

AVIATION GREEN PAPER

SUBMISSION OUTLINE

Moonee Valley City Council (Council) welcomes the opportunity to respond to the Aviation Green Paper prepared by the Australian Government. In relation to aviation and airport related matters, Council has an ongoing relationship with key stakeholders including;

- Residents and the local business community, and
- Essendon Fields Airport (EAPL), Melbourne Airport and the State Government.

Council's response to the Aviation Green Paper is focussed on Chapter 6 *Airport development planning processes and consultation mechanisms*.

These documents provide an overview of key issues facing Council and the endorsed overall position in relation to the community issues and other related planning provisions and governance frameworks, surrounding the two major airports affecting the municipality.

Council's position:

- Agencies planning for airports and their environs should recognise the range of relevant state and local government land use planning strategies, and engage appropriately.
- There should be an effort to reduce the disparity between different airports across Australia in terms of noise mitigation requirements and noise reduction obligations.
- Essendon Fields Airport should be required to have an up to date master plan.
- Council seeks engagement with the Federal Government agencies in relation to vacant Commonwealth land close to Essendon Fields airport.
- Council seeks clarification on the management of non-emergency helicopter air traffic in residential areas at peak times at Flemington Racecourse.
- Agencies planning for airports need to focus on solutions for public transport access to airports.

BACKGROUND

The City of Moonee Valley

The City of Moonee Valley is bordered by the local government areas of Maribyrnong, Brimbank, Merri-bek and Melbourne. At its closest municipal boundary point, Moonee Valley is approximately seven kilometres from the Melbourne CBD which is situated to the south, and five kilometres from Melbourne Airport to the north. Essendon Fields Airport is wholly located within the municipality.

Essendon Fields Airport

Essendon Fields Airport is one of Moonee Valley's largest employment precincts, with a diverse mix of land use activities that are continually expanding. The broad range of activities means the site is one of the largest destinations for private vehicle movements in the region.

Council's long-term Strategic Plan "MV2040" acknowledges the important role that the Essendon Fields Airport and precinct plays in the City of Moonee Valley.

In relation to Airport related matters, the Moonee Valley Planning Scheme (Schedule to Clause 74.02 Further Strategic Work) states that future Strategic Work includes:

- *Review the Melbourne Airport Environs Overlay to land affected by the Australian Noise Exposure Forecast for Melbourne Airport.*
- *Investigate the application of an Airport Environs Overlay in the vicinity of Essendon Fields Airport.*

Included within the Moonee Valley planning scheme is Design and Development Overlay (DDO8 and DDO9) obstacle limitation surface level, that limits building heights on the approaches to the two runways. There are no airport environs overlays surrounding the airport within the Planning Scheme.

Essendon Fields is one of the four airports leased from the Commonwealth that operate under a curfew imposed by the Australian Government. The other three airports are (Sydney, Gold Coast, and Adelaide). These arrangements limit passenger aircraft movements to certain hours of the day, and limit the number of planes which may take off or land at an airport in any one hour.

Essendon Fields accommodates emergency services aircraft, including helicopters. These are not impacted by curfew restrictions. In addition, some small aircraft are not

bound by the curfew, subject to their weight and noise emissions at take-off and landing.

Melbourne Airport

Whilst not located in the City of Moonee Valley, Melbourne Airport does have an influence on the municipality. This is through:

- The application of Melbourne Airport Environs Overlay 2 (MAEO2) in the western part of the municipality. This restricts the subdivision potential of sites.
- The interface with operations of Essendon Fields Airports and the subsequent impact on the aircraft operations and planning framework.
- Traffic movements through Moonee Valley to gain access to Melbourne Airport.

AVIATION GREEN PAPER- LAND USE PLANNING AND AMENITY IMPACTS

The Green Paper states that aircraft noise affects communities surrounding airports and generates other adverse impacts, such as air pollution from aircraft. The responsibility for addressing these impacts are typically left with State and Local governments, which do not have the ability to influence the noise generation from the airport activities.

Council notes that the Green Paper states that;

The Australian Government is not considering imposing any additional constraints on airports such as curfews or movement caps. (p79)

The Australian Government has the ability to consider what additional options are needed to improve airport development planning processes and consultation mechanisms.

The Green Paper states:

land-use planning is the best way to reduce the impact of noise on the population while managing urban expansion but responsibility for that is dispersed in government.

Councils are very limited in their direct powers to manage development outcomes in the areas surrounding airports noting that any requisite changes to planning controls are ultimately at the discretion of the Victorian Minister for Planning. The Green Paper states:

That land-use planning is the most effective way to manage the impacts of aircraft noise.

The best tool to manage aircraft noise is effective land-use planning – limiting or preventing the construction of residences and community facilities (such as schools and hospitals) under known current or future flight paths. (pg 86)

Given that the Green Paper rules out managing noise by reducing aircraft movements, Council's land use planning strategies can only *mitigate* the impacts of aircraft noise. The Green Paper states that:

protecting airports from encroaching development, particularly residential dwellings, has benefits for both operating aircraft and the community.

The Green Paper includes statements relating to *managing urban expansion*. The Green Paper does not recognise the nuances associated with the conditions that affect Moonee Valley, which is an established inner/middle ring municipality in Melbourne. In particular, Essendon Fields Airport is located within an established urban area with residential development surrounding the airport.

Council is mandated to play a role in the urban consolidation and densification of these areas, as is our direct remit from the State Government, as the ultimate arbiter on planning policy directives.

The suburb of Airport West is one of the main suburbs with Moonee Valley that has undergone the largest and most rapid change in urban form in recent times. This is generally as mid twentieth century dwellings on large lots being are redeveloped for multi-unit developments.

Any proposed further restrictions to properties due to the existence of Essendon Fields Airport and Melbourne Airport, should occur with the full consideration of other relevant State Government planning strategies. The presence of airports should remain as a factor for consideration in any major development or changes to planning regulations, however there needs to balance achieved in relation to strategic land use outcomes.

Aircraft noise is only one consideration for Local and State Governments to consider in land use planning. This must be balanced with a range of other important policies, including provision of housing, transport, economic development and the environment.

By way of example the Victorian State Government's *Plan Melbourne* encourages the establishment of 20 minute neighbourhoods, which Moonee Valley has actively sought to address through the development of Moonee Valley 2040. However, implications of the aviation sector and its operations impacts how Council will achieve these objectives

for significant areas of our municipality, which are impacted by the MAEO (and potentially AEO in future in association with Essendon Fields), which limits growth and change consistent with land uses encouraged by the State Government.

Further, the State Government recently announced a broad range of significant changes to land use planning as part of *Victoria's Housing Statement*, which does not appear to take into consideration the aviation sector and its operations and the potential limitations affiliated changes may place on surrounding land uses. Niddrie (Keilor Road) and North Essendon Activity Centres were two of an initial 10 activity centres to accommodate significant growth and change.

Page 11 of Victoria's Housing Statement:

Increase housing choice in activity centres We'll introduce clear planning controls to deliver an additional 60,000 homes around an initial 10 activity centres across Melbourne: Broadmeadows, Camberwell Junction, Chadstone, Epping, Frankston, Moorabbin, Niddrie (Keilor Road), North Essendon, Preston (High Street) and Ringwood. Activity centre plans will guide investment in the things a growing suburb needs like community facilities, public spaces and parks. The program will also consider the best way to incentivise more affordable housing.

Given Niddrie (Keilor Road) and North Essendon's proximity to Essendon Fields, both could likely be impacted by the application of an AEO associated with the airfield that would be design restrict development outcomes in these areas

Other matters of policy conflict may relate to Council's intention to increase the tree canopy within the municipality, in order to;

- mitigate the impacts of climate change,
- improve landscape and environmental outcomes,
- and make a positive contribution to human health.

The presence of the airport restricts the ability to provide some of our desired landscape outcomes. By way of example Essendon Fields airport regularly requests Council to reduce heights of trees that they identify and deem may impact on the flight paths to the airport. Where trees are deemed to intrude into protected airspace under the *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996*, Council is requested to remove or reduce the heights of trees at no cost to the airport. The trees are not indicated within State planning controls.

This demonstrates the policy conflict that has the potential to emerge, creating issues for local government management.

Council's position:

The Green Paper should better recognise that there are often competing State and Local Government policies in relation to land use development in areas adjacent airports. These policies may include residential density, built form, and tree canopy. This is particularly the case for established urban centres. Council seeks to work with State and Federal Government agencies to achieve joined up planning outcomes.

NOISE IMPACTS

The Green Paper highlights the different approaches to the amelioration of noise impacts on airports in different locations. Noise amelioration programs to acquire or insulate certain properties was undertaken under previous Government policy at Sydney and Adelaide Airports from the mid-1990s, there is no commitment for this to occur at other locations, and or to establish Federal requirements at this time.

While it's indicated that the Commonwealth Department will release a noise insulation and property acquisition policy as part of the draft Environmental Impact Statement (EIS) for the preliminary flight paths for Western Sydney International, it is strongly encouraged that that the Aviation Green Paper establish better solutions to this matter and acknowledge those existing communities that are to be impacted by additional aviation activity.

Noise associated with aviation is a significant concern to Moonee Valley and the local community. Amelioration through double or triple glazing to windows and doors would be in the order of \$35,000 to \$40,000 per house. Given there are currently no noise amelioration programs currently proposed, this would represent a significant financial impost to residents. Council considers the impacts and effects of noise on residents of Moonee Valley deserve a similar response from the Australian Government as those provided to residents of Western Sydney and other locations. Overall, it's encouraged that greater consideration is given to the noise impacts associated with aviation sector and its operations, and that Federal requirements be established for the funding of sound amelioration of properties located within the MAEO, AEO, and other affiliated overlays.

Council's position:

The Australian Government and the Airports could provide assistance towards the costs of formalising notification for purchasers of property to advise them or that the premises may be within areas that could be affected by aircraft noise. The Green Paper should outline why there are different responses to ameliorating noise impacts from airports on residential areas, to different areas, e.g. Western Sydney International and Melbourne Airport. Given the impacts of aviation noise on neighbourhood amenity the Green Paper should consider the provision of assistance to those residents most affected.

AIRPORT PLANNING FRAMEWORK AND PROCESSES

Required Airport Master Plans

Under *the Airports Act 1996* (Cth), the Australian Government requires airports to develop a Master Plan to establish the strategic direction for efficient and economic development at airports and indicate to the public the intended use of the airport site.

Under the provisions of the *Airports Act, 1996* a master plan for approval by the Federal Minister for Essendon Fields Airport. The most recent draft master plan was prepared in 2019. Council reviewed the draft master plan and provided a response. The response provided commentary on the applicability of the planning provisions, guidance material and processes associated with the airport and surrounding environment.

The Council's Submission to the Essendon Fields Draft Master Plan 2019, previously highlighted the inability to exercise control over the external impacts of the airport on the surrounding areas, and the impact operational changes to Melbourne Airport had on Essendon Fields and its surrounding environment.

An up to date master plan should provide the basis for the assessment of any Major Development Plans (MDP's) and provides the community with certainty as to the future direction of the airport and any impacts off site.

Until a contemporary master plan is in place, both Council and the community cannot be certain as to the future direction of operations at Essendon Fields. This could have implications for the amenity of the surrounding area, and Council's strategic planning for areas in proximity to Essendon Fields Airport.

Council's position:

The Green Paper should outline an expectation that airports have up to date master plans that allow for key stakeholders to be involved in their preparation and that are responsive to current State Government planning policy.

OPPORTUNITIES TO IMPROVE CO-ORDINATED PLANNING FOR AIRPORTS AND ASSOCIATED ACTIVITIES

Council remains concerned with regards to the lack of co-ordination between the various levels of Government on a range of matters including vacant common.

The Essendon Fields Airport lease includes 23 vacant parcels of airport land which are owned by the Commonwealth and located within residential areas of Strathmore.

Some of these parcels previously accommodated approach lighting for the runways. However, these sites are now fully vacant, and accessible to the public. The parcels require ongoing maintenance. An inspection indicates that some of these parcels are used by uncontrolled vehicular access to the rear of some adjoining properties, and there are occasions whereby rubbish is dumped, and the public request that Council respond.

The land parcels are all located within the General Residential Zone in the Moonee Valley Planning Scheme, however their ownership remains with the Commonwealth Government. This creates difficulties for the management of Council's long-term planning for the area.

The sites in question are generally undeveloped and are not secured. Some are used as public open space areas by the public, as well as access to private property.

As such the current situation is that there is Commonwealth land (that is exempt from the provisions of the Moonee Valley Planning Scheme) outside the airport environs, and not required for use by the airport. However, there is no long-term plan for how this is to be managed in the future.

The Green Paper should provide direction on how such matters as surplus land are managed, and encourage better liaison between the Australian Government and Council on this matter.

Council will seek to engage with Essendon Fields Airport and the Commonwealth Government in order to consider mutually beneficial opportunities for the future of the sites.

This would assist with Council's strategic planning for this part of the municipality, and provide clarity around which tier of Government is responsible for the sites in question.



Highlighted sites are in Commonwealth ownership

Council's position:

The Green Paper should outline how the Australian Government will engage with Councils in relation to surplus land that could potentially be repurposed to benefit surrounding communities.

USE OF NON-EMERGENCY HELICOPTERS IN MOONEE VALLEY AIRSPACE

The need for improved co-operation on aviation matters between the tiers of government and stakeholders is highlighted by the issues impacting the City of Moonee Valley from the extensive use of helicopters.

For example, the purpose of the National Airports Safeguarding Framework (NASF) is to enhance the current and future safety, viability and growth of aviation operations, by supporting and enabling:

the implementation of best practice in relation to land use assessment and decision making in the vicinity of airports and strategic helicopter landing sites;

Council notes that the NASF are now established as a reference document (policy document) in the Victoria Planning Provisions.

Council has been notified of the potential changes to Clause 52.15 Heliport and helicopter landing site, of the Victoria Planning Provisions and all planning schemes.

The proposed updates are designed to ensure that planning decisions on helicopter landing site proposals consider safety risks to controlled and defence airspace for Melbourne, Essendon Fields, Avalon, Moorabbin, Point Cook and East Sale airports.

However, despite the requirements for co-ordinated planning and this being an action to progress Action 4 of the State Government Response to the Melbourne Airport Safeguarding Standing Advisory Committee, the matters raised previously by Council in relation to helicopter flights operating at Flemington Racecourse without a planning permit have not been addressed. The most significant impacts of helicopters is noise amenity impacts over residential areas during late October and November, during the Spring Racing Carnival. The public are ferried to and from both Moonee Valley Racecourse and Flemington Racecourse on race days.

Some of the services utilise Essendon Fields Airport. In response to complaints from residents (including the submission of videos), Council undertook research into the statutory framework and processes associated with helicopter flight movements. This included meeting with Airservices Australia, who advised that the only approvals required from Airservices are related to the movements to and from the racetrack.

Airservices are responsible for authorising flight in the airspace around that area. Take-offs and landings are at the discretion of the pilot in command once they gain approval to enter the airspace. Airservices consider that the operator of the helicopters manages where and when the helicopters land and park at each racetrack.

The Flemington Racecourse is located within the City of Melbourne. Within the Moonee Valley Planning Scheme Clause 52.15-1 states that a permit is required for more than 4 flights in a 24 period and 8 in a 30 day period. Note that for the purposes of this provision the take-off and landing of a helicopter are separate flight movements.

The same provisions at clause 52.15 apply within the Melbourne Planning Scheme.

Airservices advised that over the four days of the Melbourne Cup event in 2019 there were approximately 1,100 flights to the Flemington Racecourse. Helicopter use at more recent events have continued and this is known to have significant noise amenity impacts on the surrounding area.

Council has been unable to clarify whether planning permits exist for use of helicopters during Spring Carnival at the Flemington Racecourse, or if there is any additional legislation that applies an exemption.

Council understands that Victorian Government is seeking comment on proposed updates to Clause 52.15 *Heliport and helicopter landing site*, of the Victoria Planning Provisions and all planning schemes

The proposed updates ensure that planning decisions on helicopter landing site proposals consider safety risks to controlled and defence airspace for Melbourne, Essendon Fields, Avalon, Moorabbin, Point Cook and East Sale airports.

The matters raised above do not appear to be addressed in recent changes to CI 52.15 of the Moonee Valley Planning Scheme.

Council's position:

The Green Paper should outline how the impacts of non-emergency helicopters on residential areas can be better managed.

PUBLIC TRANSPORT

The approved Melbourne Airport Master Plan provides a detailed outline of transport planning for the future functions of the Airport. Council considers that a train station in the vicinity of Airport West would provide significant opportunities for workers and passengers to access the Airport. Council has advocated strongly for this to occur, and are pleased that the State Government included a new station as part of the Melbourne Airport Rail Link (MARL) project.

A new train station at Airport West would provide major benefits to residents and workers from Moonee Valley. Such benefits would also be realised by Melbourne Airport and the wider community with less reliance on private vehicles to access the airport, resulting in less congestion on the road network.

Even ahead of the MARL there are also opportunities to improve access via the public bus network to the airport, beyond the single bus route. For example this could include a public bus from Essendon Station and Airport West 59 tram route.

Council's position:

Council advocates for better solutions for public transport to Essendon and Melbourne Airports.

The Green paper should highlight the importance of alternative transport options to Melbourne and Essendon Airports to support sustainable travel and reduce carbon emissions. This could be a related element to the Green Paper's chapter 5 on maximising aviation's contribution to net zero.

CONCLUSION

The Aviation Green Paper raises important matters for all levels of Government, the aviation industry, stakeholders and the community.

Council welcomes the opportunity to contribute to the Aviation Green, and is able to meet with stakeholders if required. Please contact Colin Harris, Senior Strategic Projects Planner (charris@mvcc.vic.gov.au) if required.