

SUBMISSION TO THE EPBC ACT REVIEW

ANON-QJCP-UGJE-S

Name

Adam Bandt

State or Territory

Victoria

Areas of Interest

The objects of the Act; Threatened species; International obligations; Indigenous Australians; Heritage; Matters of National Environmental Significance; Environmental Impact Assessments; Great Barrier Reef; Cumulative impacts; Climate change; Compliance and enforcement; Decision making; Public participation in decision making; Biodiversity; Conservation; Wildlife trade; Commonwealth national parks; Nuclear; Water;

Attachment provided

Yes

Do you give permission for your submission to be published?

Yes - with my name and/or organisation (if included)

SUBMISSION RESPONSES

This submission was provided as an attachment only. The attachment is provided on the following pages of this document.



ADAM BANDT MP
FEDERAL MEMBER FOR MELBOURNE

Professor Graeme Samuel AC and the Expert Panel
By email: epbcreview@environment.gov.au

17 April 2020

To Professor Graeme Samuel AC and the Expert Panel

As the local member for the area, I write in support of the East Melbourne Group in their submission to the review of the Environment Protection and Biodiversity Conservation Act ('the Act').

The Greens have a range of concerns about the EPBC Act and will respond more broadly to your review once it is released, as well as pursuing changes to the Act in Parliament. We will continue to raise concerns outside of the review process, but as the local member for East Melbourne, I want to support the East Melbourne Group in bringing these matters to your attention and their push for changes to protect their amenity with respect to aircraft noise.

In their submission, the East Melbourne Group speaks to two focus areas of the review: Better environment and heritage outcomes and community inclusion, trust and transparency.

We support the current broad definition of "environment", which includes people and communities. However, it is clear that, in practice, this definition is not applied broadly and has failed to properly take account of amenity impacts. I support the East Melbourne Group in their submissions that:

- with respect to better environment and heritage outcomes in the area of aircraft noise, amenity impacts should be an integral consideration for Commonwealth decision makers. In particular, Significant Impact Guidelines for aircraft development should explicitly refer to impacts on the human environment and community amenity; and
- with respect to community inclusion, trust and transparency, all decisions by the Commonwealth and its agencies should include a requirement for consultation with all community stakeholders.

The Issue

Residents living in East Melbourne and Melbourne experience a very high level of air traffic. On average, there can be up to 9 small aircrafts per hour flying over residents' houses on weekends, with the highest recorded concentration being 27 flights in 60 minutes. These flights are generally for non-essential purposes, with most flights either circling the MCG or hovering, disturbing people's rest, health and general amenity.

Over the last few years this problem has grown, in part resulting from the withdrawal of a previously understood requirement that non-essential flights travel along the Yarra River. Residents suspect the growing problem stems from a shift in regulation in the early 2010s, which reduced the role of Air Traffic Control in Melbourne's controlled air space.

ADAM BANDT MP Federal Member for Melbourne

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Authorised by D. Lawson, Australian Greens, GF1 296 Brunswick St, Fitzroy VIC 3065.

Separately, the noise problem has been compounded by changes to large aircraft routes, with many planes flying to a 'merging point' close to East Melbourne, then heading directly over East Melbourne before landing at Melbourne Airport. This follows changes to flight routes made in the early-mid 2010's, about which residents were not consulted. Attempts to join the relevant consultation groups were also rejected.

Although a voluntary 'Fly Neighbourly Agreement' exists between the City of Melbourne and aircraft operators, this has failed to provide any satisfactory resolution to the issue. The issue is also one of increasing concern for CBD and Docklands residents too.

I have spent many years working with the East Melbourne Group in an attempt to resolve this, including meeting with the Deputy Prime Minister about the matter.

It is our strong belief that any future regulation of the area or changes to flight paths should take into account the amenity to the community and the impact on the human environment. Further, it is essential that a mechanism is provided for in law, to ensure that affected community groups are included in the decision-making consultation process.

Changes to the Act

Where decisions are made regarding aircraft noise, which are likely to impact upon the human environment and amenity for a community, it is important that that community be included in the consultation process. I support the East Melbourne Group in their submission to see a requirement for mandatory community consultation enshrined within the Act with respect to development, including flight path amendments that will increase aircraft noise.

Further I support the East Melbourne Group's submission that the impact on the human environment should be an essential consideration in any decisions concerning aircraft noise taken by the Commonwealth.

Yours sincerely,

A handwritten signature in black ink that reads "Adam Bandt". The signature is written in a cursive, flowing style.

Office of Adam Bandt MP
Federal Member for Melbourne