

Committee Secretary  
Senate Standing Committees on Rural and Regional Affairs and Transport  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Dear Sir / Madam

## **SUBMISSION REGARDING THE INQUIRY INTO THE AIR SERVICES AMENDMENT BILL 2018**

The Air Services Amendment Bill 2018 proposes amendments to paragraph 8(1)(d) and subsection 9(2) of the Air Services Act 1995 to require Airservices Australia to carry out activities to protect the human and natural environment, community amenity and residential areas from the effects of the operation and use of aircraft, and associated effects.

I am a member of the Sydney Airport Community Forum (SACF) which would normally make a collective submission, however, due to the timing of the SACF meeting, the members have been invited to submit their views as private citizens. As a concerned Sydney resident impacted by aircraft noise, I submit the following.

I wish to comment on two main aspects of the proposal.

### **Requirement for Air Services to carry out activities to protect the human environment (as above)**

I support the proposal to require Airservices Australia to carry out activities to protect the human and natural environment, community amenity and residential areas from the effects of the operation and use of aircraft, and associated effects.

Aircraft noise is a form of pollution which, in my view, is just as damaging to the environment and, in particular, to the human population as other forms of pollution such as air and waterway pollution. The Falling on Deaf Ears Senate Inquiry 1995 estimated that over half a million Sydney residents were significantly affected by aircraft noise at that time. That number would be significantly greater now with higher urban densities. If the severity and spread of the impact was associated with any other form of pollution it would be totally unacceptable to communities and governments.

Air and waterway pollution has been regarded as unacceptable for decades and controlled by stringent legislation. The psychological and physical impact of aircraft noise on people is well documented. Why has this form of pollution not been similarly regulated? It should be.

In the meantime, the proposal to require Airservices Australia to carry out the above activities is a useful starting point and an improvement on the current situation.

### **Community Aviation Advocate**

It is proposed that the *Environment Protection and Biodiversity Conservation Act 1999* be amended to require the Minister to appoint an independent Community Aviation Advocate (CAA) to represent communities affected by aircraft noise. This has been supported by SACF community representatives (and the majority of SACF members) on several occasions in recent years and I am strongly in favour of the proposal.

I believe the reestablishment of the CAA is essential for a productive and harmonious relationship between the community, aviation industry and the Government going forward. The CAA would provide the technical expertise, resources and time devoted to analysis, reporting and assistance with the resolution of aircraft noise issues that is simply unavailable to SACF members at present.

The decision to develop a second Sydney airport at Badgerys Creek makes the CAA position even more vital. The prospect of that change has led to some fear and uncertainty in sections of the community and the associated consultation process will need to be carefully managed.

The CAA could play a major role in facilitating the necessary consultation. Being at arm's length from the proponents, the CAA will no doubt enjoy the confidence of the community and the broader membership of SACF. In that role, I believe the CAA would successfully liaise with the community regarding their aircraft noise concerns, work with the authorities to facilitate solutions, advise SACF and facilitate communication between all parties.

The CAA role cannot be performed by Airservices, the Ombudsman or the Department. As a commercial enterprise, Airservices is subject to potential conflicts of interest which may arise when commercial considerations are set against other factors such as community aircraft noise. The Ombudsman's focus is restricted by Terms of Reference to the administrative process, complaints and presentation of Airservices information and the essential requirements for advanced technical expertise, community experience and environmental credentials is beyond that role. The Department formulates policy and assesses the interests of the stakeholders. It therefore cannot advocate for the interests of the community. The bottom line is the CAA role is unique.

Another major issue relates to the management of the growth in air traffic over the next decade or more. The Sydney Airport Master Plan predicts ongoing rapid growth in passenger numbers which can only partly be absorbed by an increase in average aircraft size. It is inevitable that the number of aircraft movements using Kingsford Smith Airport (KSA) will rise beyond the current capacity of the Long Term Operating Plan (LTOP) noise sharing modes and the community will inevitably be impacted by noise from increasingly concentrated flight paths. Sharing the noise will become increasingly difficult. Newer aircraft are slightly quieter but the difference is barely perceptible.

The CAA, once again, can facilitate the enhanced community consultation which will become necessary and can work with the authorities at a technical level to help develop measures (including operating procedures) which may increase the capacity of the noise sharing modes whilst remaining acceptable to the community. Other technological developments such as Required Navigational Performance will lead to similar issues and will benefit from CAA involvement in technical options analysis, re-balancing of aviation and community interests and sensitive public consultation.

Going forward, KSA must become an airport the Sydney community can environmentally tolerate. In my view, that is not the case at present and is unlikely. I believe it is important and urgent for an expert CAA to be established as soon as possible in order for that outcome to become feasible.

Yours faithfully.

Robert Hayes

23 May 2018