

18 December 2020

Our Reference: Craigieburn West PSP

Your Reference: COR/20/10668

Victorian Planning Authority
Level 25
35 Collins Street
MELBOURNE VIC 3000

Sent via email: amendments@vpa.vic.gov.au

Dear Sir/Madam

**CRAIGIBURN WEST PRECINCT STRUCTURE PLAN
PUBLIC CONSULTATION
AUSTRALIA PACIFIC AIRPORTS (MELBOURNE) SUBMISSION**

Thank you for your letter dated 17 November 2020, which notified the operator of Melbourne Airport, Australia Pacific Airports (Melbourne) Pty Ltd (APAM) of the Craigieburn West Precinct Structure Plan (PSP) and the associated draft amendment to the *Hume Planning Scheme*.

APAM acknowledges the vision for the future residential growth identified in the North Growth Corridor Plan and is committed to working closely with the Victorian Planning Authority (VPA) to continue to ensure the requirements of both the Craigieburn West PSP and Melbourne Airport are met.

Melbourne Airport operates 24 hours a day, seven days a week and is a vital piece of public transport infrastructure for Victoria and Australia. The capacity of an airport to operate unencumbered is fundamentally dependent on the activities on the land and airspace surrounding it.

Our concern is that the PSP does not appear to consider the relationship between proposed developments and the operation of Melbourne Airport, situated approximately 6km to the southwest of Craigieburn West PSP.

APAM wrote to the VPA on 11 August 2020 providing detailed advice relating to the Craigieburn West PSP development that may impact on the operation of the airport. APAM briefed members of the VPA on 14 September 2020 to provide further information and context about the issues raised in this initial correspondence. Unfortunately, the key issues of aircraft noise and intrusions into the Prescribed Airspace still do not appear to have been appropriately considered in planning for the communities that will reside in Craigieburn West. Over the long term, inappropriate development around Melbourne Airport will result in negative impacts on community amenity and potentially constraints on airport operations, with flow on effects to the Victorian and national economies.

Melbourne Airport strongly urges the VPA to reconsider APAM's concerns relating to noise and Prescribed Airspace. We have provided further information around the key issues of noise and Prescribed Airspace to assist the VPA in finalising the Craigieburn West PSP.

Noise

Issues:

The subject land is currently not affected by the Melbourne Airport Environs Overlay controls (*Hume Planning Scheme*) and is also located out of the 20 contour of the Melbourne Airport Long Range Australian Noise Exposure Forecast (ANEF) endorsed in 2018 (Attachment A). Table 2.1 of Australian Standard AS 2021-2015 designates that the uses proposed in the PSP are acceptable where less than the 20 ANEF noise contour.

Notwithstanding the above, history and experience have shown (and it is also noted in the *National Airport Safeguarding Framework* (NASF) Guideline A) that aircraft noise does not stop at a contour line on a map, and aircraft noise complaints are coming increasingly from areas well outside the 20 ANEF contour. It is now generally recognised that basing land use planning decisions solely on ANEF noise contours is likely to lead to less-than-optimal outcomes for airports and surrounding communities.

The PSP area is and will in the future be subject to aircraft noise exposure associated with Melbourne Airport as it is located within the airport's N-above contours (a metric that depicts areas that will experience average number of aircraft movements above 60dB, 65dB and 70dB per day). The existing N-Above contours (at Attachment B) are as shown on the Melbourne Airport Online Noise Tool:

<https://www.melbourneairport.com.au/Corporate/Community/Noise-at-Melbourne-Airport/Noise-tool> and the future contours for 4 runways are currently being developed and will be provided to the VPA as soon as possible.

In particular, the northwest corner of the PSP, which is designated for education, community centre and residential currently experiences significant noise from aircraft movements to and from Melbourne Airport which will increase over the next 25 years.

Recommendations:

1. The Department of Environment, Land, Water and Planning (DELWP) is soon to review the Melbourne Airport Environs Overlay (MAEO). Given the proximity of the Craigieburn West PSP to Melbourne Airport, APAM recommends you contact DELWP on the potential changes to the Overlay to ensure any potential implications are considered.
2. APAM acknowledges that the proposed PSP includes notification of planning applications for building and works and / or subdivision where land is affected by N-Above contours, in Clause 66.06 of the *Hume Planning Scheme*. APAM however, strongly recommends that Section 3.1 of the PSP includes an explanation of the N-Above contours and provides an associated N-Above contours plan (APAM can provide this wording and plan if desired). This will clearly indicate the land affected by the N-contours for readers, in particular Council, to enable accurate notification to APAM regarding developments on affected land, pursuant to Clause 66.06.
3. Clause 18.04-1S of the planning policy framework of the *Hume Planning Scheme* does not support new proposals that have the potential to prejudice the ongoing operation and curfew-free status of Melbourne Airport (for example, a residential rezoning that would lead to new noise-sensitive development). Given the location of Craigieburn West relative to Melbourne Airport's flight paths and noise contours we do not support the proposed rezoning for future residential use

without proper mechanisms in the Planning Scheme and PSP to ensure matters of noise and intrusions into the Prescribed Airspace are adequately considered.

Prescribed Airspace

Issues:

From a land use planning perspective, one of the most important issues for any airport is ensuring that structures erected in the vicinity of the airport do not create obstacles or hazards for aircraft operations. Obstacles in the vicinity of an airport have the potential to create air safety hazards and to seriously limit the scope of an airport's aviation operations, particularly the landing and taking-off of aircraft.

The PSP proposes activities that will intrude into the airport's Prescribed Airspace.

Under the provisions of the *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996*, the airspace around specific airports may be declared as Prescribed Airspace to protect it from physical and non-physical intrusions for the safe arrival and departure of aircraft. Melbourne Airport's airspace has been declared as Prescribed Airspace by the Department of Infrastructure, Transport, Regional Development and Communications (the Department).

Prescribed Airspace is the airspace above any part of either an Obstacle Limitation Surface (OLS) or a Procedures for Air Navigational Services – Aircraft Operations (PANS-OPS) surface.

Obstacle Limitation Surface (OLS) is usually the lowest of the two surfaces that make up Prescribed Airspace, and is designed to provide protection for visual flying, or VFR (when the pilot is flying by sight). Procedures for Air Navigational Services – Aircraft Operations (PANS-OPS) is usually higher than the OLS and is designed to provide protection for instrument flying, or IFR (when the pilot is flying by instruments). The PANS-OPS may also protect airspace around the network of navigational aids that are critical for instrument flying.

Under section 182 of the *Airports Act 1996*, activities that result in intrusions into an airport's Prescribed Airspace are called "controlled activities". **Controlled activities cannot be carried out without approval.**

Local councils with boundaries that fall within Melbourne Airport's Protected Airspace are required under the *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996* to review all building and development applications they receive for any infringements of prescribed airspace. If an infringement is likely to occur, Regulation 8 provides that the local council must refer the application to the airport operator.

The regulations provide for the Department or the airport operator to approve applications to carry out controlled activities, and to impose conditions on approval. The following link provides additional information on determining the appropriate approval requirements.

<https://www.infrastructure.gov.au/aviation/safety/protection/index.aspx>

Given the information provided, APAM has provided an image at Attachment C that details the area of the Craigieburn West PSP where the ground level currently penetrates the Prescribed Airspace (brown) and where any building and works with a minimum of 5.0 metres in height (approximate single story dwelling height) would penetrate the Prescribed Airspace (yellow). Any development in these coloured areas require consent under the *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996*.

Reliance on building surveyors to seek approval for intrusions into the Prescribed Airspace rather than at the earlier planning stage doesn't happen in practice. This presents a potential aviation safety issue when developments intrude into Prescribed Airspace without notification to the responsible authorities. For example, in the Lindum Vale PSP a significant portion of the land proposed for inclusion in the PSP fell within the Melbourne Airport Prescribed Airspace area –in some instances, with anything over 1 metre in height intruded into the airspace. To date no building surveyor has lodged an application with APAM, for an intrusion into the Airspace.


Obtaining intrusions approval for the PSP creates expectations, both in the minds of owners, but also in the minds of decision makers, that development is acceptable from an aviation safety perspective and that further approval from APAM is required. The land use plan in the PSP can have a tendency to pre-empt the ultimate decision for approval under the regulations.

Recommendations:

Melbourne Airport has not received any request to carry out a controlled activity in relation to prescribed airspace at the area of the Craigieburn West PSP. Prior to the VPA proceeding with the endorsement of this PSP and the Planning Scheme being amended with the current layout resulting in an intrusion into the Prescribed Airspace, the attached form should be completed and emailed to airspaceprotection@melair.com.au for approval.

APAM is committed to working with the VPA to ensure appropriate design and development of the Craigieburn West PSP and would be happy to discuss our submission further. Please contact Romy Collier, Manager Statutory Planning, on (03) 0499 499 551 or by email on romy.collier@melair.com.au.

Yours faithfully

A handwritten signature in blue ink, appearing to be 'Tony Brun', enclosed within a circular scribble.

**Tony Brun
Head of Planning**

Attachment A – Endorsed 2018 ANEF Contours



Attachment B – N-Contours

New N-Above contours are being developed and will be provided once finalised.

Attachment C – Intrusions into the Prescribed Airspace for the Craigieburn West PSP

