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*22 January, 2010*

*Ms. Jeanette Radcliffe  
Committee Secretary  
Senate Standing Committee on Rural and Regional Affairs and Transport  
Department of the Senate  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600*

*Dear Ms. Radcliffe,*

**THE EFFECTIVENESS OF AIRSERVICES AUSTRALIA'S MANAGEMENT OF AIRCRAFT NOISE**

*I refer to your invitation to the Australian Airports Association to make a submission to the Senate Standing Committee on Rural and Regional Affairs and Transport inquiry in connection with:*

*An assessment of the effectiveness of Airservices Australia's management of aircraft noise under its responsibilities to provide air traffic services and protect the environment from the effects associated with the operation of aircraft for which it has legislative jurisdiction,*

*a matter which was referred to the Committee by the Senate on 25 November 2009.*

*The Australian Airports Association (AAA) was founded in 1982 in recognition of the real need for the one coherent, cohesive, consistent and vital voice for all aerodromes and airports throughout Australia. It is a non-profit organisation that represents the interests of over 300 member aerodromes and airports Australia-wide, from the local country council-owned and operated community service landing strip, to the major privatised international gateway airports.*

*The Charter of the AAA is to facilitate co-operation among all member airports and their many and varied partners in Australian aviation, whilst doing its part in maintaining an air transport system that is safe, secure, environmentally responsible and efficient for the benefit of all Australians.*

*It is not uncommon for the uninformed within the community to blame airports operators for the noise generated by aviation activities at or around airports. While perhaps understandable, this attribution of responsibility is simply wrong because:*

- *it is the Civil Aviation Safety Authority, and not airports, that designate airspace in which aircraft may permissibly operate;*
- *it is the Civil Aviation Safety Authority, and not airports, that permit aircraft types to operate in Australia;*
- *it is the Secretary of the Department of Infrastructure, Transport, Regional Development and Local Government or their delegates in the Department, the Civil Aviation Safety Authority or Airservices Australia, and not airports, that issues noise certificates for aircraft under the Air Navigation (Aircraft Noise) Regulations 1984;*
- *it is airlines, not airports, that choose what permissible aircraft they will operate, and on what schedules, when flying between, landing at and departing from airports;*
- *it is Airservices Australia, not airports, that determines under the Air Services Regulations 1995 what flight-paths those aircraft will use when flying between, landing at and departing from airports and thereby affects how the noise those aircraft generate will affect the community;*
- *it is the Minister for Infrastructure, Transport, Regional Development and Local Government or their delegates, or Airservices Australia, and not the airports, that take decisions under the Sydney Airport Curfew Act 1995 or the Adelaide Airport Curfew Act 2000 that affect whether aircraft operate during curfew areas at those airports;*
- *it is Airservices Australia, and not airports, that is statutorily obliged under the Air Navigation (Aircraft Flight Corridors) Regulations 1994 to monitor and investigate compliance by aircraft with designated flight corridors at Sydney Airport;*
- *it is the Secretary and Airservices Australia, and not airports, that take decisions under the Air Navigation (Coolangatta Airport Curfew) Regulations 1999 that affect whether aircraft operate during curfew areas at Coolangatta Airport;*
- *it is the Secretary and Airservices Australia, and not airports, that take decisions under the Air Navigation (Essendon Airport) Regulations 2001 that affect whether aircraft operate during curfew areas at Essendon Airport;*
- *and, of course, it is Airservices Australia, not airports, that is responsible for the Noise Enquiry Service.*

*Accordingly the AAA was most pleased to see that, in the National Aviation Policy White Paper released by the Minister for Infrastructure, Transport, Regional Development and Local Government in December 2009, the Government confirmed the responsibility of Airservices Australia for the effective monitoring of aircraft noise and communication and consultation with the public.*

*Relevantly, the White Paper stated that:*

*Airservices' primary role is the provision of safe air traffic management services. However, it also plays an important role in the effective management of aircraft noise and in distributing information about its incidence and effects.*

*Airservices operates a Noise and Flight Path Monitoring System (NFPMS) at Australia's major airports (Brisbane, Cairns, Canberra, Coolangatta, Sydney, Melbourne, Essendon, Adelaide and Perth) to collect noise and flight path data.*

The NFPMS is the world's largest, most geographically spread system of its type and collects noise and flight path data 24 hours a day, seven days a week. Specifically, it records the identity, flight path and altitude of each aircraft operating to and from the airport, the noise levels produced by individual aircraft, weather data, and the general background noise.

The information collected is used to:

- determine the contribution of aircraft to overall noise exposure;
- detect occurrences of excessive noise levels from aircraft operations;
- assess the effects of operational and administrative procedures for noise control and compliance with these procedures;
- assist in planning of airspace usage;
- validate noise forecasts and forecasting techniques;
- assist relevant authorities in land use planning for developments on areas in the vicinity of an airport; and
- generate reports and provide responses to questions from the Government, industry organisations, community groups and individuals.

Airservices also operates a noise enquiry service and monitors complaints about aircraft noise.

Airservices' role in monitoring and distributing information about aircraft noise and dealing with community concerns is critical and the Government has decided to strengthen this role and the processes that support it. Airservices will establish an Aircraft Noise Ombudsman within the organisation to oversee the handling of aircraft noise enquiries and complaints, conduct independent review of noise complaints handling and make recommendations for improvements where necessary. The Aircraft Noise Ombudsman will also monitor Airservices' consultation arrangements and presentation of noise information with a view of continuing to improve the flow of information to the affected communities. The WebTrak initiative has been a major step forward in improving the presentation of aircraft noise information to the general public and the Government sees potential for further improvements in this area.

*The AAA believes that this affirmation and strengthening of the responsibility of Airservices Australia will prove to be most important in removing any past ambiguity about where responsibility for monitoring aircraft noise and engaging with the community in relation to it properly lies; and in setting clear Ministerial expectations that Airservices Australia can now be expected to resource and meet.*

*Given this recent development, it may well be that there is little to be gained by a retrospective inquiry by the Committee in relation to Airservices Australia's past performance, unless that inquiry is primarily directed to suggesting how Airservices Australia can prospectively best perform its now clarified and expanded role.*

*I note that, in undertaking its inquiry, the Committee is required to consider whether Airservices Australia:*

- (a) has conducted an effective, open and informed public consultation strategy with communities affected by aircraft noise;
- (b) engages with industry and business stakeholders in an open, informed and reasonable way;
- (c) has adequate triggers for public consultation under legislation and whether procedures used by Airservices Australia are compliant with these requirements;
- (d) is accountable, as a government-owned corporation, for the conduct of its noise management strategy;
- (e) has pursued and established equitable noise-sharing arrangements in meeting its responsibilities to provide air traffic services and to protect the environment from the effects associated with aircraft for which it is responsible;
- (f) requires a binding Community Consultation Charter to assist it in consulting fully and openly with communities affected by aircraft

*The AAA comments briefly on each of these matters as follows:*

*(a) and (b) the AAA considers that Airservices Australia has, in the past, not conducted a fully effective, open and informed public consultation strategy with communities affected by aircraft noise and that it has not engaged with industry and business stakeholders in a fully open and informed way. However, the AAA is confident that, having regard to the Government position as set out in the Aviation White Paper, Airservices Australia will now address these issues with renewed vigour;*

*(c) the AAA doubts whether legislation is required to set triggers for public consultation. Rather, the AAA expects that the establishment of, and publicity concerning, the Aircraft Noise Ombudsman will largely drive more responsive public consultation;*

*(d) the AAA believes that Airservices Australia should be, and is, accountable for all its functions, including those to do with noise management. The AAA further believes that the Government decision announced in the Aviation White Paper evidences an intention by the Government to exercise that accountability;*

*(e) the AAA considers that Airservices Australia has, within the scope of its authority, established equitable noise sharing arrangements. However, noise-sharing arrangements are but one of the ways in which communities and the environment can be protected from aircraft noise, and ongoing changes in aircraft and available technology mean that there is always more that can be done in this regard. In the AAA's view, Airservices Australia actively seeks to do what it can in these regards;*

*(f) the AAA hopes, and believes, that the Government's clarification and expansion of Airservices Australia's role in relation to aircraft noise will provide a strong impetus for it to consult fully and effectively with affected communities and that, accordingly, there is at this stage no demonstrated need for it to be subjected to a binding Community Consultation Charter.*

*The AAA cautions, however, that while Airservices Australia has the role of monitoring, and communicating with affected communities in relation to, their concerns about aircraft noise, it needs to be borne in mind that there are circumstances in which it will not be possible for Airservices Australia to itself act positively to change aircraft operations. Airservices Australia does not provide Air Traffic Services to all aircraft operating in Australian airspace. Rather, it is the Office of Airspace Regulation within the Civil Aviation Safety Authority that designates airspace and sets flight rules that determine which aircraft must act as directed by Airservices Australia. Nevertheless, accurate monitoring of complaints and effective communication between Airservices Australia and the Office of Airspace Regulation will at least make it possible for the latter to decide whether more intrusive management of aircraft generating particular complaints is required.*

*Finally, the AAA acknowledges that airport operators do have a related, albeit not primary, role to play in these matters. In this regard the Aviation White paper stated that:*

*Australian airports currently have very little direct involvement in managing aircraft noise or decisions relating to the land use and development of noise sensitive buildings around the airport and under flight paths. Airports do have a broad scope of influence and it is in their best interests to work with governments, local communities, aircraft operators, regulators and air navigation service providers to help develop practical solutions to minimise noise impacts on communities. The Government is looking to airport operators to work constructively in this area.*

*The AAA believes that historically Australian airport operators have worked constructively to do their part in ameliorating aircraft noise and is confident that they will do so in the future.*

*Thank you for the opportunity to make this necessarily general submission. The AAA believes that a number of individual airports will also make their own submissions to the Committee addressing their particular circumstances and views, and it commends these to the Committee for its consideration.*

*Yours sincerely*



Ken Keech  
*Chief Executive Officer*