

Dissenting Report from the Australian Greens

1.1 The Australian Greens disagree with the Committee's view and recommendation in its report on the Air Services Amendment Bill 2018.

Community consultation, representation and advocacy

1.2 Aircraft noise continues to be a major problem for many communities, and their experience of noise is compounded by their experience of feeling unheard, poorly consulted and ignored by airport management, aviation companies and the aviation regulators.

1.3 We note the committee view that 'it is clear to the committee that there are significant noise impacts that affected communities are facing which are not being considered, let alone addressed, within the consultation framework'. However we reject that the 'aspiration for greater and more effective consultation will not be realised by the passage of this bill'.

1.4 Evidence from community groups makes clear that consultation via Community Aviation Consultation Groups (CACG's), Fly Neighbourly Agreements and the existing consultation requirement for Master Airport Plans and Major Development Plans is not working.¹

1.5 As noted in the report, a number of witnesses pointed to how a more formalised consultation role for Airservices Australia, including the requirement to create Community Aviation Advocates, an autonomous Air Noise Ombudsman, a definition of 'environment' that explicitly includes community and an expansion of the Airservices Australia board, would provide more robust consultation, representation and advocacy than the status quo.

1.6 We note the concerns of Airservices Australia, CASA and the Department of Infrastructure, Regional Development and Cities about potentially confusing duplication in community consultation. These concerns are able to be overcome by conducting cross-agency reviews after the new formal consultation requirement for Airservices Australia has been implemented.

1.7 Additionally, multiple submissions identified that the existing consultation process is already confusing², and therefore the Greens see this as no barrier to attempting to formalise the consultation process, which would in time minimise confusion.

1 East Melbourne Group (*Submission 5*), Hume Residents Airport Action Group (*Submission 19*)

2 Moorabbin Airports Residents Association (*Submission 42*)

Recommendation 1

1.8 That if the Bill passes the parliament, a comprehensive review of the adequacy of air noise related consultation, advocacy and the operation of the Air Noise Ombudsman begin 12 months after the date of Royal Assent.

Melbourne Airspace and Flight paths

1.9 We note the concerns from Airservices Australia, DIRDC and CASA that the changes intended by subsections 10B and 10C would be better achieved by amending the Airspace Act rather than the Air Service Act, and that this modification would be more appropriately dealt with in delegated regulation.

1.10 We acknowledge that these changes will require some adaptation by existing aviation operators, however given the intent of this change is to mitigate the air noise impact of aviation services and operations around central Melbourne, change is both necessary and inevitable.

1.11 However air noise in the City of Melbourne is a critical issue and something must be done as soon as possible. The proposal to create a 2000m controlled air space has significant precedent, with other major global cities (such as Paris) having similar aviation restrictions above their urban cores.

Summary

1.12 While the Greens agree with the findings of the committee that the existing consultation process for air noise is not operating as intended, we believe that piecemeal reform is insufficient to deal with these problems.

1.13 The Greens believe that this Bill is the right pathway forward for ensuring a proper autonomous consultative process across all aviation and air noise impacted communities and resolving specific issues in highly air noise impacted areas, and encourage the other committee members to revisit their opposition.

Recommendation 2

1.14 That the *Air Services Amendment Bill 2018* be passed.

Senator Janet Rice

Greens Spokesperson for Infrastructure and Transport