

AIRCRAFT NOISE

SUBMISSION TO THE SENATE RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE

This submission argues that the current policy of ‘noise sharing’ is equitable in name only; rigorous social cost-benefit analysis is required of the alternatives; ‘avigation’ rights may offer a better solution for the community as a whole; and current arrangements for monitoring of aircraft noise require substantial improvement.

The inequity of the ‘noise-sharing’ approach

Current policy towards aircraft noise appears to be based on a mix of historical, political and engineering considerations. But, because it lacks a coherent set of underlying principles, it gives rise to inequities and inconsistencies.

For example, the Government’s December 2009 White Paper on National Aviation Policy seeks to enunciate a principle underlying curfews, but only manages to refer (p. 214) obliquely to ‘providing communities around airports with some respite’. It is not clear how much respite is considered reasonable, or on what basis the amount of respite is to be determined. Nor does the White Paper explain why the significant number of residents living around Melbourne airport do not warrant any ‘respite’ from night-time flights, while those in Adelaide and Sydney do.

Curfews might also be considered to be inconsistent with the so-called principle of ‘noise-sharing’. If the spreading of noise across different areas of the city provides a degree of ‘respite’ to those living in Botany, for example, then it would seem to be unnecessary to impose a curfew as well, because residents to the north of the airport may be ‘sharing’ the noise on that particular day. This is not to advocate removal of curfews, simply to illustrate the lack of a coherent approach to addressing aircraft noise.

The phrase ‘noise sharing’ is at best disingenuous. It evokes a sense of equity, and is presumably used because it serves that purpose. But it too is based on flawed principles.

In the first place, there is no true ‘sharing’ of noise within the community. A genuine sharing of noise would involve placing loudspeakers on every street corner across the whole of Sydney, for example, and broadcasting the recorded sound of aircraft to every resident on every take-off and landing. In actual fact, all that has been achieved by the so-called ‘sharing’ policy is that noise has been spread to affect more people, but not the whole community.

It might be argued that those locations most affected by noise have been compensated in terms of sound proofing. But the sound-proofing program is an unimaginative bureaucratic concept of compensation. It posits people sitting neatly inside houses with their windows shut against the noise, but ignores the reality of outdoor Australian lifestyles. More importantly, it ignores any fall in

property values due to the introduction of a government policy. Where property prices fell significantly, those affected adversely would no longer have been able to afford to move away to quieter areas, comparable to those that they previously enjoyed.

It would be unrealistic to expect that every policy of government can be absolutely 'equitable' from the perspective of all individuals in society. Inevitably, there will be winners and losers. However, it is a generally accepted principle that the community as a whole should gain from a government policy. In broad terms, there should be more winners than losers. In economic terminology, the Potential Pareto principle requires that the winners should, at least in theory, be able to compensate the losers, so that there is conceptually a net benefit to society as a whole.

Unfortunately, Federal governments do not appear to have ever commissioned a rigorous, publicly available analysis of different approaches to the issue of airport noise. There would be considerable merit in recommending that the Federal Government conduct a social cost-benefit study that considers a range of alternative curfew times (including no curfew), different flight paths, the current 'noise sharing' approach, the previous fixed flight paths approach and the aviation easements discussed below. Policy informed by evidence will ultimately best serve the community.

Avigation easements: an alternative approach

Avigation easements cede the right to use the airspace above a specified altitude over a property in return for a compensatory payment to the owner of the property. Analogous in concept to easements for sewerage or electricity, they are used in the United States: see for example <http://www.eltoroairport.org/issues/aveasement.html>. The underlying principle is that the community compensates those of its members who accept the nuisance of aircraft noise. In effect, the 'winners' compensate the 'losers'.

An Australian airport or government could also purchase avigation rights from property owners under flight paths, with the following advantages:

- There would be no need for governments to deal with noise complaints.
- The owners of affected property would be assured of compensation for accepting aircraft noise.
 - This would be more equitable than the current system. Residents of Botany, for example, would receive payment, either as a lump sum, or on some regular basis (perhaps the number of overflights, possibly with different prices by time of day).
 - The compensation could be used by Botany homeowners to move elsewhere, or simply retained in exchange for bearing the nuisance of the noise.
 - Those renting accommodation would gain from generally lower rents.
- Residents around non-curfew airports could be compensated at higher rates for overflights during non-business hours.
- Residents of other areas where avigation easements are not purchased would not be required to 'share' noise.
- Purchasers of property in noise-affected areas would have greater certainty about future noise, as well as contractually enforceable rights.
- If compensation were paid directly by aircraft owners for each overflight (on the polluter pays principle), the price signal would help reduce to an optimal level the number of overflights, and/or curfew period flights. There may also be spin-off benefits in terms of reduced emissions of noxious and greenhouse gases, etc.
- It may be politically easier to build new runways in order to expand existing airports.
- It would no longer be necessary to reserve large areas of empty land around greenfield airports, or to limit development of proximate industrial or housing estates. Those wishing to locate

near an airport would simply give up their right to object in the future to aircraft noise. Society as a whole would gain from more efficient use of urban land.

- There would be comparatively little additional operational expense if existing mechanisms such as the taxation system were used to make payments to residents who are subject to aviation easements. An alternative would be to pay local councils, but vigilance would be required to ensure that the benefits were passed on fully to property owners in terms of lower rates or additional services.
- From an economic perspective, a system based on aviation easements is more likely to produce socially desirable outcomes than the existing system. Note that the underlying principle is that the property right to a noise-free environment would rest implicitly with residents, with aircraft operators compensating them for the negative externalities.

The use of aviation easements would obviously represent a major change in policy direction, but could lead to socially better long-term outcomes. As stated above, a rigorous cost-benefit analysis should be conducted to help inform policy consideration of this option.

Monitoring of noise

AirServices Australia operates a WebTrak web-based facility that permits residents who have access to a computer to track planes flying over their area, albeit with a slight time delay. There are several concerns about the system that would merit further investigation:

- Although there is apparently an ability for the system to indicate noise levels generated by specific aircraft, the facility intended to provide this information was not available at 2105pm on 28 January 2010 for Melbourne airport. Nor was it possible to tick the box labelled 'Noise Monitors' under the Display tag on the website. It was therefore not possible to determine noise levels, on this occasion at least, of aircraft flying in the vicinity of the airport.
- It is not clear what purpose noise measurements serve. For example, AirServices Australia has noise monitoring equipment in Melbourne close to the airport at Keilor and Essendon. It also has a noise monitoring site at Braybrook, a little further out from the airport (<http://www32.webtrak-lochard.com/WebTrak/mel>; website viewed 17 December 2009). However, many jets pass directly over St Albans and Brimbank on their way into the airport and on take-off (executing a sharp turn to the west before even reaching the noise monitoring station at Braybrook). Despite requests by Brimbank Council, AirServices Australia has apparently declined to site noise monitoring devices in the Brimbank area: http://old.melbourneairport.com.au/downloads/pdfs/NAC_November05_minutes.pdf. A cynic might reflect that the refusal to put in additional noise monitoring facilities undoubtedly helps AirServices Australia meet noise performance indicators, but further investigation would provide better information on the reasons for this ostensibly dysfunctional monitoring system.
- The residents of St Albans and contingent suburbs are generally recent arrivals and invariably less proficient in English than other areas. Some are refugees, and therefore unlikely to complain, even if they were aware of the possibility of doing so. However, the AirServices website is available only in English. And there appears to be no regular effort to inform the residents of the St Albans area of its existence, or alternative means of lodging noise complaints. Even in Canberra, where a relatively English-literate population is also generally aware of the various Government agencies and their functions, it is difficult to find information. The Canberra White Pages 2009 Directory has a 'Noise' entry on page 40 which refers to irrelevant State and Local Government entries. The entry under AirServices Australia (p. 57) has a euphemistically titled entry 'aircraft noise enquiries' but the word 'complaints' appears to have fallen victim to some taboo.

- Those who are aware of the AirServices online noise complaints site face the double-jeopardy of a form that requires completion of personal details every time that a complaint is lodged. (It even requires a telephone, email or fax number, even if one checks the box indicating that the submitter does not wish to be contacted by AirServices.) Not only do noise-affected individuals suffer from the noise, but they are then faced with the cost of spending needless time in filling out a form. Most commercial organisations today use online forms that retain a memory of a client's details, so it is difficult to understand why the AirServices form cannot use a similar format.
- AirServices officials who respond to telephone complaints are generally very sympathetic to callers but ultimately can only offer to record complaints. I understand that the record of those complaints is transmitted by AirServices to a committee of officials. But it is not clear to outsiders what concrete action the committee might take, or has ever taken. It would not be entirely unexpected, in the absence of specific feedback, for noise-affected individuals to become discouraged over time from reporting noisy incidents.

It would be reasonable to believe that the combined influence of all these factors will have the inevitable result of producing underestimates of the number of noise incidents, and hence of community concern about aircraft noise. This problem is important not only in terms of the misleading measurement of noise control performance by government agencies, but also in terms of disadvantaging ordinary citizens relative to politically more powerful aviation interests in a system that claims to provide a balanced approach to the problem of noise.

Concluding comment

The Senate Rural and Regional Affairs and Transport References Committee is to be congratulated for inquiring into current arrangements regarding aircraft noise.

To the extent that it felt able to do so, I would encourage the Committee to give positive consideration to the inclusion of the following recommendations in its final report:

- A rigorous and independent social cost-benefit analysis should be undertaken into the various options for minimising the impact of aircraft noise on the community, including curfews at each major airport, fixed flight paths, aviation easements, and the current 'noise sharing' approach. The results of the analysis should be published, including full details of the methodology and modelling used.
- The current system of monitoring aircraft noise and registering complaints should be thoroughly reviewed with the objective of making it more accessible to those affected, improving its effectiveness and accuracy in measurement, and increasing accountability and transparency by requiring Annual Reports of relevant agencies to include concrete action taken to address community concerns.
- To ensure credible measurement of community attitudes to aircraft noise, regular surveys of noise-affected communities should be undertaken and the full results published.

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