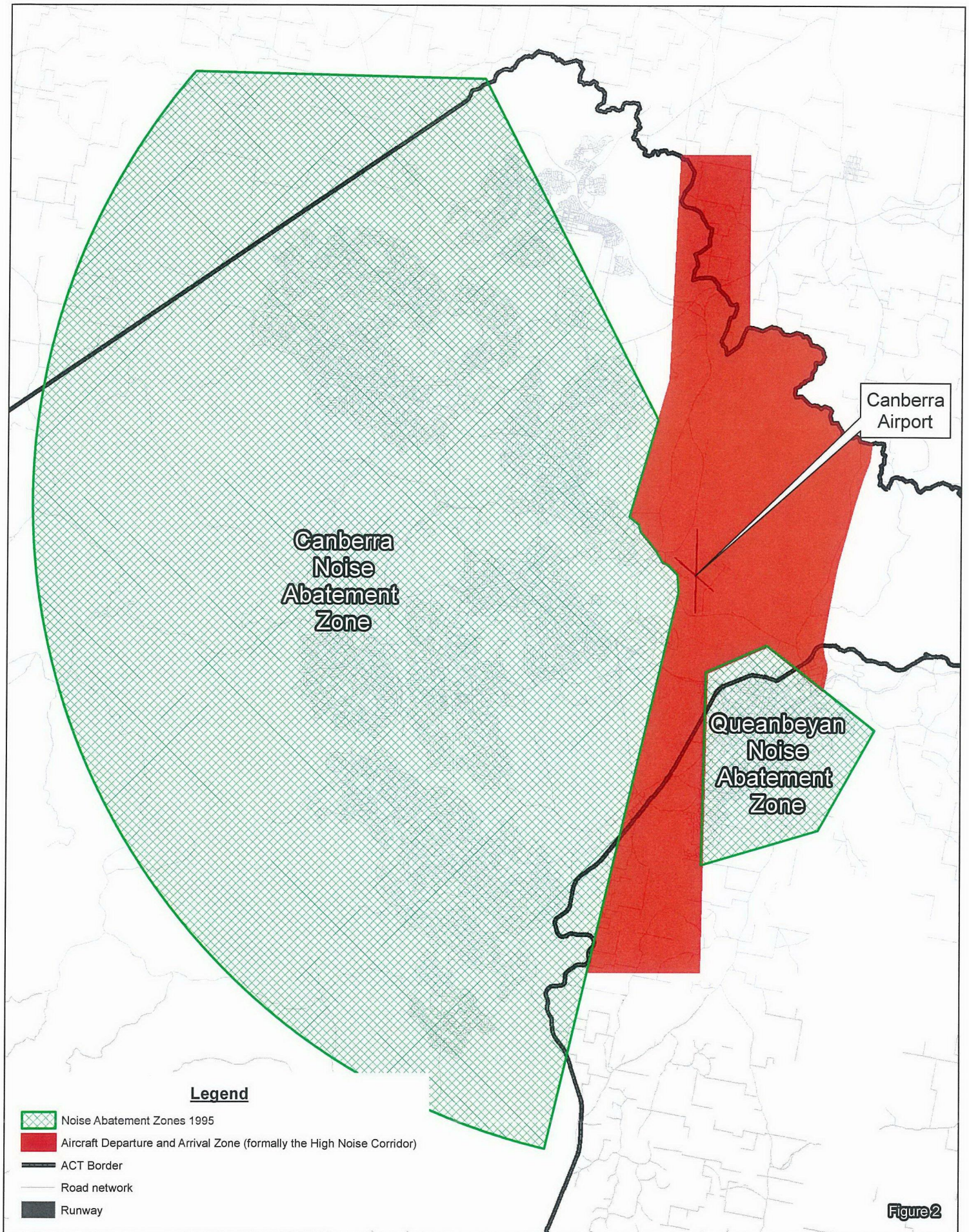
Stephen Byron
Managing Director

Enc.

Canberra and Queanbeyan Noise Abatement Zones



Canberra Airport Aircraft Departure and Arrival Zone and the Canberra and Queanbeyan Noise Abatement Zones



Noise Attenuation Zone for Residential Areas Within and Surrounding the Aircraft Departure and Arrival Zone

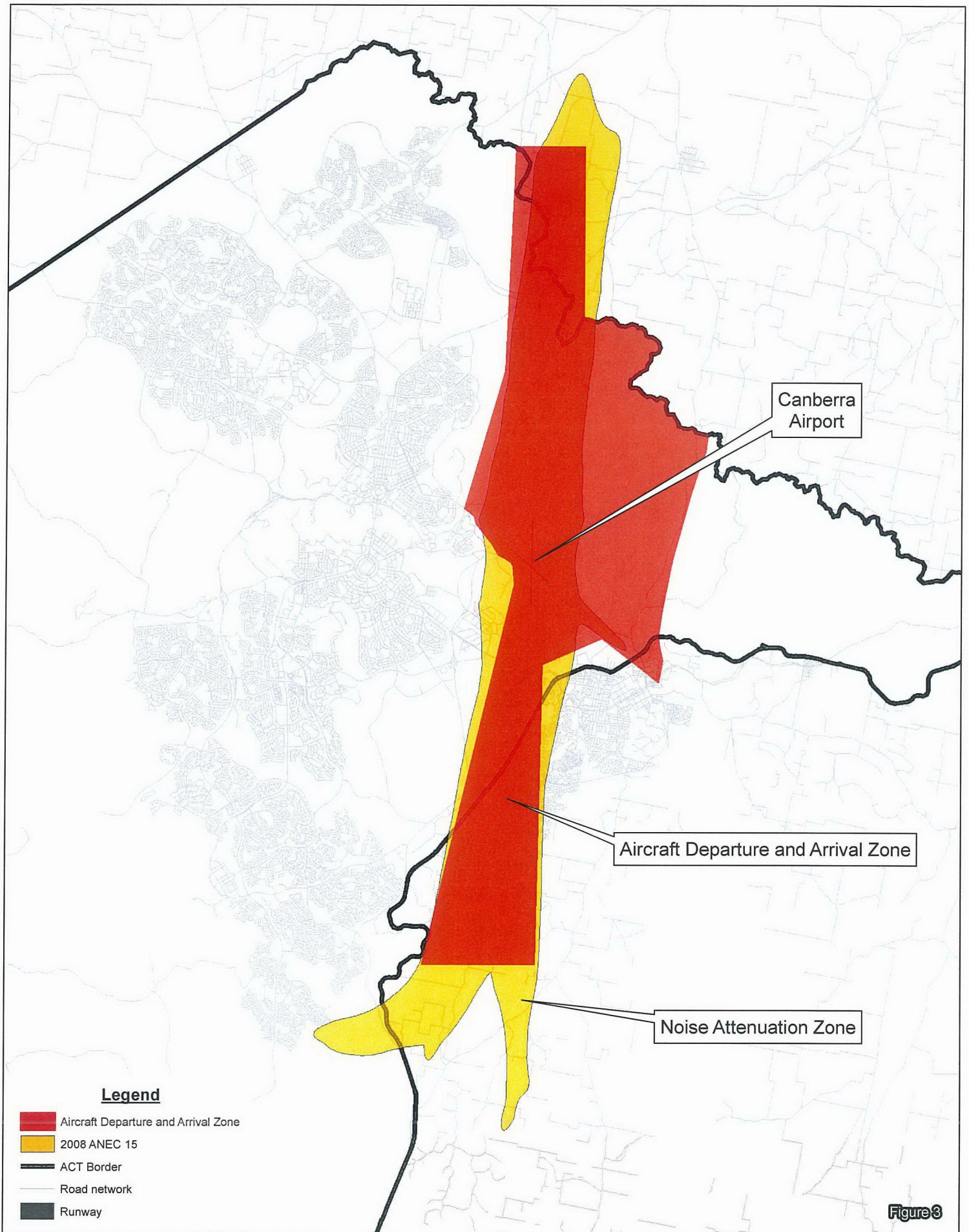


Figure 3

Noise Disclosure Plan for Residential Areas Within and Surrounding the Aircraft Departure and Arrival Zone

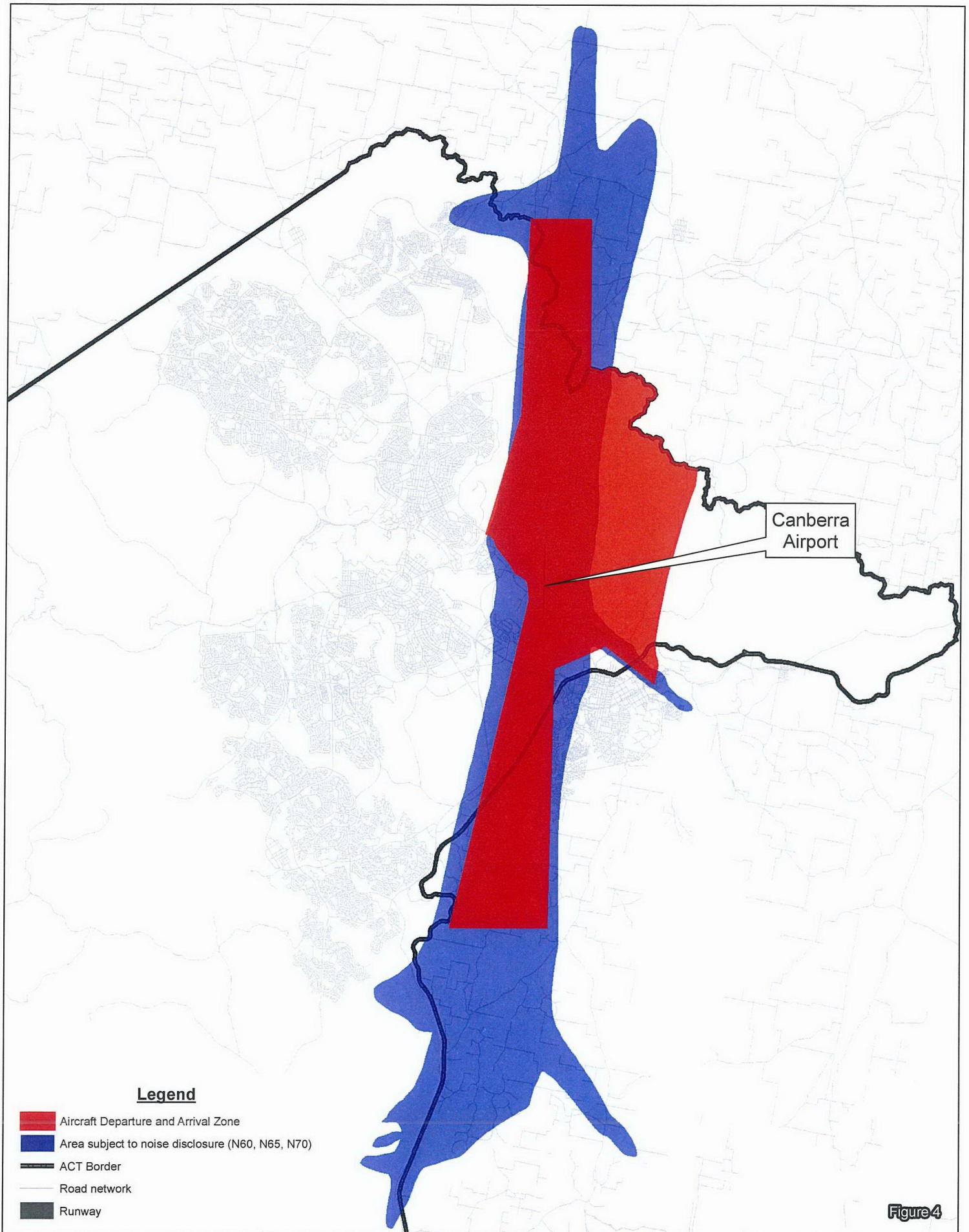


Figure 4