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To: Noise Regulation
[REDACTED]

Subject: Submission to noise regulation review [SEC=UNCLASSIFIED]

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Attachments: AircraftNoiseReview-GCC_22-11-2019_16-58-15.pdf;

Comment: [SEE ATTACHED PAPER]

SUMMARY

Regarding the proposed regulation of drones identified in the Issues Paper (Section 2.7), the GCC supports proposals a. through d. and strongly supports proposal e. In relation to proposal f. the GCC is strongly of the view that the Commonwealth needs to establish and maintain a more active leadership, coordination and development role in the regulation of drones than this proposal suggests for the following reasons:

- There is a lack of well documented evidence regarding drone noise and its impact, that needs to be undertaken at national level, for implementation/action at state level as per proposal e
- Drone delivery systems are still undergoing rapid development and evolution, and any regulatory development process must be sufficiently flexible to address the specific issues identified in the trials conducted to date, as well as any further issues or opportunities that arise as part of the ongoing operations. Having a national coordinated approach to actively drive regulatory responses to emerging issues will avoid duplication and fragmentation at state level.
- Other aspects of drone operations, notably safety, are regulated at the Commonwealth level creating potential confusion in terms of an end-to-end approach to drone regulation, which could be mitigated by the Commonwealth remaining closely engaged with the states
- Regulatory consistency across states significantly improves the commercial market for drone delivery services from multiple providers and hence the opportunities for Australia (and Gungahlin) to lead in this sector and make the best possible use of these capabilities
- The low level of awareness of the differences between different types of drones and their capabilities is a national problem, and can best be addressed consistently and effectively at national level, even if enforcement of regulations occurs at the state level
- Experience to date with drone delivery systems has shown states unable or unwilling to take on the responsibility of providing a "single point of contact" regarding concerns with drone delivery services. In some instances (eg. ACT) responsibility for complaints regarding a provider of drone delivery services have been directed back to the provider – the GCC believes it is unacceptable for the operators of drone delivery systems to be the only point of contact for community concerns or issues.
- At this early stage of the drone delivery industry, there is a risk that regulations are developed at state level around the specific offerings of individual providers within that state, rather than taking a whole of industry approach in an open and transparent manner

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Confidential?: No

submitted via infrastructure.gov.au



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22 November 2019

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Submission in Response to the Noise Regulation Review for Remotely Piloted Aircraft (RPA) and Specialised Aircraft

The Gungahlin Community Council (GCC) welcomes the opportunity to provide a submission to the Department of Infrastructure's Noise Regulation Review for Remotely Piloted Aircraft (RPA) and Specialised Aircraft¹.

The GCC is a voluntary, not for profit, community-based association operating in the Gungahlin district of Canberra funded by the ACT Government (www.gcc.asn.au). We provide advocacy on a range of topics informed by engaging with the Gungahlin community through a variety of channels including face to face meetings, a newsletter, an email list, a website, Facebook, Twitter, traditional media and surveys.

As the Department will be aware, Gungahlin is where the Wing drone delivery system has been deployed on an ongoing basis for the first time from a base located in Mitchell². The GCC has played, and continues to play, an active role on behalf of the Gungahlin community regarding the impact of this drone delivery service. This submission is therefore focussed on this aspect of remotely piloted aircraft (RPA), and not urban air mobility (UAM), although some of the comments and issues identified may be applicable to both.

Although the Wing service has been operational in Gungahlin longer than anywhere else, it has been under a range of restrictions and exemptions from the Civil Aviation Safety Authority's (CASA's) Standard Operating Conditions (SOC), and for a relatively short period of time. The Gungahlin community (and the GCC) therefore have relatively limited direct experience and/or understanding of the nature of drone delivery systems. The GCC has built a level of understanding of the relevant issues by reviewing the extensive media coverage, facilitating briefings at GCC public meetings from Wing, Bonython Against Drones³ and the Department,

¹ https://www.infrastructure.gov.au/aviation/environmental/aircraft-noise/noise_regulation_review_for_rpa_drones_and_specialised_aircraft.aspx

² https://wing.com/intl/en_au/australia/mitchell/ - "We're going to open our first ongoing delivery facility in Mitchell in the coming months, and we plan to service the neighborhoods of Franklin, Harrison, Gunghalin, Crace and Palmerston."

³ <https://bonythonagainstdrones.com/about-us/>

responding to the ACT's Inquiry into Drone Delivery Systems⁴, undertaking site visits to the Project Wing Bonython trial site, engaging traditional media outlets and maintaining an ongoing dialogue with both Wing and the Gungahlin community.

It is clear from these engagements, and as highlighted in the Issues Paper⁵, that this new technology-facilitated capability has emerged without the regulatory controls necessary to ensure that the beneficiaries and consumers of the service, are balanced with the real and perceived concerns of the community.

Nevertheless, early feedback from the Gungahlin community has indicated that most residents' view drone delivery systems positively.

Regarding the proposed regulation of drones identified in the Issues Paper (Section 2.7), the GCC supports proposals a. through d. and strongly supports proposal e.;

e. Benchmarking acceptable noise levels for overflying different land use areas (including residential areas) having regard to acceptable noise levels permitted from other similar noise generating equipment under State/Territory legislation.

In relation to proposal f.;

f. Allowing noise regulation of drones by State/Territory Governments where this is consistent with the application of their regulations to other types of noise disturbance from operating equipment and not inconsistent with Commonwealth legislation.

the GCC is strongly of the view that the Commonwealth needs to establish and maintain a more active leadership, coordination and development role in the regulation of drones than this proposal suggests for the following reasons:

- There is a **lack of well documented evidence regarding drone noise and its impact**, that needs to be undertaken at national level, for implementation/action at state level as per proposal e
- Drone delivery systems are **still undergoing rapid development and evolution**, and any regulatory development process must be sufficiently flexible to address the specific issues identified in the trials conducted to date⁶, as well as any further issues or opportunities that arise as part of the ongoing operations. Having a national coordinated approach to actively drive regulatory responses to emerging issues will avoid duplication and fragmentation at state level.
- **Other aspects of drone operations, notably safety, are regulated at the Commonwealth level** creating potential confusion in terms of an end-to-end approach to drone regulation, which could be mitigated by the Commonwealth remaining closely engaged with the states
- **Regulatory consistency across states significantly improves the commercial market** for drone delivery services from multiple providers and hence the opportunities for Australia (and Gungahlin) to lead in this sector and make the best possible use of these capabilities
- The **low level of awareness of the differences between different types of drones and their capabilities** is a national problem, and can best be addressed consistently and effectively at national level, even if enforcement of regulations occurs at the state level
- Experience to date with drone delivery systems has **shown states unable or unwilling to take on the responsibility of providing a "single point of contact" regarding concerns with drone delivery services**. In some instances (eg. ACT) responsibility for complaints regarding a provider of drone delivery services have been directed back to the provider – the GCC believes it is unacceptable for the operators of drone delivery systems to be the only point of contact for community concerns or issues.

⁴ https://www.parliament.act.gov.au/_data/assets/pdf_file/0003/1325262/144-Gungahlin-Community-Council_web.pdf

⁵ https://www.infrastructure.gov.au/aviation/environmental/aircraft-noise/files/Issues_Paper-Review_of_Air_Navigation-Aircraft_Noise_Regulations_2018-RPA.pdf

⁶ For example <https://bonythonagainstdrones.com/issues/>

- At this early stage of the drone delivery industry, there is a **risk that regulations are developed at state level around the specific offerings of individual providers** within that state, rather than taking a whole of industry approach in an open and transparent manner

This position is in part supported by the positive impact the leadership provided by the Department of Infrastructure has had in addressing issues of noise associated with the drone delivery service in the ACT. The GCC is eager to continue to be involved in the development of regulations to ensure that the beneficiaries and consumers of the drone delivery service are balanced with the real and perceived concerns of the community.

Yours Sincerely

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