

SUBMISSION from: MOORABBIN AIRPORT RESIDENTS' ASSOCIATION, Inc. (MARA)

TO: Senate Standing Committee's Inquiry into the effectiveness of Airservices Australia's management of aircraft noise.

SUMMARY:

The community who live, work and study around Moorabbin Airport have never had an effective complaint mechanism for reporting the noise that is generated by the airport.

Neither the Moorabbin Airport Corporation, ASA or CASA have seen it as their role to address the community's issues regarding noise and its impact on their lifestyle. Not surprisingly then, there has never been community consultation, nor any effective management of aircraft noise.

We believe Airservices Australia has failed in its duty to conduct open and informed public consultation with the community affected by Moorabbin Airport aircraft noise. We believe it has also failed in its duty in several of the Senate Inquiry's other Terms of Reference, which we will address below. The result is a community which is frustrated, ignored, powerless and lacking faith in Govt. Aircraft Authorities - no one listens, no one helps.

The "National Aviation Policy White Paper" – December 2009

<http://www.infrastructure.gov.au/aviation/nap/> on Page 209 states that Airservices Australia "*also plays an important role in the effective management of aircraft noise and in distributing information about its incidence and effects.*"

The community around Moorabbin Airport have never experienced this and are eager to participate in Airservices Australia's 'effective management of aircraft noise'.

MARA shall address some of the Inquiry's Terms of Reference in regard to noise, where they are applicable to the local community living and working around Moorabbin Airport.

1. Has Airservices Australia conducted an effective, open and informed public consultation strategy with communities affected by aircraft noise.

- a) The short answer is a resounding NO! There has never been any public consultation strategy with the community, effective or not. From our repeated efforts over 12 years to engage ASA in consultation regarding aircraft noise, we have had no success in any way at all. When asked specifically by the community for open and informed public consultation ASA is uncooperative, unhelpful and obfuscating. Little wonder nothing has ever been achieved. The result is great anger and frustration in the community. We do not know where else to voice our concerns.
- b) ASA sees their role as dealing with aircraft safety – the community is not of interest to them. Consequently, all community concern over noise during the last 12 years has resulted in absolutely NO action or amelioration of the problem.
- c) The Moorabbin Airport Corporation Consultative Committee (MACC) (of which Airservices Australia is a member) was set up to consult with interested aviation parties and the community. It is widely praised as a success by politicians and the Govt. as an example of genuine effectiveness. Sadly, that is an illusion.
- d) Airservices Australia as well as the Moorabbin Airport Corporation do NOT consult, nor do they listen, nor do they act on community concerns and suggestions. In 12 years, NOTHING has improved regarding community concern over noise, in fact the problem is worse than it ever was.

- e) The whole process is nothing more than window dressing, with Airservices Australia an uncooperative participant. We believe there needs to be a change in the operating style of Airservices Australia to honestly address community concerns over noise.

2. *Has Airservices Australia adequate triggers for public consultation under Legislation, and whether procedures used by Airservices Australia are compliant with these requirements.*

- a) I quote The Hon. Judi Moylan MP – Fed. House of Representatives House Debates - Thursday 29 October 2009
<http://www.openaustralia.org/debates/?id=2009-10-29.121.1> talking about Airservices Australia and their method of operation. The words could have been written by the local community frustrated and starved of consultation opportunities for so long. The triggers are there, but ASA is not compliant with these requirements *under legislation*, even when directed by a Government Minister.
- b) **Quote: 20/10/ 2009 – HR House Debates: “In general, committee members have been critical of the lack of public consultation. (of ASA) I have asked for public consultations on at least four occasions. ASA is a corporate entity, has primary control over airspace and takes 95 per cent of its funding from the industry, and there is an urgent need to review the way it conducts business and the operation of the act that governs it to ensure that ASA has clearly defined community consultation obligations.” - Judi Moylan MP**

3. *Is Airservices Australia accountable, as a government-owned corporation, for the conduct of its noise management strategy.*

- a) Airservices Australia has never been brought to account, as far as we know, regarding the conduct of its noise management strategy at Moorabbin Airport. Complaints have been constant and more numerous as the years have gone by. Excessive noise of training flights by ever-increasing numbers of overseas students flying old, noisy planes, and helicopters flying low and flouting regulations with impunity have fallen on deaf ears for years. We are unaware of any Govt. investigation of ASA’s methods or management of its noise management strategy.
- b) Simply put, there appears to be NO noise management strategy whatsoever conducted by ASA at Moorabbin Airport. We can say with certainty that NO consultation with the community has taken place. This unacceptable situation continues - no Govt. has ever required ASA to demonstrate, report or explain their dealings with our community regarding noise issues.
- c) In 2008 Minister Albanese wrote to ASA, informing them of the Govt.’s expectations in regard to their operations....
Statement of Expectations For the Board of Airservices Australia
For the period 1 November 2008 to 30 June 2010
http://www.airservicesaustralia.com/aboutus/docs/statement_of_expectations.pdf
 In it, there was this statement that the ASA must....
“Support the Government’s environmental initiatives in relation to climate change and aircraft noise management. This includes the maintenance and appropriate resourcing of the Noise Enquiry Unit.”
- d) The Noise Enquiry Unit is a good example of the ‘smoke and mirrors’ approach that exists. ASA has an Australia-wide telephone number where

the community can register noise complaints. This is based in Sydney, it is not manned on weekends (when there is a lot of noise) – no immediate action is taken, no airport is contacted immediately, and we were informed by ASA that nothing is done regarding these noise complaints beyond recording them for statistical purposes.

- e) At the end of a defined period, the airport concerned is sent a list of the number of complaints only, with no details, no comments or suggestions for improvement. Air Services does not follow-up these complaints nor continue to monitor them. We would question whether the ‘Statement of Expectations’ specifically required by the Minister in this matter is being carried out as per the spirit or letter of the stated instruction.
- f) ASA takes no further action after this – it does not require the offending airport to report back on measures taken nor actively work with them to address the noise complaints reported. There is no onus on the airport to act on these statistics. They are just filed away and forgotten.
- g) Again, all this looks good on ASA’s website, it seems to be fulfilling its accountability requirements as a Govt.-owned corporation, but in reality the Noise Enquiry Unit is totally useless and ineffective.
- h) So far, no accountability practices such as fact-finding investigations, reports, meetings, or action plans exist – the community concludes that ASA is unapproachable, disinterested and deliberately shirking its gazetted responsibilities. The community is frustrated, angry and feels powerless to have any input as a genuine stakeholder in Moorabbin Airport.
- i) As far as MARA is aware, there has been no calling to account of Airservices Australia by the Govt. for failing to consult with the community, nor any censure, penalties or strong-worded directives to improve their performance. MARA recommends that more explicit legislation be framed, which requires ASA to show actual and measurable evidence of consultation, action taken and the consequent visible and effective results.

4. *Does Airservices Australia require a binding Community Consultation Charter to assist it in consulting fully and openly with communities affected by aircraft noise.*

- a) The community would welcome and embrace such a Charter. After years of being ignored and considered an unwelcome nuisance by Airservices Australia, a Charter would shine a spotlight on ASA practices. It would mean that ASA would no longer be a law unto themselves. A binding Community Consultation Charter would introduce scrutiny and supervision, and would replace the secretive and uncooperative mind-set which now permeates ASA’s dealings with the community.
- b) The Minister’s Statement of Expectations makes it clear that ASA is directed to “support the Government’s environmental initiatives in relation to climate change *and aircraft noise management*” In our opinion, it is a duty ASA has, up to now, totally ignored in regard to aircraft noise management at Moorabbin Airport. A binding Community Charter would end the years of frustration, bureaucratic stone-walling, and lack of co-operation that has characterised Air Services Australia’s dealings with the the local community around Moorabbin Airport.