

We the people of the Perth Hills are grateful to the Senate and Senators for conducting this inquiry. On behalf of the people whom I represent, I thank the Senate.

Yours Sincerely,
Cr John Daw

SUBMISSION

I am a Councillor at the Shire of Mundaring a Perth Hills District particularly affected by the West Australian Route Review Project (WARRP) brought in, without public consultation by Airservices Australia (ASA). Chidlow is a village particularly severely affected by aircraft noise since WARRP. This fact has been acknowledged by none other than Mr Richard Dudley Corporate and International Affairs Manager of ASA in a number of meetings he has had with Mundaring Shire Council and other committees such as Perth Airport Noise Management Consultative Committee (PANMCC) and Perth Airport Municipalities Group (PAMG) over the last 4-5 months. Such is the concern about Chidlow in particular, that ASA are locating a temporary Noise Monitoring Unit (NMU) in Chidlow for a period of 3 months minimum to collect data to verify complaints received about aircraft noise since the WARRP route changes of November 2008.

Many members of the public have contacted me regarding aircraft noise and I note that many believe, once they contact their Councillor or Federal MP that that is the end of the matter. Many, for reasons only known to themselves, have no faith in calling the ASA Noise Complaints Unit. Some have expressed concerns about just where the complaints go once made. I know these complaints statistics are compiled by ASA and sent off to the PANMCC. The question is, are they acted upon by PAC once they are compiled and recorded? I note also that complaints from Mundaring district have gone through the roof of late as people realize the consequences of the WARRP changes and aircraft vibration & noise imposed upon the once quiet Hills lifestyle.

Mundaring Shire Council (MSC) has passed 4 motions concerning the WARRP changes and consequent aircraft noise issues- as have other Councils such as Kalamunda Shire, and our Council has also written letters to ASA requesting meetings and explanations about the flight path changes. All motions passed by MSC have been unanimous. Similarly a motion passed on December 7 2009 by the Annual Meeting of Electors in Mundaring Shire was also passed- It reads as follows:

“That this meeting of electors of Mundaring Shire condemns Air Services Australia (ASA) for:

1. The lack of consultation and proper process before imposing the West Australian Route Review Project (WARRP) flight path changes on parts of the Shire (including Stoneville, Chidlow and Glen Forrest).
2. These flight path changes have resulted in serious erosion of the amenity, quality of life and even the health of members of this Shire due to the effects of aircraft noise and vibration resulting from those changes and
That the Shire continues to urge ASA to engage in a proper process of consultation by meeting with ratepayers affected by WARRP flight path changes.”

This motion is a very damning indictment of ASA and its inadequate processes and demonstrates to Senators just how much local people feel offended by what has happened.

On 27 January 2010 the full Council further unanimously moved -

“That Council continues to Consult with ASA in regards to the West Australian Route Review Project flight path changes affecting the amenity of residents of the Shire of Mundaring.”

PLEASE NOTE: I intend to respond to and answer each question systematically as follows:

“In undertaking this inquiry, the committee shall consider whether Airservices Australia:

(a) has conducted an effective, open and informed public consultation strategy with communities affected by aircraft noise”

ANSWER

No, clearly they have not. The Public was NOT informed at all. All the deals were done in secret between industry and ASA. What actually happened was that the Public in the Hills district of WA began to notice increased flights after the implementation of WARRP. Subsequently many complaints have been issued to Federal MPs and local Councillors and local Shires. Shire Councils are very disappointed at the failure of ASA to consult them directly about the changes and not just assume that because local governments are represented on PANMCC that the interest of local governments and therefore local people will be represented!! All communities were as I understand it, LEFT IN THE DARK regarding these changes. It is very unfair as it is comparable to changing a highway route and not informing the local people of the changed routes beforehand. Local government could not and would not do such a thing. For example, when a Local Government wants to bring in a new Town Planning Scheme for a district, it must first go to the Minister and the Planning Department, then back to the people for a 3 month consultation period, then back to Council again, back to the Minister and finally it can be Gazetted but only after the people have had their say! Not so ASA! How is it that a Federal Government Corporation can do it and get away with it without telling the public? THIS IS A CLEAR FAILURE OF THE LEGISLATION WHICH UNDERPINS THE EXISTENCE OF ASA! One wonders if the same failed process would have occurred if ASA had not been the government corporation that it is and had stayed as the old Department of Civil Aviation. In fact one could argue that ASA is not accountable for the powers they have since the breakup of the old DCA!

Local people are asking that there be fairness in the distribution of flight paths and not the post WARRP concentrations. Local people want ASA to consult using the local wisdom and come to a fairer distribution of flight paths. Local people want a fair-go!

b) engages with industry and business stakeholders in an open, informed and reasonable way;

ANSWER

No doubt the changes were extensively consulted with the airline industry and Perth Airport Corporation (PAC)-but not unfortunately the affected public!! This is nothing short of a DISGRACE and an act of bureaucratic tyranny! Industry is a major stakeholder with significant profits. Similarly, ASA, as a Federal Government Corporation is a commercial venture returning profits to the Federal Government. They set the routes for the commercial airlines and receives a large part of its profits from the airline industry. There is a financial incentive running both ways here- the commercial interest of the Airlines and the dividend for government produced by ASA. The real majority stakeholders are the public who have been left behind in this process.

(c) has adequate triggers for public consultation under legislation and whether procedures used by Airservices Australia are compliant with these requirements;

ANSWER

ASA put all its eggs in the one basket and claimed to have consulted widely through the PANMCC. The hole in the legislation is that it is required to do this but it failed the people as by only going through the PANMCC, it was going by the legislation under the Act, even though the members of PANMCC did not understand what was being explained to them. For example there was regular use

by ASA of maps without indicated town sites or suburbs so no obvious place and flight path recognition could take place by PANMCC members!! The result was that one PANMCC member said she believed the air route changes were much further out and would have little or no effect on the local metropolitan hills areas for which she was a PANMCC representative!

ASA ignored any local wisdom that may have arisen by them consulting the locals. It was a very careless act on their part not to have done so!

(d) is accountable, as a government-owned corporation, for the conduct of its noise management strategy;

ANSWER

ASA has failed to comply with its own "Principles" from its own document entitled "Environmental Principles and procedures For Minimizing The Impact of Aircraft Noise"

For Example:

"Principle 2 Noise should be concentrated as much as possible over non residential areas".

The fact is that Places like Chidlow now receive a Lion's share of jet and non jet arrivals and departures. As I understand it, Chidlow is on the new non jet departure that pass thru way points called DORIS/PIKIL. It is also on the RAVON non jet departure route that passes thru way points CHIDL & RAVON. As well as the new AMANA jet departure route and BEVLY jet arrivals route. There is thus a mix of jet & non jet aircraft noise and vibration which results in as many as 70 aircraft per day over this town! And about one third of them fly over in between 5.30 and 7.30am, with mainly turbos that have a highly disturbing vibrating noise. The village of Chidlow and its immediate surrounds is thus affected by all this 'criss-crossing' of jets and turbos in violation of ASA's Principle 2.

Also the physical geography of the Hills is such that the flights are low over places like Chidlow and consequently having a severe environmental noise effect and this has not been taken into account by ASA resulting in Chidlow and other Hills localities being badly affected by aircraft noise.

(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;

ANSWER

The new route structure has resulted in a concentration of air traffic over Perth's eastern (Hills) region and away from Perth's western suburbs. This is highly inequitable. Way points or markers for aircraft have also been brought in closer to the metropolitan area and outer Hills areas when previous to WARRP they were much further out. This has resulted in a heavier concentration of flight routes than existed previously. A local group has formed called "Fair Skies" which calls for an equitable distribution of aircraft flight routes so no areas are overburdened with flight noise and vibration.

(f) requires a binding Community Consultation Charter to assist it in consulting fully and openly with communities affected by aircraft noise;

ANSWER

This is absolutely required, otherwise the bureaucratic tyranny will continue from ASA!

(g) any other related matter.

ANSWER

Related matters include the following:

*Health of people has in many instances been affected by the changes. People live in the Hills for the quietness of the place and to be now burdened with so much noisy vibrating air traffic has upset

many people and made quite a number of them consider selling their homes to escape the noise. This is a tragedy for many decent people! People wanting to sell their sometimes long held and loved properties and move elsewhere to get away from the noise. A non jet plane's noise is heard for about 2 minutes, while a jet is over 30 seconds. With about 70 planes a day, that is about two hours of noise per day! And this, in a supposedly quiet village 45km from Perth. ASA Noise Inquiry Unit cannot continue to ignore the health aspects of aircraft noise & vibration, but it needs to be a legislative requirement that this aspect be addressed!

*The overriding power of Commonwealth Aviation Legislation over all state legislation and Local Town Planning Schemes co-opted now by ASA after the demise of DCA results in an imbalance in power between the people and ASA. ASA (as the DCA) was run by civil servants supposedly acting in a balanced way toward the various stake holders in the aviation industry and the people impacted upon by environmental noise and vibration caused by aircraft traffic. With ASA becoming a Federal government owned Corporation, respect for the citizenry seems to have been lost. ASA can now impose a flight path regime on communities with no actual public consultation. This is a deplorable situation which needs urgent review by the Government of the day.

*The unfortunate fact that ASA does not really recognize complaints that occur beyond the ANEF contours, despite the noise and vibration that occurs. Consequently complaint passed on are not acted upon, or that is the perception. There needs to be a recognition that noise and vibration occurs outside the ANEF contours.

*The total requirement for an Aircraft Noise Ombudsman who is unfettered to ASA and is completely independent. The Australian Mayoral Aviation Council wants an Ombudsman and the commitment is that one will be forthcoming from within ASA. This is unacceptable!

EMAIL FROM PHIL AT THE NOISE COMPLAINT UNIT SAYING THAT ASA HAS CONSULTED WITH THE LOCAL GOVERNMENT:

From: SY_CCR [mailto:community.relations@AirservicesAustralia.com]

Sent: Wednesday, April 29, 2009 1:09 PM

To: John Daw

Subject: RE: Air traffic noise over Chidlow WA

Mr. Daw,

Thank you for your e-mail. An aircraft noise complaint, number 216149 has been lodged on your behalf.

Further to my telephone message of the 24th, I can offer the following fuller explanation of changed flight paths for Perth Airport. I do believe, however, from your description of the aircraft as being "small propeller driven planes" that the aircraft operate from Jandakot and are not subject to any changed flight paths

Perth is a particularly complex operating environment for aircraft, with large areas of airspace close to Perth Airport controlled by the military. Access to military areas by civilian aircraft is limited or restricted altogether meaning the air corridors to access Perth Airport are also limited. As a consequence, until last year most of the flight paths for aircraft arriving to the airport followed the same tracks as flight paths for aircraft departing the airport. Such reciprocal operations are inefficient and subject certain suburbs to large amounts of aircraft noise as they are overflowed by both arrivals and departures instead of one or the other as is more generally the case. Whilst this situation can be managed, it becomes less appropriate as airports grow and certainly becomes an issue when there are periods of sustained growth as has occurred at Perth.

To improve safety and increase efficiency of aircraft operations at Perth and to optimise the use of modern aircraft capabilities, Airservices Australia commenced a major review of airspace use in

Western Australia in 2006. This project, known as the Western Australia Route Review Project (WARRP), covered all of Western Australia but its major focus was on the Perth area. The results of WARRP were implemented in November 2008. With regard to Perth, changes to the airspace route structure has now provided separate routes for inbound turbo-prop and jet traffic allowing them to be processed separately plus, with the exception of paths close to the runway ends, inbound tracks are now completely separate from outbound tracks.

Aircraft depart and arrive to airports according to established procedures known as Standard Instrument Departures (SID) or Standard Arrival Routes (STAR). These procedures are developed over a period of years and continually refined to reflect and balance international best practice with regard to safety, improvements in technology, community expectations and the operational requirements of aircraft and the airport. In line with a policy to locate flight paths over water or non/low density residential areas as much as possible, the WARRP review identified the opportunity to establish a new arrival procedure to the west of the airport for aircraft arriving to Runway 03 (i.e. arriving from the north of Perth to land at the airport from the south). The majority of these aircraft previously overflew high density residential areas to the east of the airport. Whilst most of this new route is national park, other vacant land and farms, a number of small residential communities are now overflown more frequently – all aircraft are over 5,000 feet above sea level. I should emphasise that these areas were overflown by aircraft previously (both arrivals and departures) but not in the structured way that now occurs. Further, whilst the number of aircraft arrivals over these areas has increased, there are fewer aircraft departures as a result of changes to various SID procedures.

As you would expect with the scope of such a review, WARRP was subject to considerable and regular consultation with industry, government, local councils and the community throughout the review period (nearly 3 years). Community consultation included presentations to residents, local councils and other community representatives, and the dissemination of maps and information via electronic means.

Whilst Airservices aims to minimise the effect of aircraft noise on surrounding communities, runway selection is ultimately dependent on the weather conditions (wind and rain), traffic levels, pilot requirements and the mix of aircraft operating in the area at the time in order to ensure the safety of operations. I understand that seasonal winds at Perth result in the highest use of Runway 03 for arrivals during the winter months.

On a final note, Airservices recently launched a new Internet service called WebTrak which allows the public to observe aircraft movements in near-real time at eight airports around Australia, including Perth. WebTrak provides information about individual aircraft such as aircraft type, altitude, destination and noise levels, and plots their position on a map. Should you wish to use WebTrak to observe aircraft over your electorate or refer your constituents to this service, it is available at www.airservicesaustralia.com/aviationenvironment/noise/webtrak.

I trust this information is of assistance and remain available to provide further detail on specific issues that you observe should you require. Please contact the Noise Enquiry Unit on 1800 802 584 should you wish to make further enquiries.

Regards,

Phil
Noise Enquiry Unit Specialist
Safety & Environment
Airservices Australia

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From: John Daw
Sent: Thursday, 23 April 2009 12:22 AM
To: SY_CCR
Cc:
Subject: Air traffic noise over Chidlow WA

The Director General,
Air Services Australia,

Dear Sir/Madam,

Today, 22 April 2009 there has been an enormous number of small aircraft over Chidlow. By my own count, there have been between 45 and 50 aircraft. Most of these aircraft are small propeller driven planes which cause a serious noise disturbance over the town. Sadly, this is a daily event now with the amenity of Chidlow being very seriously affected by this excessive amount of small plane traffic and associated noise.

My questions to you are as follows:

1. Why has there been a change to flight paths with a resultant consolidation of air traffic over Chidlow. Why isn't the air traffic either kept away from residential areas or at least spread fairly over the air space so as one town doesn't receive all traffic?
2. Who made the decision to consolidate the flight path for small fixed wing aircraft over Chidlow?
3. When was this decision made?
4. At what altitude are planes flying over Chidlow?
5. How many per day are you officially sending over Chidlow?
6. How many come from Jandakot airport and how many from Perth airport that fly over Chidlow?
7. Can this situation be changed as a matter of priority in the interests of fairness to the aircraft noise residents of Chidlow?

I look forward to your early reply.

Sincerely Yours,
Cr John Daw

EMAIL FROM SHIRE DENYING THAT THERE HAS BEEN ANY CONSULTATION WITH THEM REGARDING WARRP:

Good afternoon John

Discussion with the relevant Shire Officers and a review of file records has failed to reveal any information relating to your questions 1 - 5.

Cr Cuccaro was appointed in August 2006 to be the Council representative on the Perth Airport - Noise Management Strategy Committee. Cr Davies is the current member.

Cr Davies has given me permission to forward an email to you which was sent to Cr Cuccaro, and has information relevant to your enquiry. I will forward such to you shortly.

Should any information relative to your questions come to hand I will advise you further.

Regards
Mark

Dear CEO,

I refer you to the following email sent to me from ASA. In the email their representative talks about the WARRP (Western Australian Route Review Project) which he claims was begun in 2006. In paragraph 5, ASA claims that it has had "considerable and regular consultation with industry, government, local councils and the community throughout the review period (nearly 3 years). Community consultation included presentations to residents, local councils and community representatives, and the dissemination of maps and information via electronic means."

Can you kindly inform me of the following:

- 1) What consultation has taken place with the Shire Council in this regard?
- 2) How regular was this consultation?
- 3) How long was the period of consultation?
- 4) When and where did the claimed presentations to the Shire Council and residents of the WARRP proposals take place?
- 5) Does the Shire Council still hold copies of the disseminated maps and other electronic information?
- 6) Who was the Shire Council's representative on the Perth Airport Noise Management Consultative Committee during this time (2006)?

I look forward to your early response.

Yours Sincerely,
Cr Daw

NOTE-

THERE WERE NO PRESENTATIONS TO RESIDENTS, LOCAL COUNCILS OR THE COMMUNITY AS CLAIMED BY ASA!!

SEE Attached letter from Mr Dudley of ASA who says "consultation" was only with PANMCC, which is true, though inadequate as it was. It contradicts what Phil says.

The only hope is that ASA will as Mr Dudley says in attached letter, "seek to make improvements where possible", and that "We remain committed to looking at every opportunity to ameliorate the effects of aircraft noise to the community resulting from this project."

The community I represents certainly hopes so, that this commitment from ASA and this Senate Inquiry will result in a positive outcome for the affected community.

I close my submission. I thank the Senate.

Yours Sincerely,.

Cr John Daw