Senate Standing Committee on Rural and Regional Affairs and Transport

Inquiry into the effectiveness of Airservices Australia's management of aircraft noise

Submission – Mr Robert Hayes

Representation

I am the nominee for the Member for North Sydney on the Sydney Airport Community Forum (SACF) and I have been actively involved in aircraft noise issues since the opening of the third runway. However I am not making this submission in that capacity but rather as a private affected citizen and therefore the views expressed below are purely my own.

Summary

I believe that there is strong evidence that Airservices Australia's management of aircraft noise is, and has been, quite ineffective. It has failed to meet community and government expectations and, in my view, there has been no good reason for this. I believe the best way forward as a long term solution is for a paradigm shift to be brought about in government whereby aircraft noise becomes recognized as a serious form of pollution and banned by legislation, similar to the previous banning of other major forms of pollution.

Government expectations of Airservices Australia

On 30 June 1997, the then Minister for Transport and Regional Development directed Airservices Australia to implement progressively the Sydney Airport Long Term Operating Plan (LTOP) in accordance with a Ministerial Direction which included a ten part schedule (refer Ministerial Direction 30 June 1997, available at: http://www.comlaw.gov.au/ComLaw/Legislation/LegislativeInstrument1.nsf/0/B363649FDEB3E4D6CA2575550016A6ED/$file/MinisterialDirection30July1997.pdf)) (accessed 13/1/2010 1400).

This Direction legally commits Airservices Australia to implement LTOP. LTOP was and remains approved government policy and the Schedule essentially outlined the government's expectations regarding Airservices' management of aircraft noise. Almost 13 years later, most of the major implementation items still have either not been done or not been fully done. Neither the intent nor the targets of LTOP have been met. Government policy has not been implemented.

LTOP – the embodiment of government aircraft noise policy

LTOP has been government policy since that Ministerial Direction and remains strongly supported by both the current government (in statements to SACF and the media by Minister Albanese) and by consensus within SACF. LTOP embodies the fundamental principles of successful aircraft noise management by minimizing aircraft movements over residential areas and by fairly "sharing" the residual noise across a broader population where that noise is unavoidable. These principles are embodied in a set of arrival and departure modes that aim to maximize aircraft over-flight over water and non-residential areas.

The other main fundamental principles of LTOP are (put simply):

- the avoidance of "concentration" of movements (ie. by avoiding narrow flight paths over particular areas and population segments)
- respite (ie. by ensuring that affected populations have certain periods where they are relieved of all noise)
- non-reciprocality (ie. by ensuring that departing aircraft do not overfly populations which are affected by landings, and vice versa)
- approach and departure paths are to be offshore where feasible
- default preference for flights is over water (ie. Mode 4 SODPROPS is the preferred mode to be used whenever feasible).

The set of runway modes of operation was designed to embody the principles of LTOP. Sydney airspace was divided into four "quadrants" and unavoidable noise shared between these quadrants on the basis of fairness, operational imperatives and the principles outlined above.

A set of noise sharing targets, the "Runway End Impact LTOP Targets" was specified. These refer to the target percentage of total movements which should overfly each of the four quadrants. The targets were, and still are: **North (17%), South (55%), East (13%) and West (15%)**. Successful achievement of these targets would directly correlate with the successful achievement of LTOP implementation. It is therefore reasonable to compare the movement percentage by quadrant since 1997 against these targets as the primary Key Performance Indicator (KPI) of Airservices Australia's effectives in managing aircraft noise.

LTOP implementation by Airservices Australia - performance against KPIs

The targets and the actual percentage by quadrant are reported in the Airservices Australia Monthly Operational Statistics report which is available on the Airservices website

(Refer http://www.airservicesaustralia.com/projectsservices/reports/sydney/200911.pdf. (accessed 13/1/2010 at 1415). The latest report (November 2009) shows the current and historical percentages compared with target (page 12). The latest monthly figures for the north are way above target but, to be fair, that is to be expected because of RESA project operations. However, the performance for the entire period prior to the recent RESA project is consistently poor.

Between 1998 – 2007 (excludes the RESA period) the average annual percentage of aircraft movements:

- over the north is 27.5% (almost double the target of 17%)
- over the south is 50.56% (under the target of 55%)
- over the east is 13.26% (meets the target of 13%)
- over the west is 8.69% (well under the target of 15%) . Movements over the west have never averaged more than 9.92% (in 2005).

Movements over the northern quadrant have been way too high because movements over the southern quadrant and particularly the western quadrant have been too low. This has occurred because the noise sharing flight modes have not been used enough. Further, the "quality" of the movements in those quadrants is not what it should have been. For example, flights to west coast USA maintain runway heading to the north, offending LTOP non-reciprocality principles. Trident has never been introduced so landings from the north are concentrated within 10 nautical miles of touchdown and are mostly lined up much further north. Flights paths over water have not been used as they should.

The average monthly amount of time that SODPROPS has been used (outside the RESA period, ie. between 1998 – 2007 inclusive) is 1.80 %, compared with the LTOP expectation of between 5-10%. However, in 2009, the monthly average was 8.01%, and four months (May – August inclusive) were over 11%. This demonstrates that it can be done when there is the will to do it.

An examination of the Minister's 1997 Direction shows that implementation of LTOP falls well short of requirements in the areas of flight path operations, mode usage against targets, mode and flight path development, noise impact modeling, monitoring and reporting. A meeting was held between myself, Ministers Hockey and Nelson, CEO Airservices Australia Mr Greg Russell and Mr Tony Williams in early November 2006 to discuss the failure of Airservices Australia to effectively implement LTOP. As agreed at that meeting I subsequently wrote to Mr Russell on 12 November 2006 seeking responses on 15 aspects of the Minister's Directive which had yet to be completed. No response was ever received from Airservices Australia.

This is a poor record. It demonstrates that LTOP has never been effectively implemented and, consequently, aircraft noise has not been effectively managed in Sydney by Airservices Australia.

A matter of will

An item by item examination of the LTOP elements listed for implementation in the Minister's 1997 Direction will reveal those which have not been implemented. The question is why not?

Airservices has never argued in the forum of SACF or indeed elsewhere that LTOP is not desirable or achievable. They have claimed that some elements of LTOP, such as Trident, have been waiting for advances in technology to allow precision flight paths but those advances are now available (refer the presentation by Mr Richard Dudley (Airservices Australia) to SACF Meeting 4/2009 – 27 November 2009 on new technologies and the implications for noise sharing). However, Mr Dudley stated in that meeting that, despite suitable technology being available to 97% of the fleet, Airservices does not intend to implement Trident in the near future.

Why has LTOP not been successfully implemented? The main issue, in my view, is a matter of will. Is there a genuine desire on the part of the authorities (Airservices Australia and the Department), the airport (SACL) and the industry (the airlines) to implement LTOP? Why are aircraft departing for west coast USA allowed to maintain runway heading instead of flying the Richmond SID (as they should), offending the respite and non-reciprocality principles of LTOP? Why hasn't SODPROPS been used more often prior to the RESA project? Why hasn't Trident been implemented to spread the noise of northern approaches? Why haven't the offshore "high and wide" approach paths, approved as part of LTOP, been used instead of approaching the airport over densely populated Sydney suburbs only to land over Botany Bay from the south?

In my view, these operations which are contrary to policy have been allowed to happen by the authorities because there has been no serious will or determination to stop it. Certainly, the community has attempted to bring Airservices Australia to account over the failure to properly implement LTOP in the forum of SACF for over 10 years - unsuccessfully.

What is required? – a paradigm shift leading to legislation prohibiting aircraft noise

I believe that aircraft noise will continue to be managed poorly until it is literally no longer allowed – until there is a major paradigm shift in government which accepts the notion that aircraft noise is serious environmental pollution and is unacceptable to the community. This proposal may appear radical at first but it can and should happen. There are precedents.

The Clean Air and Clean Water Acts passed in the mid 1970s made it illegal to pollute our air and water. No longer could factories spew emissions into the atmosphere from chimney stacks or drain toxic effluent into waterways. Across the globe, governments established environmental

protection standards that no reasonable person would dispute and compliance was mandated for individuals and industries. Governments basically said to industry "here are the new standards – you must now comply with them".

Aircraft noise is unacceptable and avoidable

Aircraft noise is just as bad as polluting our air and water. It is equally unacceptable pollution. It is a growing anachronism that it is allowed to continue despite the damage to health and disruption to the daily lives of hundreds of thousands of people in Sydney alone. This form of pollution can impact these people even more directly than those other forms that were banned over 30 years ago. Aircraft noise pollution continues day in - day out. Yet it continues to be "tolerated" and regarded as "unavoidable" in the same way that those traditional forms of pollution were previously. **But aircraft noise is avoidable - what we have lacked thus far is the genuine will and effort of all contributing parties to avoid it.**

This cannot continue. Aircraft noise is an unacceptable blight on the lives of long suffering victims and the physical environment. Inevitably, common sense will eventually prevail and its prohibition will be mandated – just like other forms of pollution in the 1970s.

A long term solution

Thirty years ago the world said to those responsible for air and water pollution "what you are doing is unacceptable - here is the new compliance regime – you must find ways of achieving it". In the same way, I believe that legislation must effectively ban aircraft noise. The government must then insist that industry and the relevant authorities find the necessary ways of achieving it. There is no reason why this approach cannot succeed with aircraft noise.

This is, in my view, the only way that those responsible for aircraft noise pollution will actively and genuinely pursue every avenue in the effort to eliminate it. It's been done with air and water. Why can't we legislate against aircraft noise to force the development of long term solutions that will eliminate this unacceptable and debilitating form of pollution?

Airservices Australia has demonstrably failed to effectively manage aircraft noise since 1997 and, under the current regime, that situation is probably unlikely to change. The Sydney Airport Preliminary Draft Master Plan shows that ongoing growth in air traffic will, over the next 20 years, increasingly limit the use of noise sharing modes and greatly reduce respite going forward. Things will inevitably get worse. It's now time to think outside the square.

Mr Robert Hayes