

May 25th, 2018

Dr Jane Thomson
Committee Secretary
Rural and Regional Affairs and Transport Legislation Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Committee Secretary

Proposed Amendment Bill 2018

Preliminary Comment

The Hume Residents Airport Action Group comprises residents in neighbouring suburbs of Melbourne Airport and we make this submission in support of the Air Services Amendment Bill 2018.

Since the privatisation of major Australian airports, community consultation has largely been left to airport operators. The operators control the consultative process and commission their own studies, many without independent review.

The following example highlights the shortcomings of consultation and community engagement involving Air Services, the airport operator and stakeholders.

Over the last five years HRAAG members have attended the quarterly meetings of Melbourne Airport Community Aviation Consultative Group (CACG) along with various airport stakeholders, community representatives and Air Services Australia. The role of the CACG is to provide a forum for an exchange of ideas and concerns, enable residents to ask questions and to be informed on airport development, flight paths and aircraft noise issues. However the result of the consultative process has limited public input into runway and flight path development which will have a direct impact on community.

HRAAG members have repeatedly been advised the noise and social impact study will be released when completed. HRAAG understands the exposure draft for the Runway Major Development Plan is currently being reviewed by Commonwealth and State Governments. The consultative groups have not been provided with the documentation which is contrary to undertaking committed through the CACG consultative process.

People have become frustrated and as a result there is no faith in Air Services or the Government's ability to recognise and manage aircraft noise.

During the CACG meetings residents raised many issues and concerns regarding aircraft noise and vibration with Air Services. No significant changes in operations and/or policy have occurred which offer protection to residents from the effects of aircraft noise, in particular in the suburbs within a 15 kilometre radius of Melbourne Airport. This “do nothing attitude” typifies Air Services responses to aircraft noise complaints.

Community members have been informed by Air Services, in presentations made at CACG meetings and in the endorsed Airport Master Plans that:

Aircraft departing east on the proposed third East/West runway would be required to negotiate an immediate right turn. The majority of the turn was to be completed within the airport boundary to reduce the noise impact on residential areas.

The airspace between Essendon and Melbourne airports has been managed for over 48 years. Air Services is well aware of this airspace, and the risks of intersecting flight paths. These matters have been raised by HRAAG members for the past 5 years without due consideration from Air Services, despite this Air Services continued to endorse an aircraft departure plan with significant aviation risk.

HRAAG have recently learned at a Runway MDP briefing the right turn on departure to the east, on the proposed third runway noted in the Melbourne Airport master plan 2013, is considered to pose significant aviation risk. Air Services is now proposing to endorse a straight out departure over residential areas, ignoring the impact to communities.

There appears to be a lack of deliberation by Air Services during its review of the sanctioned right turn which was to avoid significant noise over residential areas. The decision displays a critical lack of understanding of the effect on residents. It also demonstrates a complete disregard of the aviation impacts on residents.

In addition HRAAG has printed and widely distributed literature showing the endorsed right turn on a proposed new runway. This was based on the consultation process and Air Services endorsement of the right turn within airport boundaries to reduce noise. It now appears HRAAG has provided incorrect information and miss-informed residents.

It should be noted:

1. The Air Service Act 1995 does not afford Air Services legislative power to protect the human environment.
2. The failure of State legislative land use controls to prevent residential development in areas affected by aircraft noise.
3. Australian Noise Exposure Forecast (ANEF) noise contours are intended to assist planning authorities to avoid residential areas near airports to negate exposure to the impact of aircraft noise.
However continual changes to these boundaries adds uncertainty for planners, developers and occupiers. Evidence strongly details the failure of these noise contours and controls to protect residents from the impact of aircraft noise.

4. Airport development, runways and flight paths combine in the production and distribution of aircraft noise which affects aspects of residential activities. Residents deserve protection. Things we all take for granted such as good sleep, outdoor amenity, and individual health along with a safe and appropriate learning environment for our children appear not to be in the equation to live and grow up unimpeded by the impacts of aviation.
5. The communities' voice is barely heard above the backdrop of Government, Airport Operators, Aviation Industry and Stakeholders. Aircraft noise is not considered the responsibility of this cohort.
The amendments in this Bill should be supported to provide a balance between competing interests and to provide residential safeguard for existing and future residents.
6. The establishment of an arm's length independent Aircraft Noise Ombudsman is essential to provide the public with an avenue for review and resolution process of aircraft noise complaints and due consideration of the impacts of aviation on residents and community amenity.
7. HRAAG applauds the appointment of a Community Aviation Advocate under the EPBC Act 1999 as a key role in advising the Minister of the consultations and impacts on human and natural environment, community amenity and residential areas.

Insertion of Section 160A(1) contains a reference to "significant impact" which needs to be closely aligned with the communities most impacted. The word "significant" is open to interpretation however the view of HRAAG is that its primary defining focus is the impact on the local areas within the confines of the noise boundaries and flight paths..

HRAAG request the senate to call a halt to the Runway Major Development Plan at Melbourne Airport pending the outcome of the Air Services Amendment Bill 2018. Any decision prior to this Amendment is likely to negatively impact on our human and natural environment, community amenity and residential areas.

The application of Air Services Act as per the amended Bill 2018 has direct bearing on the existing residential areas under the proposed new flight paths.

The members of the Hume Residents Airport Action Group steadfastly support the Air Services Amendment Bill 2018 as it will bring about a change to Air Service responsibilities which will provide protection to Australian communities.

Yours sincerely

Frank Rivoli
Secretary

Hume Residents Airport Action Group