Dear Sir/Madam

SUBMISSION TO AVIATION GREEN PAPER

I refer to your invitation inviting comments on the Government’s Aviation Green Paper. The Planning Institute of Australia (PIA) welcomes the opportunity to follow up on some of the points made in our submission of 27th June 2008 to the Development of a National Aviation Policy Statement.

As the peak body representing around 4600 urban planners and related professions in Australia, PIA has long been concerned about the current system of approvals of development on airport land by the Federal Minister for Infrastructure. These concerns were expressed in our previous submission. The key points made related to:

- the need for non-airport development to comply and be integrated with surrounding metropolitan, regional or local planning legislation, processes and strategies;
- the need for metropolitan, regional and local plans to take account of airports and associated developments;
- that relevant State/Territory legislation should apply for commercial developments at airports as for other commercial sites in the region;
- proponents of development on airport land must contribute to the measures required to support development both on and off site and mitigate impacts;

PIA notes that many of these issues have been addressed in the Green Paper and in particular has provided comments on most of the proposals set out under the heading ‘A more effective planning regime’ and the associated sub- headings listed below:
Responsible planning and development of airports as airports

- PIA notes the Government’s proposed commitment to responsible development at airports and supports this position.
- PIA supports the intention of Government to work to ensure that an appropriate balance is maintained between the social, economic and environmental needs of the community and the development of the site.’ However PIA reiterates its previously expressed position that if a proposal is contrary to a state or local planning instrument, that reasons be provided if it is to be approved. Preferably PIA would like a proper planning process to be undertaken involving the airport authorities, state and local authorities and the community.

Better integration with state and local government planning

- PIA commends the Government’s commitment ‘to work with state and territory governments and industry on improved arrangements for planning and development on airports, subject to some key principles:’
- PIA accepts but does not agree that the Commonwealth Minister should retain final decision-making authority for land use planning and development.
- PIA accepts that arrangements for assessing plans and development proposals should be designed to encourage investor certainty and community confidence and notes that planning practice is consistent with these objectives.
- PIA strongly urges the Government to urgently develop cooperative arrangements with the states and territories to better integrate airport planning and development within its region. This is consistent with the thrust of PIA’s previous submission to the Discussion Paper.
- PIA supports the Government’s intention to work with representatives of state and territory and local governments, and airports, to finalise specific proposals.
- PIA endorses the Government’s proposal to establish expert Airport Planning Advisory Panels for each of the major airports to assess, at the Minister’s request, airport Master Plans and Major Development Plans, to undertake tasks outlined in the Green Paper (pages 166-167). The Advisory Panels should include nominees from state government.

Strengthening arrangements for community consultation

- PIA strongly supports the Government’s proposal for ‘the Minister to be empowered to require airport lessees to establish community consultation groups for each major airport to foster effective community engagement in airport planning and operations issues.’ However PIA considers that airport development consultation should be mandatory. The proposed terms of reference for such groups is also supported.

More clarity about future planning

- PIA welcomes the Government’s intention to strengthen the airport Master Planning process to provide greater transparency and certainty about future land uses at airports. In particular PIA believes that it is essential that clarity about the implications of airport development for surrounding communities be achieved by a requirement to submit a ground transport plan and to incorporate Airport Environment Strategies into the Master Plan process.
- PIA considers that the Minister should have powers to call for, consider, and approve precinct plans for areas which are to be used for non-aeronautical development, setting out the nature of the proposed development in the precinct, identifying its impacts on and off-airport, and proposals for addressing those impacts.
Strengthening the triggers for Major Development Plans

- PIA encourages The Government to quickly move to review the triggers to ensure they do not allow proposals that may have significant community impacts to proceed without community consideration. The current situation whereby Major Development Plans do not have to be submitted for non-aeronautical development, unless it is a new building with a cost exceeding $20 million, is unsatisfactory. Many developments below this threshold can cause significant economic, social and environmental impacts on nearby communities. PIA therefore supports the notion that the Government proposes to introduce a Ministerial call-in power to require lodgment of a Major Development Plan that may have significant community impacts. This would ensure consideration of the proposed development, which may not otherwise have been subject to the Major Development Plan process.

Identifying uses which are not compatible with airport sites

- PIA agrees that there should be a list of categories of development, incompatible with airport operations, which should be prohibited or otherwise restricted on leased airport sites. Certainty needs to be provided to airport operators, planning agencies and the community and this would be an accepted mechanism to achieve this objective. The state governments should be consulted on this list.

Honouring environmental obligations

- PIA believes that it is incumbent on airports, as for other land developers, to meet the highest standards in relation to mitigating environmental impacts and complying with all relevant legislation. It is the responsibility of Government to enforce these requirements.
- PIA also reiterates its view that a broad national risk assessment of major airports and access routes to airports be undertaken to ensure that they can adapt to climate change.

Monitoring and enforcement

- Whilst acknowledging the costs of monitoring and enforcing environmental requirements can be onerous, PIA considers that given the sensitivities to local communities of airport operations and development, it is vital that adequate resources be provided to government agencies to ensure this function is properly carried out. This includes maintaining a register of compliance requirements which can be regularly reported against.

Safeguarding future aeronautical needs from inappropriate developments in surrounding areas

- PIA agrees with the proposition that there would be benefits to airports, airlines and governments in having a clear regulatory environment for land use planning, both on and off airports, that safeguards the public and aeronautical infrastructure and provides for the safe operation of airports.
- PIA welcomes the Government’s intention to publicly release a more detailed discussion paper on a national airport safeguarding framework and looks forward to the opportunity to contribute.
PIA notes that the Green Paper has also addressed the future of Badgerys Creek as a second Sydney airport under the heading ‘Future Airport Needs: The Sydney Region’. The paper states that ‘the construction of an airport at Badgerys Creek is no longer an option.’ PIA questions the basis for this decision given that the Government proposes to initiate processes to identify additional aviation capacity for the Sydney region. There was an extensive series of enquiries and EIS’ to demonstrate its suitability previously. Airports are recognised as being major generators of jobs and a boost to the local economy. This would be of some advantage to Liverpool and Fairfield, which have the highest levels of unemployment in the Sydney region. An airport at Badgerys Creek would also become the focus of transport infrastructure, particularly rail, which would greatly benefit Greater Western Sydney. Prior to an ad-hoc decision being made, PIA submits that an open and transparent enquiry should be held to consider the suitability of Badgerys Creek as a site for Sydney’s second airport, taking account of, and making public, all of the issues that have led to the Government abandoning the site.

PIA notes that there are still a number of additional initiatives to be taken over and above the planning reform package outlined under in Section 8 under the heading ‘A more effective planning regime’. These include the commitment for Government to work with the state and territory governments to develop the following initiatives:

- national airspace protection legislation that protects approaches to major airports to prevent intrusion into airspace by buildings approved at state and local government level;
- developing a clear policy on the definition of public safety zones around airports which can be taken into account in local planning with a view to ensuring that the community is not exposed to any undue level of risk from aircraft operations; and
- developing strategies and plans to address other airport related issues, such as aircraft noise, traffic linkages, and best practice community consultation models.

PIA supports this intention and encourages Government to move quickly to discuss and resolve these issues with the states and territories given the current climate of uncertainty in relation to many of these matters.

It is noted that under the heading ‘Airport investment – planning for responsible growth’ (page 16) the Government also proposes to work with state and local governments to examine ‘the impact of airport development on surrounding transport and community infrastructure and how the leased federal airports might contribute to this infrastructure.’ PIA expressed the view in its previous submission that proponents of development on airport land MUST contribute, to the extent of the impacts generated, to the infrastructure and non-infrastructure measures required to support development on and off site and to mitigate on and off site impacts, under a similar regime as other developments in the region. PIA is concerned that the principle relating to this matter has not been adequately addressed in the Green Paper. PIA urges the Government to take a position on this issue so that airport lessees understand their responsibilities for offsite costs associated with the airport’s operations.

**Summary**

PIA welcomes the positive proposals that the Government has made in the Green Paper and in particular supports its intention to work with state and territory governments to refine proposals for effective working arrangements, including the key initiatives outlined below:
- establishment of Airport Planning Advisory Panels, drawn from industry, community and government, for each of the major airports, to provide independent expert analysis and advice to the Minister;
- examining the impact of airport development on surrounding transport and community infrastructure and how the leased federal airports might contribute to this infrastructure;
- strengthening of the airport Master Planning process to provide greater transparency and certainty about future land uses at the airports;
- providing a power for the Minister to call for additional detail in precinct plans for areas which have been proposed for non-aeronautical development;
- a review of triggers for the airport major development process to ensure those developments of most interest to the community are subject to proper consultation;
- establishment of community consultation groups at each airport to foster effective community engagement in airport planning issues; and
- establishment of a clear policy on the definition of public safety zone areas around airports, which can be taken into account in local planning.

PIA looks forward to the opportunity to comment on the White Paper, by which time it is hoped the detail of many of these initiatives will be substantially developed.

Yours sincerely

[Signed]

Sue Holliday
Acting Chief Executive Officer
25 February 2009