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2<sup>nd</sup> March 2023

## Submission to the 2023 Review of Aviation Policy and input to its associated Terms of Reference, White Paper formulation and adopted Aviation Policy

The attached submission addresses the concerns I have with current aviation policy documents and outcomes.

While there have been past attempts to integrate sustainability into the future of the aviation industry and the communities affected by it, these have clearly failed, by way of; continued ignorance of community impacts; ineffective consultation methodologies and deteriorating outcomes.

I appreciate the opportunity to have my say and contribute to the Review as it progresses.

Yours sincerely,



Trevor Neal

# Submission to the Australian Government's Aviation Policy, White Paper Review – March 2023

## **Introduction**

The Aviation Sector has been favourably treated by current Australian aviation policy at the expense of the environment and many communities which have been, and continue to be, affected by the aviation industry's associated denigrating impacts.

Current aviation policy consists of reactionary and piecemeal actions across a multitude of legislative instruments and administrations, particularly over the past decade. To date, the outcomes have been based on a blinkered view that summarily dismisses community concerns about Social and Environmental impacts caused by the aviation industry.

Without a balanced approach to social fairness and environmental considerations, the impacts intrinsically linked to operation of the industry, will ironically lead to further unsustainability of the aviation industry going forward.

This submission relates to the White Paper Terms of Reference (ToR), which state:

*“The Government will promote an efficient, safe, sustainable and competitive Australian aviation sector that is critical to the economy and standard of living of all Australians”*

The submission focuses on:

- *Airport development planning processes and consultation mechanisms*
- *Examination of Government policy and economic reforms necessary to promote efficiency, safety, sustainability and competitiveness of the aviation sector*
- *Other significant issues raised during the consultation process – to include wording to make the ToRs reference specific matters of concern*

## **Policy consultation methods**

**This Policy Review must incorporate consultation processes that treat affected communities as rightful Stakeholders with the same opportunities for real influence, as the aviation industry.**

### **Supporting comment**

SACF (Sydney Airport Community Forum) meets 4 times a year and encourages the attendance of public observers. While not a perfect means of representation (too many political reps), SACF does have three true community representatives and its operation engenders transparency, engagement and public scrutiny.

In comparison, FOWSA (Forum on Western Sydney Airport) meets 3 times a year (if lucky) and repeatedly rejects the attendance of public observers. It did the public to 2 of its 18 meetings, but these 2 occasions resulted from community pressure and were carefully orchestrated '*non-events*'. Consequently, FOWSA continues to meet in secret with few opportunities for meaningful public input, influence, or scrutiny.

Current Dept. of Infrastructure consultation and engagement processes are simply ineffectual. Policy Review must incorporate mechanisms that directly engage affected communities from the beginning and throughout the process to develop policy. Information received from community colleagues around Australia, indicate that the CACGs (Community Airport Consultation Groups) are pretty much a waste of time as they all suffer from the same short-comings of structural and control bias and which, fail to accomplish any solutions to community issues.

## **EIS Noise Predictions**

**Policy Review must ensure aircraft noise predictions are less speculative, more accurate, well explained and more meaningful than at present.**

### **Supporting comment**

There are structural flaws in the EIS methodologies to predict aircraft noise impacts. The information is presented in a way that misrepresents actual impacts, by using averaged decibel levels instead of maximum decibel figures. Numerous Reports<sup>1</sup> and documents<sup>2</sup> show clearly this to be the case.

In particular, the 2019 Report by Dr E. Ancich, a qualified and independent Engineer, detailed inaccuracies on noise assessment methodologies and terms incorporated into the 2016 EIS for Western Sydney Airport. Conclusions of the Ancich Report are relevant to the same EIS inaccuracies, for other airport projects around the Nation.

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<sup>1</sup> <https://nla.gov.au/nla.obj-1607904272/view?partId=nla.obj-1612900610#page/n1/mode/1up> - 1995 Senate Inquiry Report – *Falling on Deaf Ears* – Aircraft Noise in Sydney

<sup>2</sup> Ancich E.J. "Assessment Of Measured Aircraft Noise Levels Under The Existing Flight Paths of Sydney Kingsford Smith Airport With Reference To Western Sydney Airport", Report 9173.R1, Council, March 2019.

## **The Aviation Industry must be Accountable**

**This Policy Review must define accountability by the industry concerning outcomes for its impacts on; social amenity; poor health and the environment.**

### **Supporting comment**

The White Paper must address the current lack of accountability of the aviation sector, to the community. Other than broad statements of so called '*principles*' there are no quantified limits in government policy documents that can be measured and compared to actual aviation impacts related to residents amenity, health outcomes, environmental degradation and Climate Change.

There is sufficient research material available from across the globe, in regard to aviation impacts, that justify the above concerns to be properly addressed in the Terms of Reference and policy review.

## **Aviation Policy Inadequacy**

**Policy Review processes must build in a set of quantified and enforced conditions regarding protection of our built and natural environment.**

### **Supporting comment**

In continuing a policy framework which does not address community impacts, Government policy will adversely affect the industry's future viability.

It is ironical that, attempts by Governments to improve the industry's competitiveness and sustainability will fail, if issues in this submission (among other matters) are not adequately addressed in this policy review process.

The Aviation Industry's degree of influence over Aviation Policy has manifested itself in an obvious reluctance by governments over four decades, to combat the self-interest and obvious influence<sup>3</sup> (*see example in Annexure A*) of the powerful aviation industry in terms of:

- The industry's sole focus is on making money, to the exclusion of all other issues,
- Not addressing the industry's direct impact on climatic changes and the public borne costs of associated weather related disasters,
- The industry's lack of interest in the liveability of residents so badly affected by aircraft noise and pollution, and in
- Preventing Governments from incorporating solutions to community concerns, into Aviation Policy and Regulation.

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<sup>3</sup> Attached Annexure A

In terms of the Aviation Industry's true value, competitiveness and sustainability, the Policy Review process must clearly, accurately and holistically assess:

- The hidden costs associated with the aviation industry that are automatically transferred to the public purse through:
  - Govt. funding of airport related road, rail and service infrastructure.
  - Cost of aviation impacts on people's health and well-being that are transferred as expenses to our three levels of government.
  - Cost of aviation impacts on climate change and the natural environment.
  - The industry's presumed efficiency and competitiveness is somewhat illusionary, due to aviation fuel costs being favourably subsidised<sup>4</sup> by only paying a 3.6 cents per litre fuel tax, compared to a 47.7 cents per litre fuel tax on road and rail transport modes. (Also see Annexure B)

### **Submission Summation**

I do sincerely hope that our new Government is committed to incorporating a fair and reasonable balance, between aviation and community interests, into the policy review process. If this approach is not adopted, the ensuing policy outcomes will just be another piece of legislation that has ignored past mistakes and dismissed repeated recommendations from past comprehensive Parliamentary Inquiries, such as the July 2010 Report<sup>5</sup> into 'The effectiveness of Airservices Australia's management of aircraft noise' which in part states:

Section 6.44 A recurring theme throughout this inquiry has been the frustration felt by a range of stakeholders that there are no practical avenues for resolution of concerns regarding aircraft noise. ....While Airservices Australia draws on [this] data in carrying out its wider obligations, it does not appear to be able nor is it required to seek to resolve the issues that are the cause of the complaints. Similarly, the consultation mechanisms currently in place appear to be directed more toward the dissemination of information rather than toward establishing a dialogue for reviewing policy and procedures.

6.45 The committee is concerned that under current legislation there does not appear to be any recourse for stakeholders to seek proper resolution of their complaints regarding aircraft noise, or indeed more broadly. .... The committee appreciates that aircraft noise is a highly emotive area and gives rise to questions and issues that are difficult to manage .... However, the committee is concerned that this management task is not assisted by legislation that appears to be silent on a dispute resolution procedure where consultation and community engagement have failed.

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<sup>4</sup> <https://www.ato.gov.au/Business/Excise-on-fuel-and-petroleum-products/Lodging,-paying-and-rates---excisable-fuel/Excise-duty-rates-for-fuel-and-petroleum-products/#Excisedutyrates>

<sup>5</sup> [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Rural\\_and\\_Regional\\_Affairs\\_and\\_Transport/Completed\\_inquiries/2008-10/aircraft\\_noise/report/index](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Rural_and_Regional_Affairs_and_Transport/Completed_inquiries/2008-10/aircraft_noise/report/index)

## *Submission Annexure A*

Highlighted is an example of the aviation industry's predictable, but one sided view of the Policy Review process and the unbalanced access it has to policy makers, compared to that of affected communities.



### **Airports welcome Aviation White Paper**

The peak body representing the airport sector, the Australian Airports Association (AAA), has welcomed the release of the Federal Government's Aviation White Paper Terms of Reference.

"This is the right time to review the aviation policy and regulatory settings as the sector begins the slow recovery from the impacts of the pandemic," AAA Chief Executive James Goodwin said.

"It is over a decade since the last significant aviation policy statement by the Australian Government in 2009, when the current Prime Minister was the Minister for Infrastructure and Transport.

"It is hoped the Aviation White Paper will bring some long-term certainty to the sector and provides an opportunity to get the right settings in place for the decades ahead.

"It is vital the White Paper also reviews government settings and government agencies which impact or control aviation infrastructure, planning, airspace management and safety.

"The government has listened to advocacy from airports to shape the terms of reference and it is encouraging to see it will avoid duplication of other reviews already planned or underway.

"The White Paper must explore the differing challenges facing major, large, regional and remote airports and aerodromes.

"Airports are critical national infrastructure, vital to the economic and social wellbeing of all Australians which keep communities connected and in many parts of the country aviation is often the only form of public transport connecting regional and remote Australians medical and other essential services."

The AAA is the national voice for airports, representing the interests of more than 340 airports and aerodromes across Australia. It also represents more than 150 corporate members supplying products and services to airports and the wider aviation industry.

Ends.

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## Submission Annexure B

### Relevant extracts from Govt. website on fuel tax rates

## Excise duty rates

The following tables<sup>6</sup> list fuel and petroleum products and the excise duty rates that apply to them.

The law indexes the excise duty rates for fuel and petroleum products (other than aviation fuels and certain petroleum-based products) twice a year, based on the upward movement of the consumer price index (CPI).

Generally, indexation occurs on 1 February and 1 August. The CPI indexation factor for rates from 1 February 2023 is 1.037.

## Excise duty rates – fuel

Fuel is everything listed in item 10 (see Table 1), but excludes goods listed in item 15 (Table 2), waxes and bitumen.

**Note:** In Australia, gasoline is more commonly referred to as petrol.

Tariff item	Description	From 29 Sept. 2022 to 31 January 2023	From 1 February 2023	Subjected to automatic increase twice each year
Relevant items selected from Table 1. Fuel Rates - Australian Tax Office website – as indicated				
10.5	Gasoline (other than for use as fuel in aircraft)	\$0.46 per litre	\$0.477 per litre	Yes
10.6	Gasoline for use as fuel in aircraft	\$0.03556 per litre	\$0.03556 per litre	No
10.10	Diesel ( <i>Detail inserted - Used by road and rail transport modes</i> )	\$0.46 per litre	\$0.477 per litre	Yes

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<sup>6</sup> <https://www.ato.gov.au/Business/Excise-on-fuel-and-petroleum-products/Lodging,-paying-and-rates---excisable-fuel/Excise-duty-rates-for-fuel-and-petroleum-products/#Excisedutyrates>