



AIRCRAFT OWNERS AND PILOTS ASSOCIATION OF AUSTRALIA

OVER 50 YEARS AS THE VOICE OF GENERAL AVIATION IN AUSTRALIA

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"The right to fly without unnecessary restrictions and costs"

28 January 2010

Secretary, RRAT
via email: rrat.sen@aph.gov.au

Dear Jeanette

SUBMISSION RE AIRSERVICES NOISE MANAGEMENT

Introduction

The RRAT Committee Terms of Reference are specific to the management of aircraft noise by Airservices within legislative jurisdiction. AOPA commends Airservices on its leading-edge management of the noise footprint within the provinces for which Airservices is responsible.

AOPA represents over 3000 aircraft and helicopter owners and pilots, flying schools, and aircraft maintainers, mostly at the smaller aircraft end of the aviation spectrum.

Airservices is a major contributor to ASTRA (the Australian Strategic Air Traffic Management Group), of which AOPA is a member. The work being done via ASTRA and its ATM Strategic Plan places Australia at the world forefront in terms of efficient flight and reduced noise emissions.

AOPA contributes to CASA airspace considerations and collaborated with CASA on Draft AC 2-5-1(0) - Guidance for Controlled Airspace Design of January 2010. Careful airspace design enables jet aircraft descent at 2.5 degrees to 10 NM from touchdown and then 3 degrees to touchdown. This "continuous descent approach" (CDA) minimises power adjustments or speed brakes that increase noise (airframe and engine noises) - via efficient management of the process by Air Traffic Control.

Aircraft noise is not a recent phenomenon. The airports have been in place for many years; new generation aircraft are quieter; and we suggest it is the shift of population to reside near airports which is a large cause of aircraft noise concerns. Since further development is inevitable, it is logical to suggest that Councils, as the responsible bodies, inform prospective residents and ensure appropriate building treatment is contained in building permit requirements. It is also logical that industrial (and parks, golf courses, DFO), rather than residential, development be encouraged.

Legislative Jurisdiction

Our understanding is that Airservices does not have absolute legislative jurisdiction of aircraft noise throughout Australia since the devolvement of the airspace management function to the Office of Airspace Regulation (CASA), as noted in the Airservices Annual Report 2006/2007:

"On 1 July 2007, airspace regulatory functions under the Air Services Regulations Part 2 were transferred to the Office of Airspace Regulation at CASA. Some environmental functions previously undertaken by AERU will remain with Airservices, including the operation of the Noise Enquiry Unit, wake turbulence investigations, aircraft noise levy collection, aircraft noise certificates and the technical endorsement of Australian Noise Exposure Forecasts and Indexes."

Much of the control work done by Airservices must, therefore, relate to efficient management of aircraft operations within the Australian flight information regions, to minimise noise emission.

Many airfields are not within Airservices jurisdiction at all and are located in areas where urban growth will spread. CASA may care to comment on the responsibility for that.

Consultation

AOPA engages with Airservices regularly on a broad spectrum of issues and finds the relationship open and well informed in reaching consensus.

We are uncertain of the perceived value and desired outcomes of Airservices engaging more fully in “community consultation” concerning aircraft noise as there are few options to alter the situation unless Federal direction is given to State and Local government to retain buffer zones or ensure appropriate development around airfields. No matter what community consultation occurs regarding noise the fact remains that departing aircraft will generate noise to takeoff and climb, and there are constraints on available vectors due to runway use and arriving and departing aircraft.

AOPA believes the appropriate consultation process is “location specific” as already exists. As an example, the Melbourne Airport Noise Abatement Committee¹ (on which Airservices is well represented) meets quarterly with the right mix of empowered authorities to represent the community interest. By involving local councils they are able to both represent their ratepayer interests and keep the community informed. Endeavouring to alter the level of representation to Airservices directly meeting community groups is seen by AOPA as a less productive, and possibly more inflammatory, strategy.

Noise related information for capital city airports is easily located, well documented and regularly updated on the Airservices website. More detail is available on the individual airport websites – e.g. Melbourne International although we find the Heathrow UK website more attractive, and endorse their simple noise fact sheets.²

General Comment re Aircraft Noise

Noise cannot be examined alone. It is inexorably linked to fuel burn and emissions. Whenever aircraft divert all three are generally increased. Diversions for weather reasons (e.g. thunderstorms) are for safety and passenger comfort and are inevitable. Diversions due to the efforts of vocal complainants can reduce efficiencies and even safety to shift the noise footprint.

Aircraft noise is subjective. Not only is it a factor of single versus cumulative (ANEI) events; also the identical noise may have entirely different meanings to different recipients. Rural and remote locations may welcome the noise of the RFDS aircraft for clinic or medevac purposes, as may a road accident injured survivor welcome the noise of the rescue helicopter. Communities under fire threat from Black Saturday wanted to hear the noise of water-bombing aircraft. The same noises overhead a city or suburban environment may cause complaint. Similar non-aviation noises are taken more for granted – e.g. on the South and West boundaries of Essendon airport (with noise curfew) we find the revised Calder freeway interchange with its 24-hour rumble of vehicles and truck exhaust brakes.

Aircraft noise is a by-product of the efficient rapid movement of business people – as the members of this RRAT Committee would well understand in their own travels – and freight, and particularly mail and banking needs by air, and there is no alternative that offers the same efficiencies.

AOPA believes noise complaints should also be questioned in the psychological context – possibly many complainants are more expressing fear of an aircraft crash at or overhead their location. Research notes *“Attitudes towards the aviation industry, personal sensitivity to noise, and fear of*

¹ <http://www.melbourneairport.com.au/About-Melbourne-Airport/Planning/Aircraft-Noise.html>

² <http://www.heathrowairport.com/portal/site/heathrow/menuitem.f03e69d4cefd3c524ba4a109328c1a0>

aircraft crashing were found to be important in modifying the extent to which a person will be affected by a given amount of aircraft noise.”³

A question of balance

AOPA takes a balanced position regarding aircraft noise, based on the expectations of the “reasonable person”. AOPA suggests that those who embrace savings in house and land prices around existing airports are well aware of the airport existence and should co-exist via a caveat on their title and via appropriate noise insulation measures. Caveat emptor; as with any other purchase. We note mention of insulation strategies in the Aviation White Paper (Page 215).

The City of Kingston (Local council for Moorabbin GAAP airport) operates an Airport Environs Overlay (AEO) which is noted on certain residential rate notices. This advises residents that they are close to an airport. Kingston Heath, Epsom Race Course and the Baltusrol estate developments all have formal notice attached to property title that the area is under an airport flight path. Those who enter into occupancy of residences under such advice should be exempted from the ability to complain about aircraft noise (excepting aircraft in breach of rules of the air, e.g. low flying).

Research demonstrates that the same level of noise from road, rail, or aircraft results in a higher annoyance level for aircraft noise. This may suggest that the reasonable person is well aware that road and rail traffic will not be amended to suit their complaint, whereas aviation is more “malleable” via political pressure. (Refer Graph, Page 7, “Development of Exposure-Response Relationships between Transportation Noise and Community Annoyance.”)⁴

We are heartened by the wisdom of the Victorian Civil Administrative Tribunal (Byard and Potts, 17 October 2007) re Tyabb Airfield (outside Airservices control) where noise complaints were a key issue in a permit application and VCAT, in finding for the permit, noted re the local Shire Council:

- *“In doing so, it should be exercising its judgement on the town planning issues concerned, not on political considerations like popularity or whether there are a lot of objectors.”*
- *“If incompatibility or amenity problems were perceived, such residential development should not have been allowed in such close proximity.”*
- *“This is a situation where the residential newcomers, since they have in fact been allowed to come, must defer to the needs of the airfield, rather than vice versa.”*

AOPA commends the establishment of the Ombudsman in the Aviation White Paper in the hope of balanced analysis of noise complaints. We compare the emphasis given aircraft noise in the White Paper with the probability of people buying properties near railway lines or major highways then demanding trains, or buses or trucks respectively be diverted, subject to curfew, or banned. Any containment of aviation will result in increased alternative transport volumes and consequent noise.

Passenger Transport Operation noise

Jet and large turboprop aircraft generate most noise particularly around capital cities and major regional centres. AOPA leaves comment on the management of this process to Airservices and the Airlines but notes that GNSS technology (GPS) coupled with required navigation performance (RNP) area navigation system (RNAV) equipped aircraft allows arrivals and departures that are within corridors that can avoid the most noise sensitive areas. We are also aware of a trial of ground based augmentation approach (GBAS) at Sydney which further allows flexible tailored approaches.

The effect of more flexibility in approach and departure paths is outside our auspices and may alter the historical ANEF results and enable relief for some areas - but only on the basis of State authorities ensuring contained or appropriate development in the areas to where noise is shifted.

³ <http://enhealth.nphp.gov.au/council/pubs/pdf/noise.pdf> (page 20)

⁴ <http://www.netsympo.com/2002/finegold/develop.pdf>

AOPA is advised that Airservices is equipping its Canberra National Operations Centre with Metron Aviation's ATFM System (Air Traffic Flow Management)⁵ to further optimise traffic flow and efficiency, and accordingly reduce noise and emissions.

General Aviation Aircraft Noise

This is the area that most involves our membership. The major noise generators are the airports where high volumes occur of pilot training. These are currently known as the GAAP airports and provide significant economic benefit to Australia through the training of overseas students.

The GAAP airports are controlled by day by Airservices towers and have curfews, recommended routes that delay turns until over areas not noise sensitive, and areas to avoid, as reviewed by local aviation committees in conjunction with Airservices.

Since July 2009 extra noise has been generated due to restrictions imposed by CASA for interim safety strategies that have caused some holding of aircraft at 3-5 miles from the airfields. This interim procedure has been well managed by Airservices within the safety caps imposed by CASA.

Noise can be reduced slightly by lower power use for takeoff and climb. This poses a negative safety balance as it means that aircraft take longer to reach a safe height for manoeuvring in the event of a power loss and this poses greater risk to both local residents and the aircrew.

Taking Moorabbin (Victoria) as an example GAAP airport, it caters for substantial training of foreign students. Airservices manages the traffic expertly with minimal delays and the existing traffic levels are still below those of 1989, which have never been exceeded in the 20 years since.

We earlier mentioned potential risk in shifting flight paths to satisfy vocal complainants. One minor such case is documented just to the South of the Melbourne International Airport control zone where the consequent recommended GA flight route may result in GA aircraft closer to the control zone than is prescribed by direction for flight planning in AIP (*Aeronautical Information Package*). *This seemingly innocuous change increases the – albeit statistically low - potential for conflict between a GA aircraft and a large jet carrying fare paying passengers to/from Melbourne.*

Decentralisation of GA Training – shift the noise

Some GA training has been moved to regional areas – Victorian examples including Ballarat (regional centre) and Mangalore (rural environment). The latter has the lower probability of complaint due to the sparser population (although a rural environment opens the concerns of 'Farmer Brown' and the effect on livestock and hens laying). This shift is, however, to what is known as "Class G" uncontrolled airspace where Airservices has no effective control of traffic or noise.

Relief for the capital city GAAP aerodromes and economic benefit for regional/rural locations is available by decentralisation, however, the prospect is not aided by the lack of Federal commitment and action to retaining rural airports as local councils endeavour to constrain operations or sell parts, or the entirety, of the airport for rateable development. AOPA is currently in consultation with the Department of Infrastructure, Transport, Regional Development and Local Government over better securing of the national (and often previously nationally taxpayer funded) assets.

Community Consultation Charter

The Inquiry is asked to consider whether Airservices requires a binding Community Consultation Charter "to assist it in consulting fully and openly with communities affected by aircraft noise". As noted earlier, AOPA believes that the existing consultative process is appropriate. Airservices does not generate aircraft noise, is not responsible for pilot management of aircraft, and is not positioned to dictate council development strategies; therefore any Airservices consultation is best made with those who do have ownership, which is not the community but its accredited representatives.

⁵ <http://www.metronaviation.com/news/185-airservicesiteacceptance.html>

Again using the example of Victoria, under the Local Government Act 1989 the role of Councils is clearly stipulated “The primary objective of a Council is to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of decisions” and “to improve the overall quality of life of people in the local community;”⁶

Councils are the decision makers who should balance development versus noise effects for their constituents. Councillors, unlike Airservices, are answerable to their constituents at the ballot box. However, the ratepayer vote is from existing ratepayers and ignores the future for new arrivals. Only by some form of overlay notice and advice to prospective residents can this gap be filled. However, it still follows that Airservices consultation is better served using Councils as the responsible bodies to canvass the community, rather than Airservices negotiating direct with the community (which again ignores those who have not yet taken up residence and joined the community) although not empowered to alter Council decisions.

It may be desirable to formalise Noise Consultation Committees for any GAAP airports where such may not yet exist.

Conclusion

General aviation is a vital part of the economy and quality of life particularly in rural and remote areas. General aviation aircraft output less noise than power tools and leaf blowers.

Our future airline pilots require a vibrant GA environment to gain experience “through the ranks” and any limitations imposed on (particularly) capital city areas pilot training to placate protesters about aircraft noise will adversely affect the long-term pool of Australian airline pilots.

Likewise we need to ensure a pool of qualified helicopter pilots for police, fire, and ambulance requirements and economic needs such as outback mustering.

AOPA submits that for the areas where our members interact with Airservices in their flying, Airservices is well managing its stewardship of the management of aircraft noise.

AOPA also submits that existing consultation processes can perhaps be enhanced by ensuring the use of Noise Consultation Committees where the attendees have ownership of the problems and control measures.

We also submit that the RRAT Committee would do their constituents a great service for the future by formalising the requirement for Councils to place aviation overlays on titles for existing (or proposed) noise sensitive areas. This would well cater for those locations outside the regulatory ambit of Airservices.

This submission is considered “informative”. AOPA, as an interested onlooker, indicates no desire to appear in support of this submission as we do not have ownership of the controls or results.

Sincerely



Vice-President

⁶ http://www.austlii.edu.au/au/legis/vic/consol_act/lga1989182/s3c.html