

INQUIRY INTO NEW SOUTH WALES PLANNING FRAMEWORK

Organisation: Jerrabomberra Residents' Association
Name: Ms Margot Sachse
Position: President
Telephone: (02) 6255 9710
Date received: 3/02/2009



Jerrabomberra Residents Association Inc.

PO Box 132
Jerrabomberra NSW 2619

President. **Margot Sachse**
Telephone 02 62559710
Email. margot@webone.com.au

www.jra.asn.au

Secretary. **Lyn Edwards**
Telephone 02 62998199
Email. ljedwards_2619@hotmail.com

The Director
Standing Committee on State Development
Parliament House
Macquarie St
Sydney NSW 2000
Fax: (02) 9230 2981

Dear Sir

Inquiry into the New South Wales planning framework

Thank you for the opportunity to provide a submission to the Inquiry into the New South Wales planning framework.

Please find a submission from the Jerrabomberra Residents' Association (JRA) attached.

Yours faithfully

Margot Sachse
JRA President

3 February 2009

WHO IS THE JRA?

The Jerrabomberra Residents Association (JRA) is one of the most active community organisations in the Queanbeyan City – Canberra region.

We were formed by volunteers from the newly-established Jerrabomberra community in the early 1990s, to help foster community spirit and develop caring relationships between local families. Over time, the JRA became increasingly involved with advocacy and lobbying for the particular needs of our community, at a Local, State and Federal level.

While we maintain our 'community' focus and desire to make Jerrabomberra a special place to live, we also draw on the collective experience, and skills of our JRA members to ensure infrastructure and resourcing concerns are addressed by all levels of governments

Term of reference I(f): Regulation of land use on or adjacent to airports

In general terms, JRA supports the existing national ANEF standard to determine the suitability of land use adjacent to or near airports. As a residents association the JRA believed a national ANEF standard provides commercial confidence for businesses and a suitable comfort zone for residents.

However, the JRA believes that additional work is required within the ANEF development framework or that a State Planning Minister can override the ANEF may be worthy of consideration. As it stands an airport owner currently has the capacity to effectively sterilise land they do not own, simply by manipulating a future use forecast and creating a bogus ANEF.

Jerrabomberra was approved for development by Council in 1987 with the first houses being constructed in 1988. The major developer of Jerrabomberra was Jerrabomberra Estates Limited.

At the time of development residents were made many promises of community infrastructure, like the indoor sports complex that would include a 4 court indoor basketball stadium, indoor pool, restaurant site, a much larger shopping centre than we have and a business precinct. There were also promises of a non-government primary school in the Heights. Unfortunately, as development progressed these promises were not honoured and houses were built on all these sites. To add to infrastructure woes of Jerrabomberra, the Jerrabomberra Public School had its first intake of students in 2002. The school took ten years to be established, mainly due to Department of Education forecasts that it would not be viable for twenty years and was therefore not required. The school has well and truly surpassed its infrastructure capacity, as it was originally designed as a '14 core' school, and is now a '33 core' school with over 820 students in 2009.

The JRA supports development in the Jerrabomberra Valley that is compatible with surrounding development (not industrial). We see this as an opportunity for our community to get the community facilities it was initially promised, but never got. Facilities include an Anglican High School, Aquatic Centre and other sports facilities. The JRA has been working on this matter for many years, as development in the Jerrabomberra Valley has been continuously stalled as a result of the fierce opposition to the development by Canberra Airport and the seemingly endless litigation between the airport and the developer and government reviews. The Canberra Airport supports industrial development in the Valley.

With the amended Queanbeyan Residential and Economic strategy approved, the Council and the NSW Planning Department can proceed with getting the land rezoned during 2009. The JRA hopes that the Anglican High School will open for 2011 school year.

School location

In 7 February 2007, the JRA attended a meeting with the then Planning Minister Hon Frank Sartor. We were joined by the Jerrabomberra Secondary Schools Committee, the Canberra International Airport and Queanbeyan City Council at the Ministers request. The aim of this meeting was to find a resolution to the opposition by Canberra Airport to the development in the Jerrabomberra Valley.

At this meeting the JRA presented an alternative responsible compromise position at the meeting. It provided Jerrabomberra with community facilities including the Anglican High School, Aquatic Centre and other sporting amenities; provided for sensible residential development of some areas

in the Jerrabomberra Valley; and also accommodated the needs of the Canberra Airport. These facilities were located in the Poplars area with the 16ha school site located outside the ANEF20 providing excellent access to existing major roads. The JRA position was a win-win for all parties, and the Minister listened intently to the detail of our plan. He then asked the Canberra Airport owners if they had any issues with the high school being located on the Western side of the Poplars. The Airport owners studied our plan and said that they did not have any issues with the school being located at this site.

Within three months of this meeting, the Canberra Airport released their Practical Ultimate Capacity (PUC) ANEF where they predict that by 2050 Canberra will have 282,120 flights every year - up from just 71,850 flights per year today. This would make it as busy as the UK's Gatwick Airport. Sydney Airport (Australia's busiest; with a population of 4 million and parallel runways) currently has 285,000 movements/year. The Airport also proposes to have a 15 degrees 'offset approach' for 747 long haul aircraft, putting the 'touchdown point' back to the end of the runway and having planes 20 metres lower over Jerrabomberra. They further say they will have 20 aircraft movements of large freighters or international flights each hour between midnight and 5 am.

This significant increase in aircraft activity means that the ANEF 20 contour is enlarged significantly and the high school cannot be built on the Poplars site as it is now inside the ANEF20 noise contour.

Typically airports provide 20 year forecasts in their master plans, not the maximum the airport could possibly handle. This PUC ANEF is not used by any other airport in Australia. Air Services technically endorsed the PUC ANEF on 12 June 2008, but through out this process no one was able to independently validate the data that went into the PUC ANEF as the Canberra Airport provides this data to Air Services and refused to provide the data to Queanbeyan City Council or the NSW Government for independent validation. There was nothing that Minister Sartor, NSW Government, Queanbeyan City Council or our elected Federal and State politicians could do.

It is our view that any system must have checks and balances.

The proposed school site has now been relocated to another site in the Valley. Consequently, as a result of the airports manipulation of the ANEF system, Queanbeyan gets the second best planning option and Canberra Airport will never achieve their 2050 aspirations.

Canberra Airport Aircraft Noise Consultative Forum

To meet its statutory obligation, Canberra Airport set up a body described as the Canberra Airport Aircraft Noise Consultative Committee (CAANCC). It included government agencies, the aircraft industry and representatives of community organisations. Its operating Terms of Reference were established after close consultation with the participating organisations.

Through its control of the agenda, the Airport managed to limit discussion to those issues, which suited its operational and commercial development interests. However, when the CAANCC sought to consider matters not suiting the Airport (in particular the Queanbeyan City Council policy of a night-time curfew) the Airport unilaterally abolished the Committee and replaced it with a new body called the Canberra Airport Aircraft Noise Consultative Forum (CAANCF).

In this new body, the Airport increased the number of sympathetic representatives and excluded a number of community groups. Additionally, the Airport imposed additional restrictive Terms of Reference without consultation with the group.

In establishing the new body, the Airport sought to exclude the JRA, but after intervention by the then Federal Member for Eden-Monaro and the Australian Government Transport Minister, the Airport reluctantly conceded and included the JRA.

The JRA believes all airports should have a mandatory Airport Consultative Forum that is truly representative of those communities affected by the airport. It should be chaired and convened by an independent person chosen by the Federal Minister for Infrastructure Transport, Regional

Development and Local Government. We will be making this representation to the Minister as part of our submission to the Aviation Green Paper.

In summary

The JRA asks that the Standing Committee on State Development Inquiry into the NSW Planning Framework considers the following proposals and concerns:

- That conditions imposed on developments be adhered to, unless otherwise agreed to by all original stakeholders.
- That infrastructure like schools, shops etc be aligned with population growth to ensure it is completed when needed.
- That new developments have a seamless transition between the old suburb and the new development and that it is firstly approved by the current residents.
- That third parties be restricted from delaying developments through excessive litigation.
- That when agreements are made by developers with stakeholders that it is recorded and developers kept accountable.
- That a curfew be implemented at Canberra Airport with similar regulations as Sydney Airport.
- Consideration to allow Schools within the ANEF 20 if the ANEF was produced with out-of-school hours traffic, Planning Minister to have approval powers.
- ANEF is State based via Planning Minister, over-ride powers may be worthy of consideration.
- Airports required to provide all technical data used in an ANEF for independent assessment when request by a Government Minister.
- If local residents, Council and developers all agree, fast track option to enable rezoning, subject to a no-disadvantage rule and community insensitive provided by developers beyond the minimum requirements.
- That Airports have a Community Consultative Committee (CCC) made up of an Independent Chair, representatives from the Airport, representatives from affected local Councils, representatives of affected State and or Territory governments and representatives from all affected local community associations and groups. That the CCC be able to request expert advice from government or private bodies such as Air Services Australia but such bodies only remain as long as the advice is required and then leave the committee. That these government agencies and other experts should not make up part of the committee and not be entitled to vote.