

Director, Aviation White Paper Project Office

Aviation White Paper

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

GPO Box 594

CANBERRA ACT 2601

Dear Madam/Sir

I herewith wish for this email to be accepted as a formal submission to the Aviation Green Paper 2023 consultation. I confirm that I would like my submission to be formally counted, made public and published on the Department's website.

I support the issues raised and demands made in the formal and detailed submission by Brisbane Flight Path Community Alliance (BFPCA), available at <https://bfpca.org.au/whitepaper/>

Additionally, I demand:

The urgent development of a Bill of Rights for Communities Affected by Aviation Operations – in parallel to the proposed Bill of Rights for Air Travellers.

The Australian Government recognises that aircraft noise pollution is a medical and social harm, not merely a nuisance. The fact that it is not inevitable but avoidable is conveniently ignored in aviation policy in Australia so as not to interfere with operational efficiency.

The Australian Government must introduce aviation noise regulation. There is currently no regulated maximum noise level for aircraft flying over residential areas. Without any maximum level set out in legislation or regulation, there is no objective measure to determine whether any aircraft flying in Australia is “too noisy,” or whether the combined load of aircraft experienced by a community is “too much” noise. This is an untenable situation requiring urgent rectification by adopting the World Health Organization's upper limits of 45 dB during the day and 40 dB at night.

The Australian Government abolishes industry self-regulation as it has failed in protecting communities. Instead, the community needs an independent regulator with teeth that is responsible for protecting the community. This regulatory function must NOT be paid for by the aviation industry as is currently the case.

The Australian Government recognises that night time curfews are not a death knell for the industry, but rather an ethical requirement to rectify past policy mistakes in land use planning and developing and approving aviation infrastructure that results in loud and frequent residential

overfly throughout all hours of the night. A curfew must be introduced in Brisbane as a matter of priority.

The Australian Government amends the Air Services Act 1995 to free Airservices Australia from its regulatory capture by the aviation industry and ensure it protects the human and natural environment, community amenity and residential areas from the effects of the operation and use of aircraft. The conflict of interest in Airservices Australia being a corporate service provider for the aviation industry as well as obligated under the Air Services Act 1995 to uphold community protections is untenable and must be resolved by urgently separating Airservices' conflicting interests, that is, their commercial arm servicing the aviation industry and their legislated obligation to protect communities. The board of directors and the entire executive management team need to be removed from office and investigated for failure to protect communities from the effects of and associated with the operation and use of aircraft (Air Services Act 1995, Section 9).

The Aircraft Noise Ombudsman (ANO) must be removed from the corporate grip of Airservices Australia and the aviation industry and integrated with the Commonwealth Ombudsman. The ANO must be properly resourced and given authority to lead investigations with teeth, issue penalties to airlines and airports, and refer corporate and government decision makers to the National Anti-Corruption Commission for further investigations if required.

The Australian Government enacts the ICAO "Balanced Approach" for aircraft noise management globally that also includes aircraft operating restrictions. Minister Catherine King issues an Airport Capacity Declaration for Brisbane Airport of 45 flights an hour as provided for under the Airports Act 1996, Section 195, in order to provide Brisbane families and communities with certainty about the maximum number of flights to expect in a given day as well as into the future.

Minister Catherine King issues an immediate Ministerial Direction to Airservices Australia as provided for under the Air Services Act 1995, Section 16(1), which requires Airservices to redesign the Brisbane airspace and flight paths that will (i) immediately remedy the current concentration of noise pollution over Brisbane families and communities, and; (ii) achieve a significant and noticeable net reduction overall in the noise pollution and health impacts experienced by Brisbane families and communities. This includes introducing international best practice noise abatement procedures such as prioritising SODPROPS at all times and meeting quarterly noise abatement performance targets.

Airservices formally apologises to Brisbane communities for their unethical conduct and failures over many years and publicly state that noise sharing is an ethically bankrupt concept. Noise sharing is nothing other than legalised harm by attempting to spread a known hazard on to more citizens without proper research into its economic, medical and social effects, in order to avoid mitigating or preventing the harm at source. It is analogous to spreading a known toxin to more areas instead of trying to remediate it and prevent further dumping. It also divides communities and reduces already fragile social cohesion by forcing different communities to participate in a 'complaints lottery' to see who has to endure the noise harm, and who can escape it.

Minister Catherine King declares Brisbane Airport a leviable airport under the Aircraft Noise Levy Act 1995 to impose and collect aircraft noise levies. These levies are to be distributed as compensation to all Brisbane residents in the vicinity of any of Brisbane Airport's flight paths and within the noise contours associated with compromised health and educational outcomes as well as to offer a full compensation for the 10.67% decline in property values (see the Government's own commissioned study conducted by JLL as part of the 2016 WSA MDP/EIS.)

The use of private jets must be banned in Australia as it has been in many other countries.

The Australian Government immediately bans all piston-engine aircraft that operate on leaded avgas.