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To: Noise Regulation

Subject: Actual compliance with effective noise acceptability criteria .

Sensitivity: Normal

The proposed aircraft noise emission limitations will mean nothing if not actually respected by operators or the civil aviation authority . On a previous occasion when a 'new' class of aircraft emerged and 'had' to be regulated -namely the ultra light category ca. 1976 – the limitations set under ANO 95:10 were both draconian and inherently unsafe but moreover they were not enforced at all or only in a partial (as opposed to impartial not as in fractional) manner and used for retaliatory purposes and even to cover up gross malfeasance on the part of officials and participants. Attention is drawn to the HORCOTS report of the Transafe committee Jan 1987 pgs 41 to 48 in particular covering the case of an illegally approved and known unairworthy aircraft issued with airworthiness permits by the (now)CASA in defiance of a valid defect notice issued by a qualified person –almost immediately one of a number of fatal 'accidents' to the aircraft type occurred as predicted and the (now)CASA acted to conceal the facts and retaliate against the 'whistleblower' engineer . Quoting the report "The committee concludes that the department ignored it's primary responsibility of ensuring aircraft safety must raise questions about the very existence of both the department or the regulations " "Internal correspondence in Dec 1985 which indicates a QC was in the process of drafting a "show cause" action as to why the department (now CASA) should not be held directly responsible for the death of the late Ray Carter " end quote (pg 43) Much more could be said about the long history of maladministration ,incompetence and criminal conspiracy to avoid culpability involved in this and many other similar cases . It is unlikely that noise regulation will claim lives but 'selective' application or ignoring of noise regulation can certainly destroy the potential of an industry, again, or again destroy individual lives and livelihoods (as outlined in Dick Smith's book "Two Years in the Aviation Hall of Doom and the subsequent response to the parliamentary enquiry and on going industry dissatisfaction at destructive and unethical CASA conduct reflected in contemporary publications). Things may have even become worse in some ways since the 80's . Most of those directly guilty in the case(s) quoted are now dead and the admission of widespread abuse of regulation then denied is now freely admitted. The emerging eVTOL UAM activity shows numerous worrying features conducive to failures and fatal accidents with non fail safe designs dependent on continuous power for both lift and control , for chain reaction failures (in plane adjacent proprotors etc) and a general lack of tolerance – noise is likely to be a real problem for multirotor configurations in this context with high hover power levels and transition interactions as already obvious with model drones of similar type . It must be that compliance with any noise standards set is OUTSIDE of the control of the regulating authority to avoid conflict of interest once again and there needs to be far wider dissemination of this call for submissions and a longer time to respond than two months on an obscure website given the public interest involved (and the human right to be able to sleep that is apparently ignored by the CASA paper – deprivation of sleep is a widely recognized and sanctioned "cruel and unusual punishment" . Wind turbine noise is already perceived as having deleterious consequences and they are not located in cities or suburbs)

The potential for corrupt and partial conduct by CASA officials is much greater than in previous instances given the vastly greater stakes involved and the likely ability to 'fudge' test results or misapply enforcement plus the public interest in proper development of the urban air mobility sector is far greater than for tiny recreational aircraft of the past (but the airspace management involved is not totally different – low level uncontrolled operations etc) Time and mere chance awareness of this deadline and too short response time enquiry only permits an offhand reaction at this time – action needs to be taken to prevent the misdeeds and mistakes of the immediate past recurring in this case and in which this writer is again deeply involved in the technical and business aspects so cannot neglect to act when required to.

Preliminary reply only.

Ross Nolan for Aircar Industry. 20/11/2019

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