

AERIAL AGRICULTURAL ASSOCIATION OF AUSTRALIA LTD.

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Submission

Inquiry into Airservices Australia's Management of Aircraft Noise

Senate Standing Committee on Rural and Regional Affairs and Transport Committee

Summary

AAAA seeks amendment of the *Air Navigation (Aircraft Noise) Regulations 1984* so as to:

- Exempt all aircraft (including those above 5700kg) from the requirement to either hold, or to apply for exemption to hold, a noise certificate issued under the regulations if the aircraft is engaged in:
 - Aerial application operations as defined by Civil Aviation Safety Regulations Part 137
 - Firebombing operations (fixed wing firebombing operations are covered by CASR Part 137, helicopters are not)
 - Oilspill operations (fixed wing operations are covered by CASR Part 137, rotary wing are not. However, there is some confusion within Airservices as to whether oilspill operations are covered by Part 137 or not as individuals rely on an older interpretation of CAR 206. The clear intent of the Part 137 regulations is to include oilspill operations or any others that are carried out under low level conditions by the same pilots using the same or similar aircraft.)
- This could be achieved simply by amending the *Air Navigation (Aircraft Noise) Regulations 1984* - Regulation 2 – definition of aircraft – to not include any aircraft involved in aerial application, including agriculture, firebombing and oilspill operations as defined in CASR Part 137, and clarifying the exemption of these type of aircraft and operations in Regulation 3 – Application.

Background

Aircraft Noise and Aerial Application Operations

Aerial application operations generally take place in rural areas where they are an integral part of farming practices. Consequently, aerial application operations would seldom be located so as to provide any noise impact anticipated by the *Air Navigation (Aircraft Noise) Regulation 1984*.

In firefighting operations, aircraft are in an emergency response mode and most operations are conducted in remote areas. Where aircraft, including helicopters, are used in asset protection in built-up areas, the benefit and protection accruing to the community should be considered.

In oilspill operations, aircraft are most frequently operating out to sea. Where aircraft, including helicopters, are used in oilspill remediation work, the benefit and protection accruing to the community should be considered.

Most fixed wing aircraft types in use are below 5700kg weight, with only one of the aerial application aircraft operational in Australia, the Air Tractor AT802, being greater than this weight, and then not significantly. The aircraft, while sometimes larger than the completely arbitrary weight limit of 5700 kg – as per the example of the Air Tractor AT 802 example above - are quiet as they are powered by turbine powerplants coupled to multi-blade, advanced design propellers.

Airservices Regulations out of step with CASA Regulations

After several years of consultation and development, including studies of relevant overseas regulatory approaches, CASA introduced new regulations for aerial application in 2007.

A key feature of these regulations was to expand the previous definition of 'agricultural operations' to 'aerial application operations' so as to eliminate previous confusion (especially within CASA) of the interpretation of Civil Aviation Regulation 206 – the classification of operations – and to simplify compliance for industry.

Previously, under CAR 206, CASA had tried to differentiate between agricultural operations and other operations such as firebombing and oilspill operations, even though they were flown by the same companies, using the same pilots with the same qualifications and the same aircraft – without modification.

This led to enormous cost being placed on industry for absolutely no safety gain, or change in the operation, the pilots or the aircraft.

The improvement brought about by Part 137 has been very welcome and has allowed operators and pilots to focus on maintaining high safety standards without being distracted by bureaucratic attempts to obfuscate the fact that agricultural, firebombing and oilspill operations share very similar safety considerations and competencies.

The change of definitions in Part 137 is anticipated to also apply to rotary operations on aerial application missions over the coming program of regulatory reform within CASA, mostly due to the success of the Part 137 approach.

Airservices needs to keep up to speed with these changes by amending the *Air Navigation (Aircraft Noise) Regulations 1984* so as to expand and simplify the exemption for aircraft engaged in these operations.

The AAAA ('four As')

The Aerial Agricultural Association of Australia represents members who are involved in aerial application including agricultural chemicals, seed, fertiliser, firebombing and related activities.

AAAA's mission is to promote a sustainable aerial agricultural industry based on the professionalism of operators, pilots and staff and the pursuit of industry best practice.

Membership of the AAAA consists of owners, operators and pilots of aerial application aircraft. There are approximately 130 active operators in Australia.

AAAA has approximately 75% industry operator membership controlling over 90% of aircraft in use and is therefore representative of and qualified to speak on behalf of the aerial application industry. AAAA also represents pilot members within the industry and accounts for over 60% of all pilots working within the industry.

Capital investment in the industry exceeds \$200 million. Agricultural aviation directly employs 2000 personnel comprising pilots, field staff, maintenance staff and administrators. A further 2000 people enjoy part-time employment. The industry uses more than 300 specialist aircraft with supporting vehicles and equipment, together with established aircraft maintenance facilities throughout the country.

The Association has its National Office based in Canberra and is governed by a Board of Directors with representation from the States. The Board is in constant consultation with the CEO and local application operators and meets formally on a quarterly basis.

The industry has progressed considerably in knowledge, skill and professionalism since the late 1940's image of the 'crop duster'.

AAAA has a comprehensive website at www.aerialag.com.au.

Further Information

For further information or to discuss any of the details presented in this submission, please do not hesitate to contact the CEO of AAAA, Mr Phil Hurst on 02 6241 2100.