

Director

Aviation White Paper Project Office

Aviation White Paper

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

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Dear Director

1. GENERAL OBSERVATION

Well, I am sure that those in the community who see another “consultation paper” on aviation do not necessarily care what the colour is but more so the substance that may come out of such consultation. Unfortunately, experience shows that while those in the community perceive that their comments will receive appropriate consideration sadly government and regulators work to a very different policy and process. Whether there may be one comment or many in the community on an issue (s) unless there is an electoral need or a political “problem” ...not a community problem...the change can be glacial. Reviews appear to be undertaken to ensure a level of compliance, due process and, appropriate governance as a defensive position as to any future reviews/legal challenges and/or blame gaming.

As noted by the Minister:

“Aviation is integral to Australia’s economic and social landscape. However, aviation operations also generate a range of impacts on communities. Governments, planners, regulators, airports, airlines and air service providers all have a role to play in engaging with the communities impacted by their activities.”, and

“Airports conduct ongoing engagement on a range of issues, giving the community a level of involvement in planning for all new projects, aviation and non-aviation. Engagement on major new aeronautical infrastructure such as new runways is generally far more extensive, commencing from the early concept development. Non-aviation development such as construction of shopping precincts often generates more limited community impacts, potentially suggesting different levels of community consultation may be needed for different kinds of developments.”

Fine words indeed but then it is putting into action those words where the agendas of key players simply shouts out the community however many still stay at it out of principle . So while noting the many issues raised in the Green Paper and on which comment could be offered, many from experience , I will just focus on airport operations, aircraft scheduling and who actually creates noise that disturbs communities .

2.AIRPORTS

It is not the airport *per se* that is at issue or necessarily operational span of hours these hours support, in the main, airlines and their aircraft scheduling to get the maximum airtime use out of aircraft, crew and their own ground operations/handling.

In the case of Brisbane Airport, it is domestic airline operators wishing to use the 24-hour operational time frame to put aircraft in schedules that maximises fleet usage at Australian airports that are curfewed, time restricted or, at which, they wish to position for next day operational needs.

As for international carriers it is rotating their aircraft into their operational patters and fleet usage in economies far removed from Australia. It is not about timely turnaround but arrival and departure patterns as to their respective hub and what they want as to their fleet efficienciesit is not about passenger preference but airline operational preference. For example 0200,2200 hour departures of heavy wide-bodied aircraft from Brisbane Airport are, one could suggest, operating in socially undesirable time frames not only for the passengers, ground handlers, catering, aircraft cleaning , security , terminal cleaning ,passenger servicing in franchises and outlets in passenger terminals, transport operations to and from those terminals and, of course, the community adjacent to such airports .

Again, as noted in the Green Paper:

Aviation is integral to Australia's economic and social landscape. However, aviation operations also generate a range of impacts on communities. Governments, planners, regulators, airports, airlines and air service providers all have a role to play in engaging with the communities impacted by their activities

How aviation impacts across economic and social landscape can be an objective determination based upon empirical and science-based evidence rather than what is commonly used by airports and airline operators in the subjective sense "it is good for the city, it is good for the State, it is good for the economy, it is good for the people ". Such statements made have, in the main, little evidence however such fit the economic agenda, or self-interest test, of those making the claims. Revenue is the driver wrapped in the community service cloak.

3.NOISE GENERATORS and FLIGHT PATHS

As noted, Airservices Australia's approach to aircraft noise management reflects the International Civil Aviation Organization's (ICAO) *Balanced Approach to Aircraft Noise Management*. While not dwelling on "balanced approach" a few comments are provided as to that document as to Technology and Operations as these offer the most tangible outcomes.

BRISBANE AIRPORT

As stated, the fact is that it is not the airport or even the operational hours of airports which create the noise but more so the aircraft that traverse the flight paths to, or from, those airports and how those flight paths are managed. The position put in early commentaries by linked parties as to the new runway at Brisbane Airport was that arrivals, and departures, would be ostensibly over Moreton Bay. How any competent regulatory body or airport operator could make such statements without caveats beggars' belief and, as many previous commentaries from community groups or citizens pointed out, such statements could be regarded as economical with the truth. Setting aside the competencies of those august bodies as to this flight path usage it also exhibits a lack of understanding of flight dynamics or historic wind patterns into Brisbane Airport.

This exhibits either carelessness as to process, incompetence as to decision making or at worst meant to mislead. However, these aspects have been exposed by others in a variety of places, submissions, and Independent Review. So just a reinforcement as to never again!!

3.1 NOISE GENERATORS

So let us turn to who, what, when and how the noise is generated. The answer is simple it is the airline operators, domestic and international, whose aircraft operate into, and out of Brisbane Airport, along designated flight paths (noting that regularly pilots of prop aircraft are allowed to do visuals when arriving from the North not for sequencing just easy). For aircraft arrival or departure on the new Brisbane Airport runway this requires flights over Brisbane businesses, schools and dwellings that were not subject to such aircraft noise prior to the new operations. .

INTERNATIONAL CARRIERS

Most international services in Brisbane arrive from the North, or Northwest, or Northeast and so operate on the new runway. Except for the Airbus A380, B777 and A330 most operators are equipped with state-of-the-art Airbus or Boeing aircraft which have significant footprints on arrival and departure (on climb in particular). So, save for the recalcitrant operator (s) with aircraft that are, in some cases, between 15/20 years old and others at or about 10 years, the aircraft that generate the most noise are in this age brackets with usually aged power plants.

So how do we convince airlines to not fly their older, noisier, environmentally unfriendly aircraft into Brisbane. Simple ...set the noise benchmark on the Airbus A350-900 or equivalent and then have those who cannot make the cut pay the noise tax levy (*under the Aircraft Noise Levy ACT 1995* which is a regulatory option. This needs to be a significant deterrent and able to be adjusted to give effect to acceptable operational windows, say 0700/1800 with out of window being anytime outside that designated time. Such will make flights by the carrier less competitive as to seat mile pricing, loss of market share, a need to rethink operating aircraft type and time frames of operations.

It will be the revenue (and non-recoverable costs) that will bring fleet scheduling to the table as to different aircraft usage for that is the reason, the only reason, that drives airline operators...profit.

DOMESTIC CARRIERS

Domestic carriers operate the greatest number of services through Brisbane Airport over the 24-hour window with a mixed fleet of prop and jet aircraft. These operations occur in a variety of early morning, late afternoon, and mid evening patterns and all are significant noise generators. Again, those services North and West bound operate off the new runway and appear on the numbers to be more frequent than South bound traffic off the legacy runway.

Domestic operators tend to have aging fleets in all modes and are not at this time overly equipped with state-of-the-art Airbus or Boeing aircraft. The fleet ages for the key operators shown on websites are as follows and indicate with varying degrees the efficiencies as well as the noise impacts of old technology aircraft. While airframes and power plants have long lives and aircraft could operate for many years placing airports in close proximity to large urban centres as well as operating extended hours over those urban centres requires the operators to fully appreciate their position in the noise equation. Older, noisy, and environmentally unfriendly aircraft are no longer acceptable in urban environments.

So how do we convince domestic airline operators to not fly their older, noisier, environmentally unfriendly aircraft into Brisbane Airport? Like international carriers set the noise benchmark on the

Boeing 737 Max or Airbus Neo and then have those who cannot make the cut pay the noise tax levy as referenced. Again, such will make flights by the carrier less competitive as to seat mile pricing, loss of market share, a need to rethink operating aircraft type and time frames of operations.

As previously stated, it will be the revenue that will bring fleet scheduling to the table for that is the reason, the only reason, that drives airline operators. It will of course call into question the failure as to fleet modernisation of marketplace dominant carriers whose focus appears more on shareholder returns by deferring fleet replacement and modernisation spending rather than seeking marketplace excellence, sustainability, and the operator's contribution to environmental and community impacts. Clearly the Australian idiom "*I'm all right Jack*" fits well with such operators.

This aspect supported by poor government competition policy as to market dominance, industry access and community needs as to health and wellbeing .

3.2 FLEET AGE

- Virgin: B737 11 years (in the top 30% of carriers as to fleet age)
- Qantas: B737 16 years (in the bottom 30% of carriers as to fleet age)
- QantasLink: 20 + years for its mixed fleet
- Jetstar: A320 13 years (in the middle of carriers as to fleet age however power plants are regarded as significantly noisier than others).

3.3 FLIGHT PATHS

Flight paths for Brisbane Airport were set down when the coordinates of the new runway were determined, and construction commenced. Not until aircraft operations commence did the community at large understand the impact of the shroud of darkness from all connected to the airport and its operational aspects which included Brisbane Airport, airline operators, regulators and governments both Federal and State. The appalling actions in providing guidance and direction by all concerned could be aptly summed up Judge McMahon's statement in the 1979 Royal Commission of Inquiry into Air New Zealand flight 901 as to what was put was "*an orchestrated litany of lies.*"

Those who fly into, or out of, Brisbane Airport from inter, or intra, state have little interest in, or care about, noise aspects as it does not impact on their life but sadly it does on communities within greater Brisbane. As to any voices of discontent most times government rely on the old adages of "*necessary evil, industrial city noise, common good, it is not that bad*". These are the defences as to an issue which, prior to the operation of the new runway, was not an issue!!

Flight paths are not like land transport corridors where the State government due to politics looks to ameliorate the impact of road noise by either purchasing affected properties or undertaking noise reduction. In contrast however the State Government looks to support more flights into the existing flight paths to maximise revenue opportunities as these fits with its airport operation manifesto. It is difficult to perceive now such a revenue driven position by a State government can be supported as, in essence, it is at odds with the key aspect of what government is about in ensuring the social and economic welfare interests of **all its constituents** both corporate and individual are considered.

4.PASSENGER EXPERIENCES

From the Green paper the following was noted:

In response to growing demand for aviation services, key cities across Australia will benefit from significant upgrades to airport infrastructure in the coming years.

These include:

- *Brisbane, which is investing in a new terminal ahead of the 2032 Olympics.*

This infrastructure comes on top of the recently completed new runway at Brisbane Airport.

It is not clear as to what “recent “means in relation to the comment above however it would be suggested that the new runway at Brisbane Airport is not recent however it all depends on one's interpretation of the word. Suffice to say that Brisbane Airport is in close proximity to Brisbane and the greater Brisbane area, and the road corridor access is efficient and effective until one arrives at the domestic terminal.

The traffic chaos which has resulted from what is clearly poor terminal access planning where passenger pick up and drop off are at the same place and require passengers to walk 100+ metres to the terminal (in all weathers) is not fit for purpose. The terminal pick up, and drop off, is also constrained by traffic lights to the North and limited options to the South.

One can only imagine what will occur within the next 9 years as Brisbane Airport and airline operators seek to increase passenger traffic through the domestic terminal (while waiting for a new multipurpose terminal for the 2032 Olympics). As passenger movement is being funded by passenger movement charges through the terminal this mayhem as a “*passenger experience*” is not acceptable on a pay for service basis. In addition, the domestic terminal itself has seen little repair, remediation or renovation since its opening with public facilities and arrival/departure areas not considered to a standard that meets passenger expectations. Increasing air and passenger traffic through the domestic terminal will require remedial action to these facilities.

Fortunately, the Brisbane Airport international Terminal is very much fit for purpose and while small in comparison to terminals in Sydney and Melbourne it is clean, efficient and passenger friendly.

However, it is the domestic terminal which carries the bulk of passenger traffic and aircraft arrivals and departures and to that end it would be appropriate for Brisbane Airport to look to remedial actions and while it is has been announced that domestic terminal upgrade will “*improve the passenger experience*” no comment is provided as to how it will fix passenger arrivals or departures from kerb side to terminal.

5.COMMUNITY COMMENTARY

As part of the Brisbane Community the submission by the Brisbane Flight Path Community Alliance (available at <https://bfpca.org.au/whitepaper/>) as referenced in this Heading is noted and agreed in principle with minor amendments, deletions, or additions:

5.1 The Federal 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. Federal Government and its regulators have been aided and abetted by the Queensland Government which conveniently disavows itself of the Brisbane Airport and its flight path problems noting those are more attuned to Federal requirements. However, as an entity with a vested interest in maximising the business opportunities of Brisbane Airport usage there appears an interesting conflict of interest in who the State government sees it represents! Payments/subsidies also have provided to overseas carrier(s) to operate additional services through Brisbane Airport even though those such services may have an impact on Brisbane residents particularly as to departures in the window 0100 / 0400 hours.

The Federal 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.

5.2. The Federal Government abolishes industry self-regulation as it has failed (as noted in financial services, banking lobbying/consultancy to mention a few) in protecting communities. Instead, the community needs an independent regulator with teeth that is responsible for a balanced approach to community protection. This regulatory function should **not** be funded by the aviation industry as is currently the case but from budget allocation however such amounts to be recovered by user pay or cost recovery on the identified industry participants.

5.3. The Federal Government recognise that nighttime 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.

5.4. The Federal 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 protection is untenable and must be resolved by urgently separating Airservices Australia's conflicting interests, that is, their commercial arm servicing the aviation industry and their legislated obligation to protect communities.

A renew and replace of the existing Board of Directors is necessary as well as a determination/review as to the efficacy of the management and process of Airservices Australia needs to be undertaken with appropriate attention paid to management meeting Public Service principles, values, and operational standards in meeting regulatory obligations at good governance, compliance and impartiality.

5.5. The Aircraft Noise Ombudsman {ANO} (to be integrated Office of the Ombudsman either as part of, or reporting to) and it must be armlength, independent and impartial which on balance is not the case at this time as it appears to be under the influence of Airservices Australia and the aviation industry. The ANO must be properly resourced and given authority to lead investigations without fear or favour, issue penalties to airlines and airports and refer where noted and required corporate and government decision makers to the National Anti-Corruption Commission for further investigation.

6.6 The Minister Catherine King issue, without delay, a Ministerial Direction to Airservices Australia as provided under the Air Services Act 1995, Section 16(1), which would require Airservices Australia to redesign the Brisbane airspace and flight paths so as to:

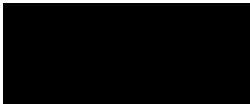
- . immediately remedy the current concentration of noise pollution over Brisbane families and communities, and

- . achieve a significant and noticeable net reduction overall in the noise pollution and health impacts experienced by Brisbane families and communities. This would include always introducing

international best practice noise abatement procedures such as prioritising SODPROPS and meeting quarterly noise abatement performance targets.

Thank you for your consideration and while the submission may not meet the format and issues referenced in the Green Paper (these being many and diverse in nature and which would require lengthy consultation and response) the response however exhibits that the community as a whole, or as individuals, do have an interest, and position on aviation matters at Brisbane Airport.

Stephen J. Morris



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