



Noise Complaints and Information Service

PO Box 211, Mascot NSW 1460

t 1800 802 584

[www.airservicesaustralia.com](http://www.airservicesaustralia.com)

ABN 59 698 720 886

Ms Liz Gallie  
By email

16 August 2022

Dear Ms Gallie,

Thank you for contacting the Noise Complaints and Information Service (NCIS). I am writing in response to your recent noise enquiry received on 29 July 2022.

I apologise that we were not available to take your call when you called our office. I understand your enquiry regards whether a no-fly zone can be established over your town due to increased helicopter activity.

Airspace in Australia is designed by the Civil Aviation Safety Authority (CASA) Office of Airspace Regulation (OAR). The administration of airspace includes managing the establishment, amendment or disestablishment of various classes of airspace (A to G) and prohibited, restricted and danger (PRD) areas. You can read more about the role of CASA OAR here: <https://www.casa.gov.au/operations-safety-and-travel/airspace/airspace-regulation/office-airspace-regulation>

Our organisation Airservices is Australia's civil Air Navigation Service Provider (ANSP) to the aviation industry. We provide air traffic control services to aircraft operating in controlled airspace and design flight paths in controlled airspace. We also provide air traffic information services for aircraft flying outside controlled airspace. I will elaborate on controlled and uncontrolled airspace further below. Our office, the Noise Complaints and Information Service, manages complaints and enquiries about aircraft noise and operations. Airservices has no regulatory powers to establish no-fly zones. Regarding no-fly zones, I am unaware of any rule or regulation that prevents helicopters or other aircraft from flying over an area.

Whilst I understand the helicopter activity is disturbing, Airservices has no powers or jurisdiction to stop or limit any type of aviation activity because no law or regulations exist that give us that power. The airspace is public and may be used in accordance with Civil Aviation Regulations. For these reasons, we can only provide information.

I will now provide some information about the type of airspace in your area.

In Australia, there are two major types of airspace: controlled, and uncontrolled. Controlled airspace is actively monitored and managed by air traffic controllers. To enter controlled airspace, an aircraft must first gain a clearance from an air traffic controller. Uncontrolled airspace has no supervision by air traffic control so no clearance is required to operate in uncontrolled airspace. The large majority of light aircraft and helicopters operate outside or underneath controlled airspace. More information on how airspace is managed can be found on our website here: <https://www.airservicesaustralia.com/about-us/our-services/how-air-traffic-control-works/how-airspace-is-managed/>

I have reviewed some aeronautical information and pilot charts for your area and found the lower level of airspace up to 8500 feet is classified as Class G (for General) uncontrolled

airspace. This means helicopters flying below 8500 feet in your area are not communicating with air traffic control and do not need an airspace clearance to fly there. Helicopters and other aircraft flying within uncontrolled airspace have to comply with normal aviation rules and regulations with regard to altitudes and separation requirements with other aircraft, however there is generally no restriction as to where they can fly whilst remaining in uncontrolled airspace.

Aircraft, including helicopters, navigate by one of two means, either by sight or by instruments. Flying by sight is referred to as 'flying visually'. When flying visually, pilots are flying with reference to visually prominent ground-based features. It is likely they use the coastline as a visual reference. Bingil Bay is noted as a visual check point for pilots.

Unfortunately, we do not have a flight tracking program that extends to your area, therefore I am unable to look at the helicopter activity occurring in your area and unable to identify the helicopters that have been disturbing you. It is likely many are conducting scenic joy flights which is a permitted activity.

The majority of helicopter and light aircraft pilots are only licenced to fly during daylight hours. These pilots require good visual conditions to fly so there are generally more flights when there is better weather, such as no low cloud or heavy rain.

In general, there are no regulations or legislation that prevent helicopters from flying or hovering over an area, either in terms of the length of time or the time of day. Similarly, there are no regulations or legislation that set out maximum noise levels for aircraft over residential areas. Rather, aircraft operating in Australia are required to meet noise standards imposed through the *Air Navigation (Aircraft Noise) Regulations 2018*. These regulations stipulate strict compliance with international noise standards that apply to the design and production of aircraft and specify the amount of noise that may be emitted by an aircraft type or model. Aircraft that do not meet these standards are prohibited from engaging in air navigation in Australia.

Thank you for taking the time to bring your concerns to our attention. I hope this information is of assistance. If you do have further concerns or require clarification of information, please contact us again through our online form: <https://complaints-au.emsbk.com/asa5> or by one of the other methods below.

Yours sincerely,

**ASHLEY**  
**COMPLAINTS SPECIALIST**

**Online form:** <https://complaints-au.emsbk.com/asa5>

**Telephone:** 1800 802 584 (freecall) | **Post:** PO Box 211 Mascot NSW 1460

**W:** <https://www.airservicesaustralia.com/community/environment/aircraft-noise/about-making-a-complaint/>



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#### Disclaimer

The information contained in this document is for information purposes and is indicative only. Aircraft movements and flight paths are affected by variable factors such as weather, separation requirements and congestion at relevant airports, and can therefore change without notice. While Airservices Australia has taken reasonable steps to ensure the accuracy of this information, Airservices Australia makes no warranty or representation that it is current, accurate or complete. Information required for operational purposes must be checked against original sources. Contact the relevant section of Airservices Australia for more information, or obtain the appropriate Airservices publication.

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