Australian Business Aviation Association Inc.
www.abaa.com.au
ABN 32 082 750 492

Director, Aviation White Paper Project Office
Aviation White Paper
Department of Infrastructure, Transport, Regional Development, Communications and the Arts
GPO Box 594
CANBERRA ACT 2601
Via email: aviationwhitepaper@infrastructure.gov.au

30 November 2023

Dear Director

Comments on the Aviation Green Paper – Australian Business Aviation Association Inc.

The Australian Business Aviation Association Inc. (ABAA) welcomes the opportunity to provide comments on the Aviation Green Paper, as released on 7 September 2023, and extends its appreciation for the engagement opportunities made available during the consultation process.

The ABAA is a non-profit organisation that provides a collective voice for Australia's business aviation community. It maintains a high-calibre membership base, for whom it provides representation and advocacy at state, national and international levels. The association encourages the highest standards of operational safety and efficiency within the sector and aims to foster an environment where business aviation may thrive within Australia and around the world.

Business aviation has made a significant contribution to the development of a strong Australian economy for more than 45 years. Flights conducted by Australian-based business jets support a diverse range of industry sectors and connect passengers, businesses, and communities both within Australia and overseas, often operating beyond the constraints of the scheduled services network. In this respect, the sector performs an essential role in meeting Australia's air overall transport needs.

Within Australia, business jet aircraft are deployed to support a wide range of industry sectors, including:

- Mining & Resources
- Retail
- Manufacturing
- Recycling Services
- Logistics
- Agriculture
- Property Development
- Financial Services
- Tourism
- Media
- Entertainment

They are also engaged in supporting the following community, non-profit, military or government functions:

- Aeromedical (patient &/or medical personnel transport and organ transfers)
- Prisoner transportation
- VIP travel (No. 34 Squadron RAAF)
- Surveillance
- Search & Rescue

Business jet operations are supported by - and support - a range of associated ground-based businesses, including:

- Maintenance Repair Overhaul (MRO)
- Fixed Base Operators (FBOs)
- Charter brokers
- Safety, Quality Assurance and Regulatory Compliance
- Training organisations

The ABAA responded earlier this year to the Aviation White Paper (AWP) Terms of Reference.
In response to the Green Paper, and where relevant to its experience, knowledge or the key concerns of its membership, the association offers the following comments and observations.

Chapter 2 – Likely future directions out to 2050

The ABAA acknowledges that the AWP must take a whole-of-industry view in its approach to strategic forward policy, particularly as the sector faces a time of sustained and significant disruption.

While a long-term view is essential, understanding and remediating the problems of the present is crucial in fully appreciating what is required to ensure industry and government sectors successfully meet the challenges of the future. This includes the preparedness of all relevant government agencies, the technical workforce, airports and aviation infrastructure to support the integration of emerging technologies and to act collaboratively to meet Australia's net-zero goals.

The Green Paper appropriately identifies the key future trends, drivers of change and strategic objectives. In considering how these will impact industry, the ABAA encourages a greater focus on segments outside of scheduled commercial services, noting these may face greater difficulties yet with fewer resources and opportunities for cost-recovery. Acknowledging that work has been done to engage directly with some segments, the ABAA hopes now to see policy developed with an understanding of both the traditional and emerging segments that fall under the general aviation (GA) banner.

Chapter 3 – Airlines, airports and passengers

Competition and cabotage*:* Impacts arising from competition and cabotage settings are not limited to airlines. Cabotage settings, dispensations and the approvals of foreign operators impact the ability of Australian business jet operators to compete against foreign carriers. These issues were brought to the fore during Covid and during recent special events. The ABAA supports increased transparency around these issues and seeks further consultation should a cabotage reform process be initiated.

Items of interest include:

- The number of non-scheduled foreign operators holding foreign operator permits
- The number of Transport Security Programs are approved for foreign operators
- The number and details of short-term or one-off cabotage dispensations for non-scheduled foreign operators

- Mechanisms to ensure the capabilities of Australian operators to meet the flight requirements are considered during the assessment of such approvals
- Bilateral cabotage settings for non-scheduled operations that are truly reciprocal

Airports: With respect to airports in general, it is critical to the success of Australian business aviation that fair and equitable access to airports be maintained for its operations. This includes the ongoing provision for businesses that provide essential ground-based functions such as maintenance, ground handling and VIP passenger facilitation.

At the time of writing, the ABAA is aware of no such provision at Western Sydney Airport (WSA), despite the impending reality that most business jet movements that would previously have been permitted to operate to Sydney Mascot during curfew will be required to operate to WSA during this period once the airport is formally gazetted. Similarly, the availability of border clearance services for business aviation is yet to be clarified. An opportunity exists to create employment, world-class facilities and forward-thinking infrastructure for business aviation at this new gateway airport.

Chapter 4 – Regional and remote aviation services

Airport access: In recent years, business jet operators have identified a reduction in access to regional, rural and remote airports and a deterioration of their airside infrastructure. The Green Paper correctly identifies the important role such airports play in connecting communities, especially via non-scheduled services, and the significant risks posed to the regions if these trends continue.

Current funding models, most notably where airports are the financial responsibility of local councils, are falling short of providing the consistent and sustainable aviation services that are required now and into the future. To revitalize these airports and position them for the needs of the future, the ABAA supports a fresh approach to funding, driven by federal government investment and focusing on:

- Maintenance and strategic modernisation of airside facilities and infrastructure
- Increased opportunities for aviation jobs and training
- Settings that encourage long-term aviation tenancy and business confidence
- An appropriate balance of aviation/non-aviation land uses that supports both sustainable growth and ongoing access for GA operations
- Initiatives to support regional airports and operators to address emissions reduction targets

It also supports the strengthening of the National Airports Safeguarding Framework (NSAF) as a mechanism to proactively monitor, assess and protect airports and their infrastructure at all levels, including with respect to planning controls and community consultation.

ABAA members have noted that the recent reclassification of aircraft has created restrictions for smaller corporate jet operations to regional airports. Prior to 2 December 2021, these operators were able to provide essential and commercial services to remote areas. As a result of the reclassification, there is now an additional runway length requirement that is not required of turbo prop aircraft of similar or larger size.

The impact on the operator is commercial restriction; the broader issue is the reduction in potential services (charter, medivac, tourism, search & rescue etc) to the regional areas. One solution is the investment in runway infrastructure to extend runways to modern requirements. Alternatively, regulatory relief that reclassifies a set of smaller jets, currently subject to Part 121 performance requirements, to be grouped alongside turbo prop aircraft should be considered.

It has also been suggested that access to military airports be re-considered with a view to opening some of these well-maintained strategically and located national aviation assets to GA operations. Limited military/civil aviation sharing arrangements have been in place historically and a considered

expansion of this program could help to extend the reach of GA in supporting regional and remote communities.

Chapter 5 – Maximising aviation's contribution to net zero

Not all emissions reduction methodologies will be suited to all sectors; strategic policy cannot be one size fits all. Policy to support short, medium and long-term emissions reduction targets should draw on segment-by-segment consultation and set clear, reasonably attainable goals that take into account the specific limitations of each industry segment. The association welcomes the formation of the Jet Zero Council but notes the scant representation from GA as a possible missed opportunity.

As a member of the International Business Aviation Council (IBAC) the ABAA committed in 2020 to its own carbon emissions reduction target of net zero by 2050. Business aviation has long been an incubator for increasingly efficient technologies in aircraft design and manufacturing, steadily achieving significant generational improvement in this space. Regardless, there is no doubt that the increased domestic production, supply and consistent availability of sustainable aviation fuel (SAF) will be the most impactful tool in ensuring Australian business jet operators play their part in Australia achieving its net zero goal.

Most business aircraft are ready now to purchase blended SAF, with some Australian operators already doing so overseas. Business jet manufacturers have committed that their civil aviation products will be compatible with, and achieve the ability to operate using, 100% ASTM-qualified SAF by 2030.

The AWP must set policies to stimulate and subsidise investment in the domestic production of SAF and in the infrastructure and supply chain elements that will support its delivery. Consideration should also be considered to enabling timely approvals and certification processes, as well as campaigns to increase public and operator confidence.

At a federal level, Australia must commit to sending a strong demand signal to industry and the relevant agencies. The association acknowledges the Green Paper's reference to overseas policy examples and proposes that the following elements be considered:

- Blending mandates set at reasonable, attainable, stepped % levels
- Tax concessions for early adopters
- Added incentives/concessions for rural and regional airports and operators

Noting that the early rollout of SAF availability is likely to be driven by demand from scheduled services, it is probable that SAF availability outside of the scheduled network will lag considerably. This is a concern for business aviation operators. The AWP should therefore recognise the importance of "book and claim" accounting methodologies in accelerating SAF production and ensuring business aviation operators' ability to participate in the SAF marketplace.

Chapter 6 – Airport development planning processes and consultation mechanisms

Airports: In conducting their operations, business jet operators are users of Australia's primary, secondary and regional airports. To this end, maintaining fair and equitable access to airports, airspace and aviation infrastructure, as well as the safeguarding of suitable general aviation facilities at airports of all levels is of critical importance.

With respect to airports policy and oversight, the ABAA directs the AWP office to Item 2. of the GAAN's Green Paper response and supports the views outlined therein.

Noise: Australia's current curfew regulations are no longer fit for purpose and fail to consider that a range of newer, more efficient business jets generate less overall noise impact on airport environments than previous generations of freight and passenger aircraft, examples of which remain on the approved list for operations during curfew hours.

The current exclusion of quieter ICAO Chapter IV noise-compliant business jet aircraft, with an MTOW of less than 55,000kgs, serves to unfairly penalise owners and operators and acts as a disincentive for fleet modernisation towards newer, comparatively more environmentally efficient aircraft. The ABAA encourages a fresh approach to managing airport noise and curfew procedures and recommends that future curfew legislation include an allowance for the operation of business jet aircraft (19-seat maximum passenger capacity) that comply with ICAO chapter IV noise certification or higher regardless of certified MTOW.

The association does not support the imposition of additional curfews at Australian airports, nor the tightening of existing curfew restrictions. Rather, it seeks reform and modernisation of the Curfew Act/s to align with international standards and not impede business jet fleet renewal and the net emissions reduction this could represent.

Chapter 7 – General Aviation

The AWP's consideration of General Aviation is welcomed; however, this over-arching term encompasses a broad range of non-scheduled operations, each with its respective and varied challenges; increased categorisation may drive enhanced outcomes from any strategic policy initiatives in this space.

BITRE's current economic study of the general aviation sector's contribution to the Australian economy is welcomed. Its settings must extend beyond the ICAO Annex 6 definition in order to capture the true direct and indirect socio-economic benefits of general – *including business* - aviation.

The association directs you to both the GAAN Green Paper response and the soon-to-be-updated *A New Strategy for the Australian General Aviation Sector.* The ABAA supports the priorities and policy positions identified within both documents.

Chapter 8 – Fit-for-purpose agencies and regulations

Post-pandemic, key agencies are failing to meet industry requirements. The ABAA encourages a review of the current state of these agencies to comprehensively determine what is needed for them to step up and adequately manage the demands of a future regulatory and air space management landscape. It proposes consideration of a staged national funding model to both bolster the capabilities of these agencies now and support them to develop and maintain the technologies, skills and resources needed for the future. It acknowledges the recent Transport Agencies Review and looks forward to the report of Professor Skerritt's findings and recommendations.

CASA: The rollout of recent regulatory reform was imperfect and, from the perspective of the business aviation community, the impact on the business aviation sector was under-considered. Despite recent programs to drive increased efficiencies and engagement, disruption continues as both CASA and operators experience difficulties in adjusting to the new flight operations suite.

Over the past 12 months, the ABAA has welcomed increased engagement with CASA senior personnel and their willingness to understand and address the issues of its members is greatly appreciated. While acknowledging that work has begun, we call on the regulator to continue to collaborate in completing repairs and reforms to non-scheduled Part 121 business aviation approvals, exemptions and limitations. As a matter of urgency, it also seeks to resolve the classification of business jet flight operations to provide clarity for its operators and greater alignment with foreign regulator settings.

Chapter 10 – Future industry workforce
Traditionally, the business aviation workforce is drawn from general aviation. The current GA skills shortage together with aggressive recruitment from Australian and international airlines and the escalating cost of pilot training – typically upwards of $100,000 per pilot per year - has contributed to what will continue to be a challenging labour market for business aviation operators.

It is imperative that the AWP include strategic policy initiatives to address the shortage of skilled personnel – particularly pilots and maintenance personnel - within the general aviation sector. On this subject, we point to and support the detailed recommendations submitted by the GAAN in their Green Paper response.

We strongly encourage activities to promote general aviation, and specifically business aviation careers to emerging generations of job seekers and support initiatives to increase diversity and the representation of women in the aviation workforce via such mechanisms Jobs and Skills Australia and Women in Aviation programs.

Chapter 11 – International Aviation
Please refer to earlier comments regarding international competition settings.

Additionally, the association wishes to raise the following issues on behalf of its members.

Processing of international passengers: During, and for some time post-Covid, Australian and visiting international business jets have been unable to consistently access border clearances at their places of arrival, notably at capital city airports such as Sydney and Perth. A combination of factors including staffing shortages, the swifter-than-forecast recovery of international scheduled air travel, necessarily protracted recruitment & training timelines, and loss of pre-existing knowledge of the activities and importance of business aviation have been cited as factors in resources not available to clear flights arriving and departing internationally.

There are multiple resulting operational impacts, including:

- Flight crew fatigue risk: Operators are required to adjust or extend flight duty periods to allow for the added travel & processing time at airline terminals, to meet limited ABF availability or to stop en route to clear ahead of their end destination. In some cases, this results in the scheduling of flight duty periods within a window of circadian low thus reducing available duty and increasing fatigue risk.

- Time pressures: Forcing operations into a limited window of availability creates a time-sensitive environment that can lead to rushed decision-making, potentially compromising safety protocols and operational efficiency.

- Added capital investment: Already heavily invested in providing dedicated facilities for international clearances at the request of the respective agencies, FBOs in some cases have been required to purchase additional vehicles to transport passengers and crew from/to the location of the arriving or departing aircraft.

- Environmental impact: Increased flight miles, engine cycles and fuel burn (emissions) resulting from re-routing to alternative airports where clearances are available.

- Decreased visitation: Travellers moving away from airports that can no longer accommodate efficient international clearances may lead to a decline in traffic, affecting not only the business of the operators and FBOs but the reputation of the capital city in the eyes of business jet passengers.

While the ABAA acknowledges the willingness of Australian Border Force (ABF) and Department of Agriculture Fisheries and Forestry (DAFF) to engage with its members on this issue, it once again calls for this issue to be remedied to alleviate the burden on industry and align with international practice.

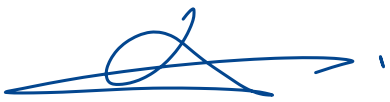
An appetite exists within the industry for a user-pays system that would support the consistent availability of efficient border clearance protocols for our industry segment. We seek that this option and the issue as a whole be considered as a matter of priority.

APEC Business Travel Card: Business jet flight operations are used as an effective tool in facilitating foreign investment and trade. Travellers maximise an operator's ability to dispatch quickly and travel directly to overseas locations to conduct high-value face-to-face meetings and negotiations. While the travellers themselves frequently qualify to hold an Australian Business Travel Card (ABTC), current settings in Australia preclude business jet flight crew from obtaining an ABTC.

Protracted visa processing times for flight crew negate the benefits of travellers holding ABTCs as their flights cannot depart until destination country visas are processed for its crew. In many cases – regional China for example – scheduled services are either too limiting or unavailable. The settings of other APEC member economies permit business jet flight crew to obtain ABTCs. Australia's settings place Australian operators at a relative disadvantage. The ABAA seeks a review of these settings to remove this constraint on business jet operations internationally.

Thank you for the opportunity to contribute to the development of the Aviation White Paper 2024. The ABAA is committed to collaborating with the government and other stakeholders to achieve the key objectives outlined in the Green Paper. Its key personnel remain available to your office should you wish to engage further on any aspects of this submission.

Yours sincerely



Jessica Graham
Chief Executive Officer
Australian Business Aviation Association Inc.