



The Australian Warbirds Association Ltd

ABN 99 008 655 481

PO Box 1020 Mona Vale, NSW 1660

www.australianwarbirds.com.au

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Aviation Environment/Aviation and Airports
Department of Infrastructure, Transport, Cities and Regional Development
Canberra ACT

To Whom it may concern,

I am writing to you on behalf of the Australian Warbirds Association, its approximately 600 members, and 250+ aircraft currently under administration. We are responsible and respected members of the broader general aviation community and have consistently worked with Government in an open, honest, professional, and productive manner.

The Department is well aware that we by-and-large operate our aircraft in a manner that is consistent with the requirements placed upon us. This includes flying in a neighbourly fashion that demonstrates our commitment to being respectful members of our communities (The Issues Paper recognizes this by noting that there are relatively few complaints at all with regards to our operations). As part of this, we have endeavored to cultivate our relationships with the Department and have repeatedly stressed our willingness to work in partnership towards simplified yet robust noise exemption procedures.

Needless to say, we are greatly dismayed by the tone and recommendations set forth in the Issues Paper. To begin, Section 3.2 claims that the Chicago Convention regulates all aspects of air transport to include noise. This is incorrect; as the convention simply formed the basis for ICAO by establishing core principles for air travel. It is the responsibility of each signatory nation-state to set their own regulations.

The Issues Paper makes the unfortunate assumption that, because numerous Limited category types do not conform to noise standards, they are therefore somehow noisier than other aircraft. This is simply false! Many of our types are no noisier, and in many cases less noisy, than other general aviation aircraft. There are a few loud warbird types, to be sure, but current management of them ensures they do not adversely affect the communities around which they operate.

Section 3.4 discusses the possibility of retrofitting our members' aircraft to reduce noise. There is no need for this; and this is substantiated by the fact that no cottage industry has emerged around the reduction of noise in privately operated warbird types. Furthermore, we are wholly unaware of ANY complaints against our members' aircraft originating from either increased movements or low flying (also alluded to in Section 3.4 of the Issues Paper).

The paper mentions a desire to streamline the application process, but its recommendations run completely counter to this. If you wish to simplify the process, then work with us to do so! You will find willing good-faith partners in the Australian Warbirds Association.

I will address the regulatory proposals under Section 3.7 as follows:

3.7(a): Personal use of Limited category aircraft is approved under CASR Part 132.055. This is consistent with CASA's and our understanding that members enjoy flying their machines and do so from time to time for that reason. Further to that and more importantly, personal use improves safety by encouraging pilot currency and more regular flying of the aircraft (which is highly recommended for ensuring long service life of engines and components which do not do well if idled for substantial periods of time). Due to numerous practical considerations, this privilege is rarely if ever abused. We take exception with the Department's inference that there is a problem with personal use and that it must be further regulated. It is our firm opinion that the Department already has all the tools and authority it needs to effectively manage the very rare instance where any such restrictions might be warranted. We are, as stated above, willing partners if this path is chosen. Should the Department pursue the inclusion of new regulations in this area it will be seen by us as a back-door attempt to undermine Part 132.055 and resisted accordingly.

3.7(b): While we certainly support the extension of historic permits to three-year periods of validity, it is our opinion that the correct way forward is as follows:

- When a Limited category aircraft receives its Certificate of Airworthiness and/or Certificate of Registration, require the application for and issuance of a noise exemption certificate, which will remain in effect for as long as the aircraft's ownership does not change or no modifications are made that could potentially alter the noise levels it emanates (an exceedingly rare event)
- When an aircraft changes ownership and/or modifications are made, require a new noise exemption application.

Utilizing this method, the Department would greatly reduce red tape without sacrificing any oversight authority or capabilities. The Australian Warbirds Association is all too happy to work with the Department to further explore the feasibility of this model.

3.7(c): We support this in full, noting that our preference is for the model outlined above.

3.7(d): There are a substantial number of warbirds operating in a private/historic capacity which have 'perpetual' noise exemption certificates attached to them, issued prior to the implementation of the current noise regulations. We are unaware of any complaints against these aircraft and as such, any cause to enact

changes to their current permits. To the contrary; this validates our call for the expansion of extended permit validities as outlined in my comments on 3.7(b) above.

It is our opinion in the Australian Warbird community that staff in the Department's Aviation Environment office are in all cases hard-working, well-intentioned and reasonable. That said, we believe there are substantial and unfortunate gaps in their knowledge of warbird types, their noise levels, and how they are flown. We want to work with the Department in the first instance to craft procedures that are acceptable to Government and all stakeholders; and we feel this is easily achievable.

On behalf of the Australian Warbirds Association and its members, I am therefore reiterating our position of cooperation towards achieving mutually beneficial goals. In saying that, I assure you we will resist to the fullest extent any efforts to unnecessarily increase the compliance burden and/or restrict our operating privileges in the name of what we believe to be unfounded claims of adverse noise impacts from warbird/historic type aircraft.

Thank you for your consideration.

Kind regards,

Mark Awad
Chief Executive Officer
Australian Warbirds Association Ltd