



Our Reference: 3/3/1/1
Date : 26 Jan 2010

Ms Jeanette Radcliffe
Committee Secretary
Senate Standing Committee on Rural and Regional Affairs and Transport
Department of the Senate
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Ms Radcliffe

Re:- Inquiry into Airservices Australia's Management of Aircraft Noise

I write in response to your invitation to comment on the above referred inquiry.

AAL is a private company whose shareholders are Australian Superannuation Funds. We were the successful bidder for the rights to lease and operate **Adelaide** and **Parafield** Airports for a term certain of 50 years, with a right of renewal for a further 49 years from the date of effect 28 May 1998.

Adelaide Airport is the major gateway to the State of South Australia and services international, domestic and regional flights with a total passenger throughput in 2008/09 of close to 7 million passengers per annum and 100,000 aircraft movements.

The airport is located 6 kilometers due west of the CBD of Adelaide City and 2 kilometers from the shores of the Gulf St Vincent. It is surrounded by residential, recreational and light industry developments.

The Australian Government through its National Aviation Policy – Flight Path to the Future White paper released on 16 December recommends that airports take a more participative role in managing aircraft noise and the impacts on the community. Whilst we do not disagree with this recommendation we assert that it cannot be done in isolation from other agencies. This issue has also been recognised with the Policy paper recommending the establishment by Airservices Australia of an Ombudsman to handle noise enquiries.

However, without significant amendments to existing legislation and/or the relevant delegation of authority these policies are not readily achievable. Simply stated, and without seeking to be exhaustive, the following facts are relevant:-

- it is the Civil Aviation Safety Authority, and not airports, that designate airspace in which aircraft may permissibly operate;

- it is the Civil Aviation Safety Authority, and not airports, that permit aircraft types to operate in Australia;
- it is the Secretary of the Department of Infrastructure, Transport, Regional Development and Local Government or their delegates in the Department, the Civil Aviation Safety Authority or Airservices Australia, and not airports, that issues noise certificates for aircraft under the *Air Navigation (Aircraft Noise) Regulations 1984*;
- it is airlines, not airports, that choose what permissible aircraft they will operate, and on what schedules, when flying between, landing at and departing from airports;
- it is Airservices Australia, not airports, that determines under the *Air Services Regulations 1995* what flight-paths those aircraft will use when flying between, landing at and departing from airports and thereby affects how the noise those aircraft generate will affect the community;
- it is the Secretary of the Department of Infrastructure, Transport, Regional Development and Local Government and Airservices Australia, and not the airport, that take decisions under the *Aircraft Noise Levy Collection Act 1995* that affect whether aircraft operate during curfew areas at relevant Airports;
- it as Airservices Australia, and not airports, that is statutorily obliged under the *Air Navigation (Aircraft Flight Corridors) Regulations 1994* to monitor and investigate compliance by aircraft with designated flight corridors at Sydney Airport;
- it is the Secretary of the Department of Infrastructure, Transport, Regional Development and Local Government and Airservices Australia, and not airports, that take decisions under the *Air Navigation (Coolangatta Airport Curfew) Regulations 1999* that affect whether aircraft operate during curfew hours at Coolangatta Airport (since re-named Gold Coast Airport);
- it is the Secretary of the Department of Infrastructure, Transport, Regional Development and Local Government and Airservices Australia, and not airports, that take decisions under the *Air Navigation (Essendon Airport) Regulations 2001* that affect whether aircraft operate during curfew hours at Essendon Airport;
- and, of course, it is Airservices Australia, not airports, that is responsible for the Noise Enquiry Service.

We recognise the work Airservices Australia is doing in developing new and improved flight path tracking and navigational technologies that enhance the efficiencies of aircraft in flight and which have the effect of minimizing noise footprints, fuel burn and carbon emissions.

However, all this good work is for nothing while other sectors of Government persist in maintaining dated curfew regulations, restrictive caps on airport accessibility and noise sharing over some cities. The efficiencies introduced by Airservices Australia fail when an aircraft has to change track, or be put into a holding pattern so that these outdated requirements are able to be met.

We do feel that the consultative process to educate communities on the benefits of these new technologies could be improved in a partnership approach of at least the following organisations; - Airservices Australia, the airlines, Governments of all persuasions and levels (Federal, State and Local) and of course airports.

We also feel that the procedures for proposing and assessing new or changes to existing flight paths need to be more formally addressed and clear consultation procedures are in place before any changes are introduced.

In respect of existing flight paths, there are many reasons for aircraft to adhere to these, however there is ample evidence that aircraft do deviate from these flight paths and by doing so expose populations to intermittent and annoying noise.

At present, there are no clear objective measures to assess the performance of Airservices Australia and Airlines in the utilization of existing flight tracks. Only when there are such clear measures of performance which are publicly available can the Noise Ombudsman be able to legitimately assess noise complaints.

We welcome the opportunity to comment further or clarify any of the issues raised in this submission and may be contacted through the address and phone listings in the letterhead – I look forward to the details of this discussion if deemed necessary.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Young', written in a cursive style.

**Mark Young
For Phil Baker
Managing Director
Adelaide and Parafield Airports**