

22 June 2021

Mr Lester Townsend
Chair
Melbourne Airport Environs Standing Advisory Committee

By email: planning.panels@delwp.vic.gov.au

Dear Chair

Melbourne Airport Environs Safeguarding Issues and Options Paper

The Urban Development Industry of Australia, Victoria Division (UDIA Victoria) welcomes the opportunity to provide this submission in response to the Melbourne Airport Environs Safeguarding Issues and Options Paper (the Paper).

UDIA Victoria is the peak body representing Victoria's urban development industry. We are a non-profit advocacy, research and educational organisation supported by a membership of land use and property development organisations, across the private sector and Victoria's public service. We are committed to working with both industry and Government to deliver housing, infrastructure, and liveable communities for all Victorians.

Working collaboratively with our members, we seek to provide evidence-based policy and advocacy services to drive industry discussion and debate, and to inform all levels of government to achieve successful planning, infrastructure, affordability and environmental outcomes.

We understand that the purpose of the Issues and Options Paper can be summarised as follows:

"The Melbourne Airport Environs Safeguarding Standing Advisory Committee (the Committee) prepared this Issues and Options Paper. The purpose of this Issues and Options Paper is to seek specific comments on proposed controls, the need for which were subject of submission during Committee Hearings in February 2021. At the end of those Hearings, it was clear further consultation and discussion was required.

This Paper has been prepared to inform a round table discussion with parties to the February Hearing and other invited stakeholders on the text of potential controls and policy changes."

We note that the Committee has not yet formed a view on whether the options are appropriate.

We commend the Committee for thoroughly reviewing the extensive technical material and submissions to date, for outlining draft policy adjustments, and providing stakeholders with an opportunity to engage with the Committee regarding the emerging framework.

The focus of this submission is to outline the implications of potential changes to existing planning arrangements as well as new **planning policies or controls relating to noise mitigation**. Any adjustment to policy and standards for noise mitigation have the potential to have the greatest impact on our industry.

Summary of the Options

The general approach in relation to noise mitigation in the Paper can be summarised as:

- Integrate policy for all major Victorian Airports and apply a consistent policy and standards for Airport safeguarding through an Airport Environs Overlay.
- Apply an expanded Overlay across significant areas and implement policy that would:
 - In greenfield areas, avoid zoning land for noise sensitive uses within the area shown on the Plan in Attachment 1.
 - In brownfield areas, consider other strategic issues, measures to mitigate noise and provide information regarding potential aircraft noise to future residents.
- Ensuring new development within the noise mitigation area reflects Australian Standard AS2021 to prevent development of greenfield sites for sensitive uses that are described as unacceptable.
- Where development does proceed within the area shown on the Plan in Attachment 1, introducing a noise mitigation standard for new noise-sensitive uses.
- Provide for the new Overlays to form part of s32 Vendor Statements under the *Sale of Land Act*.
- Make Melbourne Airport either a determining referral authority or recommending referral authority.

Spatial Implications of the Policy Directions

The plan in **Attachment 1** indicates the parts of Melbourne and surrounds which would be impacted by a new control to manage the noise contours. Some of the key facts illustrated on the plan are:

- There are some 5,139 hectares within the noise contours which are located within approved PSPs. That would impact construction of around 50,000 homes. For that reason, our industry is seeking to understand the likely cost for treating new dwelling in these areas so that we can be better informed in making our submissions and representations to Government.
- There are a further 3,600 hectares within the noise contours which are located in future PSPs which would yield a further 35,000 homes. One view of the Draft Policy Options is that the application of a Schedule to the Urban Growth Zone when a PSP is prepared would be avoided. If that is how the policy directions are to be understood, this is of significant concern to the residential development industry. We reserve our right to make further submissions to the Committee when this is clarified, or if the Committee is considering making recommendations of that nature.
- A total of 18,451 hectares of existing urban areas are impacted, which could impact up to 100,000 homes in new estates and as urban regeneration occurs. Development in established areas should proceed without constraint, provided that noise attenuation is addressed.

To provide some perspective, every \$10,000 of additional cost per dwelling for noise mitigation measures could ultimately add some \$1.5b to \$2b to the cost of new dwellings over the next 20 years.

We request the Committee to direct that evidence be provided relating to the cost impacts should treatments before the hearings or round table discussions commence.

Submission Regarding Planning Provisions

UDIA Victoria submits that:

- Noise mitigation policies should not be extrapolated from Melbourne Airport to other airports in Victoria. The planning policy setting in relation to each airport should be set independently, having regard to the relevant frameworks.

Melbourne Airport has an elevated economic role in comparison to other airports. The approach to noise mitigation at other airports should be developed in the context of each particular airport. Avalon Airport for example does not publish the comprehensive noise information that Melbourne Airport does. It is not possible to understand what the implications of the policies would be if they were applied to areas other than Melbourne Airport. Similarly, there are no detailed plans for the potential Melbourne South East Airport.

- Planning policy should not preclude zoning for new sensitive uses within the N Contours. It should be a consideration, together with other considerations such as maintaining adequate land supply, transport infrastructure planning and physical land constraints. It may be that it is entirely appropriate in the future to zone additional greenfield land within the N Contours, but with a requirement for suitable noise mitigation.

Planning policy that might preclude different forms of development requires more detail, structure and nuance than simple broad brush policy.

- Planning policy in brownfield areas should be focused on noise mitigation that can allow for urban regeneration to proceed, especially near major transport infrastructure and town centres where significant planning policy objectives can be advanced. A blanket restriction on brownfield regeneration should not form part of the policy mix.
- Further work regarding costs of noise mitigation treatment for typical dwelling typologies should be made available to the Committee and submitters so they can understand the implications of noise treatment policies and standards.
- UDIA Victoria does not support Melbourne Airport being a determining referral authority for noise related matters. Melbourne Airport's expertise can be provided to the responsible authority if Melbourne Airport is provided with a lessor role and Melbourne Airport could appeal a decision of a responsible authority to VCAT if it considered there were adequate grounds to do so.

General Comments

It can be seen through the Plan in Attachment 1 that a conservative approach to avoiding new greenfield development and restricting brownfield regeneration would impact about 100,000 hectares of land. In these circumstances, the planning response should be based on a comprehensive assessment and a more nuanced and structured framework.

Provided that health and wellbeing are protected, as is provided for in the Australian Standard (for example in areas within the 20 ANEF), lower levels of noise should be addressed through building or dwelling treatments as relevant.

If we took a zero-tolerance approach to noise from transport infrastructure and services like major roads, trams, buses and rail then development would be excluded in many areas which would have significant implications for urban development. Instead, planning strategy takes a more considered and

nuanced approach. New dwellings within rail noise corridors are not precluded, provided that dwellings incorporate noise attenuation measures to protect the health and wellbeing of residents and night time noise levels are addressed to protect sleep.

The submissions provided by Melbourne Airport are focused toward long-term optimisation of its operation, which are subject to ongoing refinement and adjustment over time.

UDIA Victoria submits that noise mitigation treatments should not be required for dwellings that are not currently impacted by noise airport operations and which are not expected to be impacted in the next 15 years. To require expensive noise mitigation decades ahead of when it would serve a useful purpose is not sound policy.

It is unclear what the likely time horizon is for noise impacts to increase across different areas within the Plan in Attachment 1. UDIA Victoria encourages the Advisory Committee to direct that Melbourne Airport break down the noise impact contours to have regard to each new runway and to split out less significant flights like those to smaller regional centres which could be addressed differently. This is not to suggest that the Advisory Committee should make recommendations regarding airport operations, it is to build a knowledge base with submitters to make submissions relating to the application of planning policy and noise treatments in relevant circumstances.

UDIA Victoria welcomes the opportunity to participate in the hearings and to make further submissions as part of that process.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Matthew Kandelaars'.

Matthew Kandelaars
Chief Executive Officer
Urban Development Institute of Australia, Victoria

Attachment 1

