

26<sup>th</sup> January 2013

The Docket Clerk,  
Civil Aviation Authority,  
**Wellington**

[docket@caa.govt.nz](mailto:docket@caa.govt.nz)

**Re: NPRM 09-02, CAA Docket 4/CAR/4**

The NZ Agricultural Aviation Association makes the following submission in respect of the Part 61 proposed amendment and the subsequent amendments to Parts 1, 91, 133, 137.

Given the gestation period of this NPRM the majority of its proposed changes are founded back in 2000 and are no longer necessary or appropriate today. Each of the proposed changes should be subject to a rigorous 'sense-check' as to what 'problem' it seeks to address, whether that 'problem' is relevant in today's aviation environment, and whether the magnitude of the 'problem' still warrants rulemaking action or whether other non-regulatory solutions are available/preferable. In risk management terms, this NPRM proposes introduction of treatments for risks that were identified 13 years ago, failure to review the validity of both the risks and the treatments will lumber the aviation sector with extra compliance costs at a time when they can least be afforded and for no tangible benefit.

In terms of managing risk, the outcome of the current Ag Risk Analysis being undertaken would likely contribute more valid data than that available 13 years ago.

Notwithstanding the above statement, the following are a few items with which we take issue:

61.23 requires that aircraft used for the purpose of a flight test shall have fully functioning dual controls fitted. Whilst the requirement is unlikely to impact on helicopters, the reality is that there are now just two dual controlled topdressing fixed wing aircraft in NZ. Providing competency checks are not defined as flight tests then NZAAA has no objection to 61.23. Clearly it is impossible for the entire fixed wing Ag Pilot population in NZ to carry out their annual competency checks in just two aircraft without enormous expense and disruption. NZAAA's view is that the PIC is a licensed pilot demonstrating his ability so there should be no need for dual controls as there should be no instruction being given. That is the situation at the present time in respect of competency checks. Flight tests for initial issue of the Agricultural Rating are different and rightfully require a dual controlled aircraft.



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A & B Cat instructors are the only instructors authorised (Parts 61.381 and 61.387) to issue Helicopter External Load authorisations when this will impose extra costs on trainee Ag Pilots. NZAAA supports the Helicopter External Load authorisations being issued by E Cat instructors (61.359) in the course of issuing an Ag authorisation that involves the use of underslung Ag buckets or tanks. At the current rate of student Ag Pilots this change would save some \$25,000 per annum in costs to students and/or employers without compromising safety.

In respect of the subsequent amendments to Part 61:

Rule 1:-

**Helicopter external load equipment** means any equipment used to suspend a load beneath a helicopter:

This definition captures some spray equipment when we are not sure that it is intended to. Many helicopters have spray tanks underslung and carrying out annual checks on the bolts that suspend the tanks is inappropriate as these are already provided for in the ICA's with the spray system STC. To remedy this NZAAA suggests:

**Helicopter external load equipment** means any equipment used to suspend a load beneath a helicopter other than agricultural spray installations that are bolted to the aircraft.

**Helicopter sling load operation** means the pick-up, external carriage, and put down of a load or cargo, other than a person, by a helicopter by means of external load equipment.

This definition captures fertiliser and VTA buckets as well as some suspended spray gear. As already discussed, the authorisations have to be issued by an A or B Cat Instructor. The remedy is to either exclude agricultural application equipment from the definition or amend Part 61.359 as discussed above.

Yours faithfully,



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