



Submission to Aviation Consumer Protections Consultation Paper

September 2025

1 Introduction

The Aircraft Noise Ombudsman (ANO) was established in September 2010 following a proposal outlined in an Aviation White Paper. In January 2015, the ANO, Airservices Australia (Airservices) and the Department of Defence (Defence) amended the ANO Charter to extend the ANO role to provide an independent complaints and review mechanism for Defence.

The role of the ANO is to conduct independent administrative reviews of Airservices' and Defence's management of aircraft noise. This includes:

- handling of complaints
- community consultation processes relating to aircraft noise
- presentation and distribution of aircraft noise-related information.

The ANO is independent of Airservices and Defence executive management structures and reports directly to the Airservices' Board or Chief of Air Force as appropriate.

The most recent Aviation White Paper from August 2024 outlined the creation of an independent Aircraft Noise Ombuds Scheme as part of the Aviation Industry Ombuds Scheme. The Aviation White Paper advised that:

The Aviation Industry Ombuds Scheme will have the power to conduct independent investigations into aircraft noise complaints handling, publish reports and make recommendations to government about the handling of noise complaints, community consultation processes and the presentation of noise-related information¹.

Below, the ANO will provide comment upon the consultation relating to the movement of the ANO away from Airservices.

2 Context

History

Aircraft noise issues and complaints have existed since 1957 when noisier jet aircraft were introduced, and aircraft noise has become a more prominent issue in Australia since 1995².

The below graph demonstrates the community reaction to the third runway opening at Kingsford Smith Airport (KSA) in Sydney:

¹ Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts, 'Aviation White Paper', August 2024, p. 18, viewed 15 September 2024, [Aviation White Paper – Towards 2050](#)
² Trove, 'Falling on Deaf Ears? Report of the Senate Select Committee on Aircraft Noise in Sydney', November 1995, p. 7 Chapter 1, viewed 16 September 2025, [PP no. 345 of 1995](#)

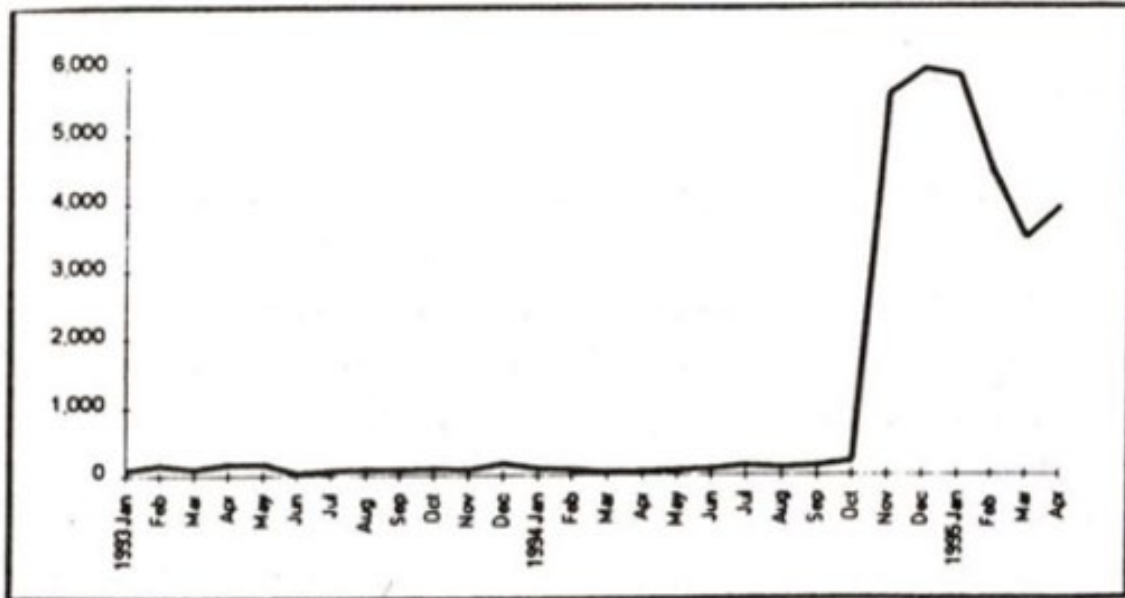


Figure 1: Noise complaints at KSA³

In the months following the third runway opening at KSA and the large increase in complaints, numerous suburban action committees were formed. Similar situations arose due to major airspace change at Hobart, Brisbane and the Sunshine Coast – massive increases in complaints, followed by the formation of community groups and ongoing public discourse and dissatisfaction over what has occurred.

As noted by the *Senate Select Committee on Aircraft Noise in Sydney* in 1995, aircraft noise issues tend to replay continuously without adequate resolution:

There is a consistency and familiarity which underlies the recommendations previously made in the area of aircraft noise. While many of the recommendations are said to have been implemented, there must be doubt as to whether they have been satisfactorily implemented. The fact this Committee has been appointed to re-examine issues that have remained contentious for more than 25 years shows that many of the problems which have been repeatedly identified have not yet been resolved⁴.

Government responses

In 1968 the House of Representatives established a *Select Committee on Aircraft Noise*, it was noted that there were major aircraft noise issues at Sydney, Melbourne, Perth, Adelaide, Brisbane, Amberley, Darwin and Townsville and a final report was handed down in 1970⁵. This was followed by a *House of Representatives enquiry* in June 1982 which was

³ Trove, 'Falling on Deaf Ears? Report of the Senate Select Committee on Aircraft Noise in Sydney', November 1995, p. 2 Chapter 1, viewed 16 September 2025, [PP no. 345 of 1995](#)

⁴ Trove, 'Falling on Deaf Ears? Report of the Senate Select Committee on Aircraft Noise in Sydney', November 1995, pp. 11-12 Chapter 1, viewed 16 September 2025, [PP no. 345 of 1995](#)

⁵ Historic Hansard, 'House of Representatives', 11 March 1970, viewed 16 September [House of Representatives, Debates, 11 March 1970 :: Historic Hansard](#)

completed by a *Select Committee on Aircraft Noise* in 1985, a *Senate Select Committee on Aircraft Noise in Sydney* in 1995 and the recent *Rural and Regional Affairs Transport References Committee* into the impact and mitigation of aircraft noise in 2024⁶.

Government actions to respond to community concerns over aircraft noise have increased over time. Some major activities in this area have been:

- A noise amelioration program at Sydney KSA was announced on 1 November 1994⁷. A further program at Adelaide airport commencing from May 2000 and a Commonwealth Noise Insulation Scheme, which was wound up in 2012⁸. Levy acts provided funds over time for the works.
- The creation of curfews at airports by law commencing with the *Sydney Airport Curfew Act 1995*, with curfews at Adelaide, Essendon Fields and the Gold Coast following.
- The Sydney Airport Community Forum was established in 1996⁹. The Sydney Airport Long Term Operating Plan was implemented by Ministerial Direction in 1997¹⁰.
- In 1999 the Minister directed Airservices regarding acquittal of its environmental responsibilities under the *Air Services Act 1995*¹¹.
- The creation of the ANO in 2010 and the later addition of Defence to its purview in 2015. Since that time, the ANO has conducted various reviews culminating in changes to the processes and systems of Airservices and Defence¹².
- In 2011, the Australian Government requested all Commonwealth-leased airports establish Community Aviation Consultation Groups¹³.

Relevant government responsibilities

The ANO operates in a highly regulated transport environment. The range of legislation which applies to the government agencies, aircraft operations and airports in relation to aircraft noise includes but is not limited to these Acts and subordinate legislation:

- *Air Services Act 1995*
- *Environment Protection and Biodiversity Conservation Act 1999*
- *Civil Aviation Act 1988*

⁶ Trove, 'Falling on Deaf Ears? Report of the Senate Select Committee on Aircraft Noise in Sydney', November 1995, p. 9 Chapter 1, viewed 16 September 2025, [PP no. 345 of 1995](#)

⁷ Australian National Audit Office, 'Sydney Airport Noise Amelioration Program', 25 November 1997, viewed 15 September 2025, [Sydney Airport Noise Amelioration Program](#)

⁸ Adelaide Airport, 'Aircraft Noise', 2019, p. 225, viewed 17 September 2025. [Master-Plan-Chapter-13-Aircraft-Noise.pdf](#)

⁹ Airservices Australia, 'The Long Term Operating Plan for Sydney (Kingsford Smith) Airport and Associated Airspace – Report Summary', 1996, p. 1, viewed 17 September 2025, [12469 Summary \(Page i\)](#)

¹⁰ Sydney Airport Community Forum, 'The Long Term Operating Plan', viewed 15 September 2024, [The Long Term Operating Plan \(LTOP\) | Sydney Airport Community Forum](#)

¹¹ Airservices Australia, 'Annual Report', 2000, p.85, [Airservices Australia Annual Report 1999-2000](#)

¹² Aircraft Noise Ombudsman, 'Investigation Reports', viewed 17 September 2025, [Investigation Reports – Aircraft Noise Ombudsman \(ANO\)](#)

¹³ Aeria Management Group, 'Bankstown Airport Community Aviation Consultation Group', p.1, viewed 17 September 2025, [DRAFT-Bankstown-Airport-CACG-Terms-of-Reference-pdf](#)

- *Airspace Act 2007*
- *Airports Act 1996*
- A variety of curfew legislation.

Airservices has responsibilities for protection of the environment in the *Air Services Act 1995* (which are identical to the responsibilities from the earlier *Civil Aviation Act 1988*). As noted above, the Minister directed Airservices regarding these responsibilities in 1999. However, Airservices' acquittal of these responsibilities continues to generate controversy. As the *Senate Rural and Regional Affairs and Transport References Committee* in 2024 observed:

The committee understands the point of view expressed by many inquiry participants that there is an inherent conflict of interest in Airservices' remit. As a fee-for-service operator, Airservices' decisions are influenced by the needs of its clients. However, as a statutory authority, it is also constrained by its establishing legislation, the *Air Services Act 1995*

The *Air Services Act* requires Airservices to design and manage airspace and aircraft movements in a way that maximises safety, first and foremost—no one disputes this crucial imperative. However, section 9 of the Act also requires Airservices to exercise its powers and perform its functions in a manner that ensures that, as far as is practicable, the environment is protected from:

- (c) the effects of the operation and use of aircraft; and
- (d) the effects associated with the operation and use of aircraft.

Noise-affected communities are concerned that Airservices does not prioritise this directive, instead prioritising the needs of airlines and airports—specifically their desire for efficiency and maximum throughput—over limiting and mitigating the impacts of aircraft on the environment, including noise impacts¹⁴.

Outside the remit of Airservices and Defence, there are further issues associated with aircraft noise which are acquitted by other government entities. For example:

- The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (the Department) is responsible for a range of issues relevant to aircraft noise:
 - Airport curfews are regulated by the Department and the Australian Government's stance is that no new operating restrictions should be introduced at airports¹⁵.

¹⁴ Rural and Regional Affairs and Transport References Committee: The Senate Page 177, 'Impact and Mitigation of Aircraft Noise', November 2024, p. 177, viewed 15 September 2024, [Impact and mitigation of aircraft noise](#)

¹⁵ Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts, 'Aviation White Paper', August 2024, p.154, viewed 7 April 2025, [Aviation White Paper – Towards 2050](#)

- Twenty-two airports are under Australian Government planning control administered under the *Airports Act 1996*¹⁶. As such, airport master plans and major development plans are approved by the Minister with the benefit of Department advice.
- Community Aviation Consultation Guidelines, with newly commenced consultation on draft guidelines currently underway.
- Producing guidance on flying considerably as foreshadowed under the Aviation White Paper.
- The National Airports Safeguarding Framework (NASF), which was developed by the National Airports Safeguarding Advisory Group which includes representatives from Commonwealth Infrastructure and Defence departments and aviation agencies; state and territory planning and transport departments; and the Australian Local Government Association. Guideline A, *Managing Aircraft Noise* provides ‘advice on the use of a supplementary suite of noise metrics, including the Australian Noise Exposure Forecast system and frequency-based noise metrics, to inform strategic planning and provide communities with comprehensive and understandable information about aircraft noise’¹⁷.
- Airspace and flight path design for Western Sydney International was conducted by the Department in conjunction with consultants.
- The creation of a noise amelioration program at Western Sydney International, with associated activities soon to commence.
- Environmental impacts associated with major airport developments are assessed under the *Environment Protection and Biodiversity Conservation Act 1999*.
- Western Sydney International is owned by the Australian Government, through a Commonwealth company, Western Sydney Airport Corporation.
- Local government councils manage the use and development of land surrounding airports to protect flight paths, often using the Australian Standard AS 2021-2015 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction (AS2021) using Australian Noise Exposure Forecasts (ANEF) or Australian Noise Exposure Concept (ANEC) contours.
- Local government councils operate smaller airports across the country.
- The Civil Aviation Safety Authority (CASA) has legislative responsibilities for protection of the environment under the *Civil Aviation Act 1988* and the *Airspace Act 2007*. CASA approves changes to airspace and instrument flight procedures and may also restrict access to airspace to protect the environment.

¹⁶ Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts, ‘Guideline I National Airports Safeguarding Framework’, p.2 Nov 2018, viewed 16 September 2025, <https://www.infrastructure.gov.au/sites/default/files/documents/NASF-Guideline-I-PSA.pdf>

¹⁷ Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts, viewed 17 September 2025, [National Airports Safeguarding Framework factsheet | Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts](#)

- Some emergency services flights are operated by government entities, such as police air wings.

Private sector

The private sector contributes to aircraft noise in various ways. Airlines and general aviation aircraft are privately owned and operated and how they operate has effects on intensity and distribution of aircraft noise.

Major airports are privately operated and their position in the aircraft noise landscape is evolving. For example, the introduction of a third runway at Melbourne Airport and its Commonwealth approval includes a requirement to develop a Noise Amelioration Plan for approval by the Minister in 2026. The approved plan will be delivered through a Noise Amelioration Program until and after the runway opens in 2031¹⁸.

There are two major areas where the private sector directly impacts the functions of the ANO, as detailed below.

Community engagement

Airport corporations, in generating major development plans, engage with potentially noise affected communities, through various mandated processes. The ANO's experience with Brisbane and Sunshine Coast airports demonstrated that community consultation conducted by airports was substantially deficient, emphasising the economic benefits of airport expansions and downplaying the impacts of aircraft noise. Following ANO recommendations, Airservices now makes its own assessment of community engagement by an airport, works with them to improve their engagement activities and, where inadequate, supplements engagement activities so affected communities are adequately consulted. Any inquiry by a future ANO should have the capacity to examine the community engagement activities of a relevant airport, together with those of Airservices. If the ANO's scope remains limited to Airservices, future reviews will only cover half the relevant ground.

Noise Abatement Procedures

Noise Abatement Procedures (NAPs) are essentially the only operational means by which to reduce the impacts aircraft noise on affected communities. The ANO recently reported on the deficiencies in Airservices' monitoring compliance with NAPs¹⁹. The ANO is also about to conduct a review of Airservices' capacity to monitor and report on aircraft compliance with NAPs.

Airservices' policy is to raise non-compliance with NAPs with the offending aircraft operator. Any inquiry by a future ANO regarding compliance with NAPs should be able to investigate both Airservices' interactions regarding compliance with NAPs together with the response by the relevant airlines.

¹⁸ Melbourne Airport, 'Noise Amelioration Plan and Program', viewed 16 September 2025, [Noise Amelioration | Melbourne Airport](#)

¹⁹ Aircraft Noise Ombudsman, 'Gold Coast – compliance with Noise Abatement Procedures', August 2025, viewed 18 September 2025, [Gold Coast – compliance with Noise Abatement Procedures – Aircraft Noise Ombudsman \(ANO\)](#)

Smaller metropolitan airports such as Parafield have NAPs which relate to the use of the circuit, primarily by training aircraft. The ANO notes these circuit operations are consistently an issue raised by complainants in addition to the operations of larger aircraft at major airports.

3 Issues

The ANO capacity to address issues raised by aircraft noise complainants is currently limited to reviewing the conduct of Airservices and Defence. As set out above:

- The activities of airports, regarding community engagement, and airlines, regarding compliance with NAPs, are major factors in the generation of aircraft noise. General aviation activities also contribute to aircraft noise, particularly at smaller metropolitan airports in major cities.
- Various government agencies, apart from Airservices and Defence, also have significant responsibilities which impact aircraft noise.

4 Conclusions

The consultation paper notes that:

The ANO may publish independent reports and make recommendations to the government for policy or regulatory change.

The process for publication of reports of the future ANO will require a defined procedure regarding publication including appropriate procedural fairness safeguards.

To facilitate the best-informed ANO reports the ANO should have the capacity to require the production of information from all relevant areas of aviation including government agencies, airports, airlines and general aviation.