

**INQUIRY INTO NEW SOUTH WALES PLANNING
FRAMEWORK**

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Date received: 6/05/2009

SUBMISSION TO STANDING COMMITTEE ON STATE DEVELOPMENT INQUIRY INTO THE NSW PLANNING FRAMEWORK

Presented by the Queanbeyan Branch (NSW) of the Australian Labor Party

The Queanbeyan sub-branch of the Australian Labor Party wishes to make a submission with particular reference to the following terms of reference:

- b) the implications of the Council of Australian Governments reform agenda for planning in NSW, and term of reference.
- f) regulation of land use on or adjacent to airports.
- h) implications of the planning system on housing affordability.

COAG

There exists a serious anomaly in relation to land use planning decisions at the privatised airports around Australia. This stems from the fact that the Commonwealth government sold long term leases and the ownership of the airports remained technically with the Commonwealth and thus are exempt from State planning legislation.

This has resulted in non-aeronautical development such as offices and retail centres which are contrary to the planning strategies of the State and Territory Governments. Not only do they impact on the viability of nearby investments, but they disrupt roads and traffic and add confusion and uncertainty to the planning and development process.

Prior to the privatisation of Canberra Airport, the ACT was subject to the National Capital and the Territory Plans which lay down the principles on which the Territory would develop. This resulted in a carefully planned series of Town and minor centres connected by a hierarchy of roads and public transport networks. Employment and retailing activities were specifically located in these centres.

The overdevelopment of Canberra Airport unconstrained by the Commonwealth Government has effectively destroyed the integrity of the Canberra planning system, denied critical revenue to the ACT Government which relies heavily on the proceeds of land sales, and has thrown the traffic network into chaos.

It is proposed that COAG be encouraged to give urgent attention to this matter, and ensure that non-aeronautical development of airports be totally within the jurisdiction of the relevant State and Territory governments .

Land Use Regulation near Airports

Land Use Planning decisions in areas likely to be affected by aircraft noise are subject to an Australian Standard and which has been endorsed by the Commonwealth, and every State and Territory Government. This is AS2021 – Acoustics – Aircraft Noise Intrusion – Building siting and construction.

This Standard is based on the ANEF system which is a pattern of aircraft noise contours associated with aircraft noise at an individual airport. This system has been accepted as the most effective way of predicting noise impacts and thus determining the nature of development near airports.

Critical are the 20ANEF and 25ANEF contours. The Australian Standard provides that outside ANEF20 residential development may occur, while between ANEF20 and ANEF25, residential development can occur but only with noise amelioration.

Both Air Services Australia and the Commonwealth Department of Infrastructure and Transport have stated in sworn evidence before the Western Australian Planning Commission that AS2021 and the ANEF system are most reliable guides to land use planning decisions near airports. Over 300 submissions were received in response to the Australian Government's Green Paper. Of these only one – the submission from Canberra Airport – suggested abandoning the ANEF system as the basis of land use planning decisions near airports. Most recognised AS2021 as the best guide, some suggesting modification or improvement.

It is proposed that the Inquiry endorse the continued use of AS2021 and the ANEF system as the basis of land use planning decisions near airports.

Canberra Airport Manipulation of the ANEF System

Under the Airports Act each privatised airport is required to prepare a masterplan which is endorsed by the Commonwealth Minister for Infrastructure and Transport. A key element of the masterplan is a map of the ANEF noise contours, which in turn determines the prohibition of noise sensitive land uses.

Over several years, the Canberra Airport has sought to defeat a particular proposed residential, school and community facility development by manipulating the ANEF for Canberra Airport. This has taken the form of progressively extending the 20ANEF and 25ANEF to the south of the airport.

It has been able to do this because of profound failures in the process of the preparation of the ANEF contours. In the first instance, State and Territory governments are denied any role in

setting the ANEF which can materially affect their interests. Secondly, the Commonwealth which is responsible through its agency Air Services Australia for endorsing the ANEF, checks only for technical accuracy and does not challenge or test the underlying assumptions.

Canberra Airport is currently seeking ministerial endorsement of an ANEF which is based on exaggerated and unachievable aircraft movements. As the basis of its ANEF the Airport proposes an aircraft movement every two minutes, twenty four hours a day, 365 days a year. These movements include many large jet airplanes including 747's throughout the night.

In the remote possibility that the Canberra Airport was to achieve this number of movements, the night time movements will impact adversely on the residential amenity of Queanbeyan and make life unbearable.

It is essential that the preparation of the ANEF is taken from the Airports and managed by an independent authority charged with justifying the underlying assumptions proposed by the airport.

Further, in view of the Canberra Airport proposal to introduce a 24 hour freight terminal based on the night time operation of large and noisy jet aircraft with a consequential impact on residential amenity, there is justification for the introduction of a curfew at Canberra Airport.

It is proposed that the Inquiry advocates the development of the ANEF contours by an independent authority after statutory involvement of the relevant State jurisdiction and full validation of the underlying assumptions.

And further, in view of the proposed night freight centre, the Inquiry supports a night time curfew at Canberra Airport.

Housing Affordability and Competitive Land Releases

In the Canberra-Queanbeyan region for many years, Queanbeyan has offered more affordable housing. However, as land supply was constrained in the ACT, house prices in the region escalated to being the second highest in the nation, second only to Sydney. The availability of greenfield land in Queanbeyan was exhausted several years ago. New supplies of greenfield land are urgently required to address this affordability.

Residential housing affordability and the lack of available commercial land releases has been a huge area of concern for the Queanbeyan area for quite some time. Getting land developments rezoned and approved has been an overly complex and arduous exercise. This has been exacerbated in the Queanbeyan area by third parties using the judicial system to unfairly delay and hinder developments that are overwhelmingly supported by the Queanbeyan City Council and the local community.

The recently endorsed Queanbeyan Residential and Economic Strategy 2031 was a critical step forward for Queanbeyan and the region. The endorsed strategy will increase housing affordability levels and help kick-start much needed residential and commercial development in the Queanbeyan region. If a “single developer strategy” had been endorsed it would have given that developer a 25 year strangle hold over house and land prices in the region.

The Queanbeyan Residential and Economic Strategy 2031 will deliver two new areas of land release at South Jerrabomberra and Googong, which introduces competition into land supply making housing more affordable. The release of residential land close to Queanbeyan on two fronts will also slow down the inevitable “gentrification” of Queanbeyan and further assist keeping housing in the region affordable.

For the residents of Queanbeyan and in particular Jerrabomberra, the strategy will be the catalyst for much anticipated community facilities such as a high school, a sports precinct and aquatic centre, nature reserves and bushwalking tracks, a transport interchange and even a youth centre.

The expedient implementation of this strategy will ensure these much needed community benefits are realized and the economic benefits flow quickly into the local economy.

It is proposed that the Inquiry advocates that residential developments proceed on multiple fronts to facilitate a more competitive and affordable housing and land market, particularly in regional areas where competition is generally less.

And further, that the Inquiry also investigate as a matter of urgency an appropriate means to enable developments, in particular affordable housing developments, to proceed promptly and without constant third party abuse of the judicial system unfairly delaying such developments.