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Committee Secretary
Senate Rural and Regional Affairs and
Transport References Committee
PO Box 6100
Parliament House
Canberra ACT 2600

23rd February 2010
via email and post

Dear Madam/Sir,

Aircraft Noise Inquiry

The Australian Business Aircraft Association Inc. (ABAA) represents owners and operators of turbine powered (jet and turbo prop) business aircraft.

We request that our submission, which is related to curfew operations at Sydney and Adelaide airports, be considered together with the key issue of noise sharing at Australian capital city airports and other relevant matters related to noise over populated areas.

We refer to the Sydney Airport Curfew Act 1995 and Adelaide Airport Curfew Act 2000. The list of business jet aircraft permitted to operate during the curfew at Sydney was most recently amended in November 2005 and the list of business jet aircraft permitted to operate during the curfew at Adelaide has not been amended since 2000.

The following business jets are approved to operate during the Curfew at Sydney Airport

BAe125-800B

Beech 400A/Beechjet 400A/Hawker 400XP

Canadair Challenger 300/601/604

Cessna 680

Cessna Citation 500/525/550/560/650/750

Falcon 10/50/50EX/200/900/900C/900EX/2000/2000EX

*Global Express

*Global 5000

*Gulfstream IV/SP/G300/G350/G400/G450/G500/G550

*Gulfstream V

Hawker 800XP/850XP/Horizon

HS 125-700B

Learjet 31A/35/36/40/45/45XR/60

Legacy EMB-135

Mitsubishi MU-300

Premier 1/1A

Westwind 1124

* Must have a maximum take-off weight of 34,000kg or less

Federal Register of Legislative Instruments F2005L03601

The above list is exactly as it appears in the Sydney Airport Curfew Act 1995 Section 15, as amended by the Minister for Transport and Regional Services, The Hon. Warren Truss, in November 2005. This followed a successful submission from the ABAA.

The following business jets are approved to operate during the Curfew at Adelaide Airport

- BAe 125-800B
- BAe 125-1000
- Beech 400A
- Canadair Challenger 601/604
- Cessna Citation 500/525/550/560/650/750
- Falcon 10/50EX/200/900/2000
- Gulfstream IV
- HS 125-700B
- Learjet 31A/35/36/45/60
- Mitsubishi MU-300
- Westwind1124
Adelaide Airport Curfew Regulations 2000

The above list is exactly as it appears in the Adelaide Airport Curfew Act 2000, Regulation 7 - Types of jet aircraft not affected by curfew period.

The main reason for our submission is to advise the Senate Committee of some of the anomalies and inconsistencies, which are present in the current process for new, quieter and more fuel efficient business jets to be approved for curfew operations.

The above lists of approved business jets are unnecessarily long, as we are currently required to submit data for each new aircraft model even though in many cases it shares a TYPE CERTIFICATE with one or more aircraft, which are already approved.

Over the past 5 years, movements (a takeoff or landing) of business jets during curfew hours have **averaged less than one per day at Sydney Airport and even fewer at Adelaide Airport**. Many of these movements are medical emergencies and Westwind jets used for freight.

Our submission in February 2008 to Minister Albanese to amend the approved list for Sydney Airport was rejected in his letter 1st April 2008. Reasons given by the Minister:

“Under the Act, any proposed changes to the Notice require a defined process of public consultation which, in practice, would commence with the Sydney Airport Community Forum (SACF). As both SACF and the community already have a considerable amount to consider in respect of Sydney Airport and aircraft noise, I do not support adding to the burden at this time as a result of your request for changes to the Notice.”

This was unfortunate as several newer, quieter and more fuel efficient business jets were excluded from operating at Sydney during the curfew.

While the total population of business jet aircraft is low in Australia, competition for new aircraft sales is strong and if one manufacturer has a curfew exemption for a new aircraft model and another does not, the aircraft with the exemption will have a market advantage over its competitor. It is therefore important that the list of curfew exempt aircraft be reviewed as new, more fuel efficient, quieter aircraft become available. This would also avoid the perception of restriction of trade.

Another area of concern to the ABAA is the maximum takeoff weight limit for business jets of 34,000 kg when operating during the curfew at Sydney and Adelaide. This limit was set in 1995 when the largest business jet in general use throughout the world was the Gulfstream GIV.

It is worth noting that BAe146 and DC9 aircraft used for freight are approved to operate at Sydney during the curfew. The maximum takeoff weights for these aircraft are: Bae146-100 / 38,102kg, Bae146-200 / 42,184kg and DC9-30 / 49,940kg.

We recommend that the maximum takeoff weight be raised from 34,000 kg in order to permit several business jets types to operate during the curfew at their normal maximum takeoff weights. These include the Bombardier Global Express XRS at 44,452 kg and the Gulfstream G550 at 41,277 kg. These aircraft have a lower maximum takeoff weight than the DC9, which is already approved at Sydney.

The Boeing Business Jet (BBJ) and Embraer Lineage 1000 are aircraft types, which compete with the Global Express and the Gulfstream G550. In this context, the ABAA recommends that the BBJ at maximum takeoff weight of 77,564 kg and the Lineage 1000 at maximum takeoff weight of 54,614kg should be included as they meet the noise requirements.

The ABAA is currently preparing another submission to the Minister, which will include requests for additional aircraft to be included in the schedules for Sydney and Adelaide. This will accord with an important objective in the National Aviation Policy White Paper of December 2009, to recognize “the ongoing need to ensure sustainability of the environment, with the introduction of more fuel efficient aircraft” which are also capable of operating to new procedures being introduced by Airservices Australia in terminal areas in Australian airspace. New business jets coming onto the market meet all of these criteria.

We suggest that the above mentioned anomalies, inconsistencies and new initiatives be addressed by amendments to the current legislation. The ABAA would be happy to be consulted when this takes place. Also, the ABAA is ready to provide a representative(s) to appear before the Senate Rural and Regional Affairs and Transport References Committee.

The contribution made by business aviation to the development of a strong Australian economy has been recognised by Federal and State Governments for several decades with the Federal Government and several States operating their own aircraft. Business aviation is now an essential part of the overall transport needs in Australia with several companies and the Federal Government also using their aircraft to travel overseas.

Business jet operations at Sydney during the curfew are confined to arrivals over water landing on runway 34 left with departures over water following takeoff from runway 16 right and business jet operations at Adelaide during the curfew are confined to arrivals over water landing on runway 05 with departures over water following take-off from runway 23. This results in virtually no noise impact on neighbouring residential areas.

It is important that future aircraft acquisition decisions by Australian companies be made taking into account the availability of latest technology aircraft. Adoption of our recommendations would lead to several older aircraft being replaced by new, quieter, more fuel efficient aircraft.

It is important to acknowledge that Minister Albanese, during his address at the National Press Club 16th December 2009, at the launch of the National Aviation Policy White Paper, made the comment that “Sydney is our global city and its economic contribution is vital for the nation.”

Most business jet aircraft visiting Australia will want to fly into Sydney, as it is the main International Gateway Airport. Some of these aircraft would have travelled very long distances in varying winds and weather conditions from different time zones prior to arriving at Sydney Airport - flexibility is a key element for these business jet operators.

Sydney and Adelaide airports have the necessary security, maintenance and handling facilities required for business jet operators. Bankstown airport in Sydney and Parafield airport in Adelaide are not suitable for international arrivals during curfew hours and most business jets are not able to use Bankstown or Parafield at any time due to operational restrictions including lack of customs and immigration service, runways being too short and no instrument landing system.

Thank you for accepting this submission for consideration by the Senate Committee. If any of the contents of our submission require clarification, we would be pleased to assist.

Yours sincerely

David C Bell
Executive Director