RECREATIONAL AVIATION AUSTRALIA INC

Recreational Aviation Australia Inc.

Input on the National Aviation Policy Statement

Recreational Aviation Australia Inc. (RA-Aus) is pleased to provide input into the National Aviation Policy Statement and believes that this review is a long overdue review of Aviation and Aviation Training in Australia. Rather than address each component of the policy document, RA-Aus has sought to give considered opinion to areas relevant to its sphere of operations in the context of the Australian Aviation Industry.

It is clear that without careful consideration of the future of aviation in Australia unbiased by the past, the industry and in turn the new Government has the opportunity to mitigate the dire situation that is unfolding presently with regard to the future of aviation in Australia.

Introduction

Recreational Aviation Australia Inc. (RA-Aus) is a self administered organisation committed to the interests and safety of members participating in sport and recreational aviation in Australia. Recreational Aviation Australia Incorporated was established in 1983 as the *Australian Ultralight Federation*.

This establishment was as a result of the parliamentary HORSCOTS inquiry into the unacceptably high sport aviation fatality rate suffered by pilots operating outside the surveillance umbrella of the then CASA equivalent. The inquiry found that this area of private aviation was beyond the capability of the regulator to effectively police. HORSCOTS recommended that self administration be granted to the new participants as it was correctly concluded that "peer policing" would be more successful at cutting the fatality rate than that achievable by the regulator of the day.

History has shown that self regulation worked and the fatality rate dropped dramatically when responsibility for safety outcomes was given to an organisation supported by members with a vested interest in the outcome. In the following years Australian recreational/light sport aviation has experienced pronounced growth and a marked improvement in participant and public safety. There has been an exponential growth in RA-Aus membership, and in the number of aeroplanes that RA-Aus registers. The capabilities of the aircraft types available and the number of training facilities and clubs have also increased dramatically. Recreational Aviation Australia Inc. now has an annual membership renewal rate of greater than 9,100 members and a registration base of approximately 2,900 aircraft across Australia.

With its continued growth, RA-Aus now provides a significant training ground which supports the wider Australian Aviation community. The administrative support provided by the RA-Aus has allowed the development of aircraft that are designed specifically for the recreational sector and as a result makes a contribution to the economy by generating business for a wide variety of companies involved in their manufacture and maintenance.

More importantly, RA-Aus provides a vital social and public benefit of providing a "sport and recreational" amenity for the community at virtually no cost to the Government for the services and outlet provided; in contrast to the higher Government subsidy of other more traditional sport and recreational bodies.

1 The Australian Aviation Industry.

1.1 Regional and General Aviation.

"Aviation activity has grown strongly over the last twenty years,"

Recreational aviation in Australia, whilst having no clear designation of its own, is often seen as a subset of General Aviation. If any clear increase in General Aviation activity has been recorded over the last 15 years in the" traditional GA sector" it is only due to the dynamic increase in Recreational Aviation being included in that amalgam. In the past few years the increase in Regional Aviation has been partly bolstered by the resources boom and the introduction of the fly in- fly out work strategy as well as increasing charter flights, and also by the advent of Low Cost Carriers (LCC) operating into many more regional airports. This has assisted the LCCs in establishing previously untapped business markets in regional centres. General Aviation in the true sense of the word has fallen by the wayside in the past ten years with a decline in numbers of private pilots and hours flown. Evidence exists however that GA training in areas other than Day VFR (Visual Flight Rules) has increased.

In contrast to this decline is the rapid uptake of Recreational Flying in Australia. Annual RA-Aus membership growth is in excess of 35% per annum with RA-Aus Aircraft Registrations growing at a rate greater than 15% per annum. Along with this increase in growth is also the growth of RA-Aus Flight Training Facilities that are seeing expansion at a rate of 16% per annum.

Without doubt the reason for this industry growth can be attributed to self regulation and the freedom of constraints and inefficiencies placed on the GA sector by the regulator, CASA.

RA-Aus is now a major stakeholder in Australian Aviation. With more than 9,100 members the organisation continues to grow. Projected growth rates indicate that by the end of 2008, RA-Aus will be the dominant stakeholder of Day VFR flight training in Australia with over 12,000 members, 3,300 aircraft and over 162 Flight Training Facilities being greater than the number of CASA Day VFR schools currently in operation. This growth is a function of the collective support of recreational aviators of Australia with little Government financial support.

Government financial support to RA-Aus has declined from over 20% of Annual Income ten years ago to 5 per cent now, even though the cost of performing CASA mandated surveillance has increased. As a result of its diminished financial resources Recreational Aviation Australia Inc has to reduce the amount of funds available for the education and training of our membership without compromising the already high surveillance schedule we keep in comparison to CASA. This is a function of our Deed of Agreement for funding and is well in excess of GA surveillance requirements. Not only is this costly but has also placed strain on the ability of RA-Aus to supply trained Accident Investigators to assist State Police in determining the cause of aircraft accidents. Although rightly the purview of the Australian Transport Safety Bureau (ATSB), RA-Aus has had to get into the business of accident investigation as ATSB refuse to attend aircraft accidents involving RA-Aus registered aircraft; citing a lack of resources and Government imposed priorities for not investigating. Recreational Aviation has invested significant resources into the training of Investigators from within its own organisation, as well as helping to train other self administrating organisations and the police in aircraft accident investigation techniques.

"In particular, the recreational sector of the industry is growing strongly, which is a positive development in its own right but also a challenge for the traditional general aviation environment."

The challenge, as described above, can not be overcome by placing further restrictions on an already buoyant organisation which would drag them down to a Government induced parity with GA, but rather by assisting both organisations in the attainment of safety based outcomes. Restriction by regulation has only ever tightened the burden of red tape. Giving organisations the ability to effectively manage their own affairs by self administration is key to the survival and success of GA in the future. However, current inequities exist between the existing GA market (regulated by CASA) and Self Administrating Organisations (RA-Aus, Gliding Federation of Australia, Hang Gliding Federation of Australia, Australian Sports Rotorcraft Association) such as the availability of CASA resources for safety education.

Considering the amount of Government funding that goes into the current CASA administration of General Aviation, and the Safety Promotion budget that has been expended in the past decade: it is little wonder that superior safety education material has been promulgated to the GA industry. The end result is that self administrating organisations are neglected in critical areas that require greater funding to directly affect safety outcomes, such as education.

1.2 Addressing skills needs in the aviation industry.

The industry is in the midst of a skill shortage. The effects on the industry are already being seen with regional and domestic flight cancellations and the vacuum of experienced personnel and instructors in the GA industry. This effectively prevents the GA industry from recovery. Without experienced personnel and instructors to supply the demand fuelled by airline recruitment, the industry will face further difficulty.

"Skilled, well trained personnel are needed to meet the current and future demands of industry. Aviation relies on skilled pilots, engineers and air traffic controllers to continue to provide services and meet the growth needs of the industry."

"The rapid growth of commercial airline activity worldwide, and the consequent demand for airline pilots, has created export opportunities for pilot training services. Australia's flight training industry needs to be able to meet this growth potential."

Rising costs of GA training are a disincentive for those aspiring to a career in aviation and in future, the main breeding ground for commercial pilots and engineers is most likely to be recreational based. Currently the nursery that has so often supported the commercial airlines in GA is bare and has been used as a resource to support the increase in Airline growth without due consideration to its overall health. Support of the recreational sector is critical to retain the pool of people available to fill the growing need for personnel in the commercial sector. Government policy is required to make a priority the removal of current bureaucracy that hinders the flow of talented new pilots from the recreational sector through to General Aviation and the Airlines. Current regulations allow experience gained in recreational aircraft to be recognised and others do not:

Case in Point: Hours logged as a recreational pilot are recognised for PPL (Private Pilots Licence), ATPL (Airline Transport Pilot Licence) but not completely for the CPL (Commercial Pilot Licence), and not at all for the CPL 150 hour course. The 150 hr CPL course is the main conduit for training of potential airline pilot candidates, yet no mechanism is in place to recognise RA-Aus Instructors hours and experience in this course.

Unless the Government fully considers the viability of introducing HECS funding or full sponsorship of the training of pilots and engineers, then existing areas that offer a path of least resistance such as the recreational sector must be considered.

This skill shortage will deepen unless immediate mitigation of the areas above is implemented or the introduction of a viable Government funded alternative which will be far less cost beneficial.

"How can general aviation operators, particularly small businesses, establish viable business models that allow them to take advantage of current buoyant conditions in the aviation market?"

Many GA operators have taken advantage of increasing their school and overall income by adding a Recreational Aviation Flight Training Facility (FTF) to their GA school, which not only increases the financial viability of their operation but also attracts more business to their GA operation.

If the current inequities of converting pilots from recreational aviation to GA were removed, such recognition of recreational flying hours would assist many sport pilots in taking up careers in GA and the airlines. In this current day and age of Competency Based Training the current system would best be described as Draconian.

The second synergistic impact that this would have is to increase the number of GA instructors. The current recreational pool of instructors are mostly career instructors. This means that they are regionally based and are dedicated to the art of flight instruction and are not looking for the fast track to the airlines, thus increasing the readily available pool of instructors to GA and ultimately increasing the amount of potential new airline entrants to the industry.

"How has microeconomic reform impacted on general aviation businesses and what strategies need to be put in place to ensure that access to airport infrastructure does not impede industry growth and viability."

There is a growing trend towards operation of RA-Aus aircraft for training to cut rising costs of GA flying schools. Access to regional airports by recreational aircraft is an essential part of this. Barriers to such access will have a significant impact on the ability of recreational pilots to operate and gain skills and experience to benefit the industry holistically.

Issues such as the proposed mandatory surveillance through ADS-B and the consequent costs will severely affect the ability of recreational pilots to access such airspace. While such proposals may be in the interests of commercial operations in the short term, the longer term effect on reducing the pool of people from which they ultimately draw staff has been forgotten.

"What are the long term training needs of the Australian Aviation Industry, where will future pressures lie?"

RA-Aus contends that the problems associated with the training requirements in Australian Aviation need to be addressed on a national level. These needs lie within the ATC sector and the training of controllers, maintenance and also flight instructors. Currently the flight instructor shortage has not impacted heavily on the sector.

However, in as little as 12 months the skill drain could impact Australia's ability to train its own instructors and pilots, let alone export our training skills to other countries as is the present case.

It is highly possible that normal flight instruction in GA will not be available, or will be cost prohibitive due to the small number of instructors left. This will cause a national 'drought' in home grown airline pilots and it may very well see the pilots we are exporting through the schools catering for overseas students, returning to teach Australian pilots.

"Are proposals such as a national industry run flying school to train flying instructors worth investigating, and how might such a school operate?"

While there is merit in the idea of a national flying school for instructors, we must be ever mindful that this in itself could become another entry level barrier. Unless this was set up with a targeted audience, for example aimed at the Grade 3 GA instructor then the restrictions placed on recreational instructor training might very well break the last natural resource that we currently have. We must also be aware that this concept, whilst highly noble in its sentiment, can only work if it is fully subsidised by the Government.

Further work could be done with each area of the industry to assist them in the educational process of Instructor Training, and extra funding delivered to each organisation responsible for oversight of their respective area of industry to promote standardisation. This would be a cost effective and justifiable option.

In the last twelve months, RA-Aus, with the assistance of ASFA (Aviation Safety Foundation Australasia) has introduced Human Factors and Critical Decision Making training into the majority of RA-Aus flight training facilities in Australia without the assistance of Government funding; instead relying on industry sponsorship and member funds to effect safety outcomes and education to instructors that will set the scene for safe aviation flight training in the future.

RA-Aus believes that a national instructor training school may increase the standardisation of GA Instructors but does not believe that this is acceptable for Recreational Instructors.

2 Aviation Infrastructure.

2.1 The role of Government in protecting Secondary Airports and promoting new infrastructure.

The demise of many smaller airports (*e.g.* Evans Head) has been through lack of vision from councils of the importance of the airport to the local community. The asset in the land may seem better used for development projects to swell the council coffers, while impacting the aviation industry. Costs at major airports have increased due to the Government induced sell off of national assets, forcing GA operators to move to smaller airfields in an effort to remain viable. It is critical that these airfields are maintained and kept active so that the GA sector can continue to operate. Any closures or reduction of funding for infrastructure will inevitably lead to closure, with all the effects of decline as stated above.

RA-Aus continues to lobby councils regarding closure of airports. However our lack of power to influence decisions is an area that a National Government Infrastructure Policy would play a crucial role regarding the future of aviation in Australia.

The previous Government effectively abdicated its responsibility of the protection of the national aviation support and infrastructure network by relinquishing its control of state assets to privatisation. As a result we now see the effect that this has had on aviation as a whole. Most secondary airports fall under the privatisation regime, and therefore under the cost and fee structure of a corporation whose bottom line is dictated by profit driven shareholders. This places certain challenges on the already over-regulated industry trying to overcome the existing bureaucratic inertia.

Protection of this national resource must be a priority to ensure that further infrastructure is not sacrificed at the expense of the aviation industry.

2.2 Non-Aeronautical development on airport sites.

Third party risk at public airports is an issue that has been passed by with greater Government focus on the security risk inside aircraft and airport terminals. However the third party risk to endangering hundreds of people in a shopping centre built within a short distance of a functional runway has not been given the importance it deserves. Aircraft over-run or emergency during landing has the potential to increase the risk of injury to the Australian public by the construction of such retail outlets in close proximity to the runway surface area, to say nothing of the increased security risk in regard to an intentional or deliberate act.

Risk to Pilots and Passengers has also further increased with the construction of buildings in close proximity to the run way surface area. High rise development on aviation land has lead to significant handling difficulties for small and medium sized aircraft in some weather conditions which create turbulence through their structures, increasing the risk and decreasing the comfort of some operations at the airport. Not only is this a significant safety hazard but one which has been brought about by the privatisation of Government airports. RA-Aus recommends to the Government that all building on an airport must have taken into consideration the impact of the development on the safety of all aviation users, not just those common carriers that support passenger transport operations.

2.4 Private Airfields.

Due to the cost and fee structures associated with the Government induced privatisation of airports many recreational pilots are opting for private aircraft landing areas on their own land. However this is not as ideal as it seems with local councils calling for development applications for commercial airports in order to land in a paddock on their own property. This has come about due to ill informed definitions in some local council bylaws with regard to aircraft landing areas.

Due to the failure of councils to recognize federal definitions of aircraft landing areas, councils by way of legal action have denied these pilots (our future in aviation) from operating from their own land.

It is the strongest recommendation of RA-Aus that all local councils be made to recognise the federal definition of aircraft landing areas, so as to not impede the operation of persons from their own property unless posing a threat to the safety or wellbeing of others.

2.4 Air Traffic Management.

In order to fully appreciate the position that RA-Aus has taken with regard to the issue of ADS-B in the Lower Airspace Project, included below is the response to the JCP (Joint Consultation Paper) circulated for comment to the industry.

RECREATIONAL AVIATION AUSTRALIA INC

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RESPONSE to the

Joint Consultation Paper

Transition to Satellite Technology for Navigation and Surveillance.

October 2007.

Executive Summary.

Recreational Aviation Australia (RA-Aus) believes that the Joint Consultation Paper (JCP) proposal has been formulated to justify extended surveillance of aircraft without verifiable and quantifiable safety related evidence, and that the proposal is based solely on the economic benefits to Air Services Australia (ASA) and Regular Public Transport (RPT) Operators. Veiled threats of withdrawal of inducements and cross industry funding if a sector delays or does not accept the JCP recommendation does not engender a sense of consultation, but rather one of bribery and coercion.

The JCP justification that the economic benefits for ASA and claimed increases in RPT efficiency are justification enough to allow adverse economic impact, as well as adverse safety outcomes, for all other private airspace users is not supported. We also contend that the Cost Benefit Analysis provided is not rigorous or based on accurate current data, nor are the assumptions made accurate, with respect to the majority of the private aircraft fleet, and in particular the Recreational Aircraft fleet.

RA-Aus has a long standing board policy to oppose any mandatory introduction of ADS-B for aircraft operating in CTAF(R), class G or E airspace in line with accepted practice in the US NAS airspace, unless there is a clear-cut unequivocal safety case that concludes that the US and ICAO in their collective wisdom have it wrong. The JCP falls short of providing a compelling safety case to justify the introduction of ADS-B (LAP).

RA-Aus is unable to accept the proposal in its current form nor the suggested timing of the mandatory introduction of ADS-B (LAP).

RA-Aus Response to JCP Key Change Proposals

Proposed timing of transition to satellite technology for navigation and surveillance.

Not acceptable under any circumstance.

Requirements for carriage and use of ADS-B avionics from mid 2012

Not acceptable under any circumstance.

Requirements for carriage and use of ADS-B avionic from mid 2014

Not acceptable under any circumstance.

Use of funds that would otherwise be spent on navaids and enroute radars to provide cross industry funding for fitment of ADS-B and GNSS avionics in aircraft less than 5,700kg

Not acceptable under any circumstance.

RA-Aus Position

The JCP and supporting documentation Cost Benefit Analysis (CBA) have been examined by RA-Aus in preparation for our response. The CBA paints a rather rosy picture of the benefits for ASA while disregarding the true negative economic impacts on Australian Aviation if ADS-B were to be mandated for the whole of the Australian private fleet. We are deeply concerned at the attempt to oversell the benefits of navigation with the added impost of surveillance and thereby justifying both under the CBA by stealth. Statements such as: "Improved operational efficiency for RPT operations….greater availability of optimal flight levels…. due to accurate aircraft position information for ATC and pilots" benefits that are currently available from Ground Based Radars (GBR) and transponders. It appears that ASA chooses not to invest in their business and wish to shift the investment burden on to all airspace users. RA-Aus has no objection to the implementation of ADS-B (UAP) in class A airspace where the majority of the so-called benefits of optimal Flight Levels accrue.

The CBA draws comparisons from non-comparable ATM systems to Australia's primarily Class G nature and we also note that both the JCP and the CBA consistently refer to the benefits of safety by combining ADS-B (Out and In) in every context, when ADS-B (Out) is only being subsidised and which offers no protection to the majority of lower airspace users such as Recreational/GA pilot unless fitted with ADS-B (In). Therefore any claims of a safety based case arguments for the GA/Recreational fleet in the JCP/CBA are disingenuous at best.

If implemented, the JCP proposals would force higher cost impost on a sector of the industry that can least afford it. Unilateral mandating of ADS-B could have the effect of encouraging a new and adverse underground culture. Higher entry and operating costs (new aircraft fitment and ongoing maintenance) will have an adverse effect on the growth of recreational/GA operations. ADS-B will effectively create a controlled Class 'G' contrary to a previous Ministerial Airspace Policy Statement stipulating 'G' as the default airspace.

The JCP canvassed option of cost free ADS-B fitment, without allowing for costs involved in ongoing maintenance support, will not encourage new aircraft ownership and will stifle growth rates in all sectors of aviation. Contradictory comments on the life of ADS-B units ranging from 15 to 25 years do little to engender confidence in the data presented.

No guarantees have been given that once ADS-B is mandated in class G airspace it will not be used as a vehicle to expand ASA airways charges or unnecessarily restrict operations.

The JCP data and assumptions are not based on facts. Current data out of the US (Aviation Week & Space Technology, 8th Oct 2007 Pg 40) claims that costs for GA aircraft could be as high as US$17,000.00 and cites avionics capacity constraints as one of the major limiting factors. It is a well known fact that Australia suffers a major shortage of avionics LAMES. Indicative costing presented in the JCP are far off the mark and would increase dramatically due to supply and demand pressures if mandatory fitment were to be introduced. In any case, the FAA is only proposing fitment to commercial aircraft and not until 2020.

For most Recreational and GA pilots, ADS-B (Out) only offers no foreseeable safety benefit in the mandatory fitment to a radio equipped aircraft. Even if ADS-B (In) is provided it could lead to an over reliance on this new technology and has the potential to generate a culture of 'video screen VFR' which will in turn create the very same accident that it was installed to prevent.

We note with interest that the military have withdrawn from being compliant within the proposed ASA time frame and have set their target for 2020 in line with the US. It would be farcical to insist that the civilian fleet have mandated fitment without including the military fleet.

Apparently ASA have already reached the foregone conclusion that they will introduce ADS-B regardless of the wishes of the majority of aircraft owners in Australia. ASA's blatant disregard for ministerial directive "Air Services Act 1995 Section 16 Direction No.4 of 2004" would seem to be the motivating factor for attempting to force ADS-B on the private aviation sector in Australia, when in the US, ADS-B will only be mandated for Commercial aircraft operating in upper airspaces. Statements in the JCP alluding to the fact that ADS-B training and education packages are already being prepared makes a mockery of the consultation process.

JCP/CBA Shortcomings

What little safety justification is presented in the JCP/CBA draws a very long bow. It assumes that VFR CFIT accidents will be reduced. Any seasoned pilot would agree that the way of reducing VFR CFIT accidents would not be by focussing attention inside the cockpit at the expense of external visual cues.

Claims of efficient preservation of life through using ADS-B for accident location overlooks an already introduced mandate for the introduction of 406MHz GPS locator beacon by Feb 2009, and already deployed by a growing number of Recreational and GA pilots, at far lower cost than ADS-B. Many such leaps of deductive reasoning are evident in the paper and applied to excess - including that VFR flights into IFR conditions will be mitigated by ADS-B. In fact this technology may well encourage scud running and inadvertent entry into non VFR conditions.

Mid air collisions research demonstrates that risk increases with proximity to an airfield. ADS-B OUT does not mitigate this risk, only "see and avoid" is the most efficient method as even TCAS is unreliable in close proximity to circuit traffic. In the case of CTAFs the heightened sense of false confidence in technology, both radio and ADS-B is, in itself, posing more risk than it does a mitigator. A non-radio equipped aircraft is virtually invisible in this sense, to others not practised in "see and avoid" principles.

The JCP claim that ADS-B will reduce Violations of Controlled Airspace (VCA) is also a rather large deductive leap as most VCAs occur from penetration from Class G where there is no requirement below 5000' to carry a radio or ADS-B (Out).

RA-Aus formally reject the figures quoted in the CBA with respect to non-VH registered aircraft in **Table 4-6: Entire fleet numbers.** Not only are these figures incomplete by not including the Hang Gliding Federation of Australia's currently registered aircraft, but also age of the data is of great concern. Whilst it is true that most of the 'traditional' Australian registered aircraft numbers remain fairly constant, the same can not be said for the Non-VH registered area. This demonstrates the questionable integrity of the JCP/CBA data presented. RA-Aus data since 2002 has documented an actual growth rate in excess of 10% **per** year to date, in the number of RA-Aus registered aircraft. RA-Aus Aircraft registrations have recorded a 16% increase in CY 2006. For these reasons alone, we believe that the CBA analysis and integrity of the document is flawed, assuming only an arbitrary growth rate of 4% a year.

RA-Aus current projections using a conservative figure of 13% growth rate in aircraft registrations (not taking into consideration the current exponential swing) has projected aircraft numbers at **4706** for CY 2012 and the CY 2014 aircraft registrations are projected at **6009**. The CBA cost analysis has been formulated on incorrect data and has also failed to correctly assess projected growth rates. Nor do the CBA figures take into account Hang Gliding Federation current and projected figures, further skewing the analysis towards the wrong side of the balance sheet.

Security and Border Protection

Linking ADS-B to National Security has no real value unless tracking compliant aircraft. Only primary radar will identify a non-compliant or hostile aircraft. In the US the Department of Transportation's Inspector General Calvin L. Scovel III told Congress "that ADS-B had Potential Security Vulnerabilities, because ADS-B makes the position of aircraft in flight generally available, some are concerned about the possibility of introducing false targets into the system". He also went on to say: "A security assessment is needed to determine ADS-B risks and appropriate countermeasures. The FAA needs to continue to work with the intelligence community and the Departments of Defence and Homeland Security to ensure that concerns about ADS-B security are adequately addressed". Therefore any claim that ADS-B has benefits for National Security is premature. In fact, ADS-B has some potentially damaging vulnerabilities and shortcomings that could work against National Security.

JCP Comment Conclusion

The JCP has made a compelling case for the introduction of ADS-B based solely on the economic benefit of introduction for Air Services Australia (ASA). Introduction of ADS-B would relieve the economic burden for ASA of replacing existing ground based radars and shift the burden on an aviation sector already reeling from high costs and least equipped to absorb further cost imposts. The JCP has failed to make a clear cut safety based case for the introduction of ADS-B (LAP).

In the USA, the FAA is proposing fitment of ADS-B to commercial aircraft only, and in any case will not be mandatory until 2020. The FAA acknowledges that there are still major risks that will have a direct bearing on the cost, schedule, and expected benefits of ADS-B and has called for further consultation and studies.

The timelines and scope of the ADS-B (LAP) introduction in Australia as proposed in the JCP are patently not required for any other reason than to relieve ASA from a Ministerial directive they have failed to implement. The proposals and timelines outlined in the JCP are unrealistic, unachievable and an unnecessary economic burden on private aircraft owners with no apparent safety benefit.

3 Aviation Safety.

3.1 Safety Regulation and Regulatory Reform.

The Regulatory reform project which has been in transition for the past ten years is a positive step forward in moving to outcome based regulation. However the length of time this project has taken exacted a heavy toll on the industry representatives participating in the process. Many of the representatives participate on a volunteer basis for the non-profit organisation they represent.

This process, although nearing its end, has been drawn out by the inadequate funding and low priority status given to it. Industry cannot afford to support Government reform into the future in such a manner. Being past the point of no return is the only reason industry still persists to see the reform to the end. If Government were to make the finalisation of the RRP (Regulatory Reform Process) as a priority with CASA then significant cost savings could be made on both the Government's behalf as well as industry.

3.2 Regular Public Transport into Non-Controlled Aerodromes.

RA-Aus recognises the Government's commitment to the priority of the fare paying passengers' safety, however it questions the right of commercial operators, by default of their own commercial expansion, to project higher costs on a sector of the industry which can ill-afford it. It is well known that due to the commercial expansion of the LCC and PTO operations in regional Australia, we are now seeing for the first time expanded medium to heavy PTO into non-controlled aerodromes. These areas are where GA, sport and recreational aircraft operate in greater numbers and there is a possibility for conflict.

The increased activity of heavy aircraft into non-controlled airports places an increased load on the infrastructure without any contribution to put in place systems which would ensure the continued access for current users.

3.3 Safety Management Systems.

Maintaining an appropriate safety culture is vital, and needs to be driven from the top of an organisation. The modern approach to regulation includes an emphasis on accountability, risk management and Safety Management Systems (SMS), which requires operators to examine all aspects of their business to build safety in.

"Are there ways in which the approach to Safety Management could be enhanced?"

RA-Aus believes that positive safety culture is an important means by which a self administrating organisation can effectively manage its day to day responsibilities of safety and due to this core belief has embraced the essence of SMS.

"Responsibility for aviation safety does not rest solely with the Civil Aviation Safety Authority (CASA), the safety regulator. In the first instance, the responsibility for safe operations rests with operators."

Whilst the regulator is not the be all and end all with regard to the safety of an organisation, it must be understood that they play a vital role in the provision of safety educational material. To satisfy the requirements for GA under the required ICAO convention, SMS educational material has been sent out to all GA businesses with a view to this educational material being used by operators to take a pro-active role in managing their own safety procedures. This material has not been provided to any of the self administrating organisations or the nearly ten thousand members and 150 flying schools currently in operation in RA-Aus. This educational material is essential in educating our members with regard to SMS. Without this support from the regulator, any organisation will have difficulty in the implementation of safety management systems.

3.4 Industry/CASA Relations.

In the past RA-Aus has had a good working relationship with the regulator, and with proper consultation with the industry RA-Aus looks forward to the future working with CASA. However some areas with respect to consultation have been less than optimal.

Consultation must be held with all sectors of industry not just those who have the biggest financial stake in the process but also those who will be adversely affected by decisions made. This is an all too common practice and one which RA-Aus would highly discourage in the future and urge the Government to reconcile.

Strengthening Industry Relations.

It must be noted that Industry, especially those involved in self administration, require effective and efficient planning and consultation with the Government agencies. This is often not taken into consideration by the Government and great impost is placed on the industry to consult with the Regulator and other Government agencies.

Although these meetings are necessary for both industry and Government, before consultation breaks down due to financial hardship of industry there is need for an action plan which includes more accountability by Government for the progress of elements and decisions from such meetings. Only then will there be real and valid benefit to industry.

CASA staffing.

Often the frustration exhibited by industry is due to the inability of the regulator to provide the necessary manpower to effect change and development of industry based consultation projects. This must change, or there will be no industry left to consult with far reaching effects nationally.

3.5 Self Administration.

"Is self administration a key factor in the growth of recreational aviation? Is there more scope for some parts of the industry to self-administer. What are the opportunities and risks for the industry, regulators and community in greater 'self-administration'?"

Recreational Aviation Australia Inc. administers light two seat sport and recreational aircraft on behalf of CASA. This includes all certification of pilots, instructors and flying schools as well as aircraft maintenance and registration of over 2800 aircraft. RA-Aus has administered these operations for over 25 years and is a successful and thriving industry due to self administration.

The success of this self administration demonstrates the industry's ability to manage itself in a manner that requires safety as a pre-requisite, and efficiency as a valued by-product; to produce outcomes that are accepted by the regulator, relished by the membership and enviable to other areas of industry.

Opportunities of Self Administration.

Self administration presents a valuable resource to the regulator as a committed organisation of appropriately trained and experienced people that have the desire and motivation to affect the oversight of an area of aviation that is usually the sole responsibility of the Regulator.

Opportunities for Regulators-

This administration of industry participants translates into savings to the Government due to capitalising on a user-pays system with oversight from the regulator. Not only does this reduce the funding of Government overheads such as staffing and oversight but also allows Industry to be accountable.

Opportunities for Industry-

Self administration also gives Industry the ability to operate and design the functions of their organisations without bureaucratic over regulation. It also allows their members to become informed participants, to take responsibility for their own safety, and that of other members and the public seriously. This develops a positive safety culture and growth in an Industry previously strangled by regulations and red tape.

The increased opportunity for the self administrating organisation is to have a peak body to encourage, support and foster the growth of aviation in Australia. This is self evident in the rapid increase in membership to RA-Aus exceeding 35% annually.

Opportunities for Community-

Benefits to the wider community include having a responsive body to react to and mitigate against potential effects to communities in relation to operation of the aircraft under its administration.

In the case of RA-Aus, a peak industry body financially supported by the members also assists the police, Coroner and wider community in the event of an aircraft accident, incident or fatal aviation event.

This support, given to the federal, state and local law authorities, is invaluable to the investigation. Timely findings of fatal air events saves local communities from expending local untrained assets on an accident site.

This also has an impact on the safety of local community first responders to an accident scene by providing safety information such as the disarming of ballistic parachutes and other information that would otherwise not be available to prevent further tragedy in respect to the preservation of life.

Risks of Self Administration.

Risks for Regulators-

The regulator is in the enviable position of having all the work done by a self administrating organisation without having to expend significant resources. However the greatest risk a regulator faces is under-resourcing and financial mis-management of the organisation.

This risk extends to the regulator as they are required to provide a parallel path for persons that wish not to join a self administrating organisation. The regulator is rarely equipped, trained or resourced to conduct this role and if a situation arises. I there is an imminent collapse of an existing self administrating organisation that occurs then they will be required to supply the alternative.

Risks for Industry-

Most established self administrating organisations are finding it difficult to secure a viable future as an organisation because the funding received from the regulator does not cover the basic requirements of even a full time employment position, thus relying on volunteer input to the running of the organisation.

This is not an enviable position as they are responsible to the regulator for enhancing the safety of the membership without a viable monetary means of supporting such education and administration. The greatest risk to all current self administrating organisations is that the regulator may remove or reduce the funding received per annum.

Whilst no change to the current system has been discussed, it is the economic future of all self administrating organisations hangs in the balance if funding is removed.

The saving in relation to each organisation and the work conducted on the regulator's behalf is between 80-95% of the real value of the service provided depending on the complexity of the organisation. This represents a substantial cost saving to Government and a potential time bomb if funding arrangements are not tailored to the requirements of each organisation.

The regulator must not disadvantage current organisations by funding start up organisations with seed money while not further supporting existing functional self administrating organisations.

Further risk to the viability of the functional self administrating organisations at present is the continued increase of requirements placed on organisations by successive restructuring of the regulator. This extra workload increases the difficulty of the organisation to perform its obligations to its members and at the same time satisfying the changing ideals of the regulator.

The single greatest risk to all self administration is the reduction or loss of Government funding. This translates to a risk to the community from the collapse of safety systems put in place by the self administrating organisation.

4 Customer and Community Protection.

4.1 Safety, Environmental and Efficiency Concerns.

National Airspace System (NAS)

Recreational Aviation Australia (RA-Aus) believes that the Australian airspace is a valuable national resource to be managed for the greater good of all users no matter how large or small their operations. The discussion paper and references to the PCR Australasia Pty Ltd (PCR) Post Implementation Review (PIR) of National Airspace System (NAS) 2c presented does much to highlight not only the current dissatisfaction with the NAS 2c procedures but also that there is 'no measurable change in the level of safety of operations as a result of NAS 2c' (PCR PIR Page 17). RA-Aus does not believe that adopting another hard and fast system of establishing/dis-establishing CTAF(R)s should be adopted to cover the short falls in perceived safety of the introduction of NAS 2c in order to compensate for perceived reduced safety levels at Passenger Transport Operations (PTO) aerodromes.

Recreational Aviation Australia does not believe that the current 'Australianised' system of NAS conforms with Government Policy of adopting ICAO standards. RA-Aus would strongly encourage that the current NAS 2c model be abandoned and the United States (US) ICAO based NAS system be adopted, thus negating the need for CTAF(R).

5 Aviation Security.

5.1 Government's Aviation Safety Focus.

The Government focus on aviation security has left this nation with a blinkered approach to security. The aviation security concerns and subsequent overreaction following 9/11 in Australia have had little practical benefit in the overall security of the nation as a whole. Whilst this has in its own right started a whole new aviation industry at great cost to the Australian public, it has done little to mitigate against the emerging threat of terrorism on public transport, such as buses or trains. It is also evident that the Government overreaction to aviation security and the introduction of the ASIC (Aviation Security Identification Card) has yielded little or no practical benefit to the general public and has caused significant delays in the training and production of pilots to the GA and Airline industry, which is now facing some of its greatest challenges to date with skill shortages.

5.2 Aviation Security Identity and Background Checking.

"Is the current regime too heavy handed? Could it provide a similar level of protection while reducing demands on passengers, industry and workers?"

It must be stated that RA-Aus is an ASIC Issuing Body providing cost based services to our members in the midst of the Australian aviation security frenzy. The current regime is too heavy-handed and although the focus should remain on the aviation PTO Operators, the demand on recreational pilots could be dropped with little or no variance in the protection afforded to fare paying passengers. The arguable safety benefits of a plastic background check around your neck at a regional airport that services a PTO aircraft movement once a week is questionable at best. RA-Aus believes there is a valid safety based case for the ASIC requirement in PTO crew and industry workers associated with the running or operation of PTO. However the imposition of this requirement to the wider recreational and general aviation industries not involved in PTO is a Government induced overreaction to impose further cost on the area of the industry that can least afford it, carrying forward ramifications in reduced pilot training and ultimately pilot and trained maintenance personnel shortages.

"Should the ASIC eligibility criteria be further strengthened."

Recent changes to the ASIC issue process have left RA-Aus with questionable reason for providing this service to members. The initial impact of the new security requirements although extensive and unwarranted in many regional centres was borne by our membership at great personal cost. Some members have since resigned from the organisation due to the bureaucracy of the security requirements, and are now operating without licence or registration in areas of Australia representing a greater threat to the national interest in their operation than before the security requirements were initiated. Some members have resigned from the organisation perhaps never to fly again due to the added cost impost, taking with them a great wealth of knowledge and experience that future generations of Australian pilots may never have the opportunity to access.

In recent times providing this service to RA-Aus members has been made unviable by the introduction of yet another Government body, AUSCHECK. This step to rationalise the ASIC production has had a profound cost impost on our membership. Not only has this increased the cost associated with the issue of an ASIC to the membership, but also added extra complexity for the Government department's gain with little or nil industry safety benefit.

Subsequently, from the original issue of an ASIC under the new regime, the required background checks originally required as a one off check have become a standard renewal process, which added complexity, and does not relieve industry presently of the cost of the initial background checking as originally agreed. Not only has this increased RA-Aus workload in terms of staffing in the organisation but it has also frustrated all industry with further increased workload of data entry and confused current ASIC suppliers with inconsistent data entry procedures and processes. Additionally, the disorganised and woeful standard of training and education supplied by the new Government body further wastes what little time and resources the industry has left.

"Could the requirements imposed on industry be changed to achieve similar results at less cost, or greater security at the same cost?"

Any further change to the current AUSCHECK requirements must be funded by Government or the industry will be simply unable to support the Australian people in the current regime of Australian aviation security.

RA-Aus would strongly recommend the overhaul of the ASIC/AUSCHECK system in line with the required cost benefit and risk analysis methodology required for all aviation decision making.

Conclusion

RA-Aus is keen to continue collaborating with the Government in the development of the National Aviation Policy Statement and the White Paper that will underpin it. Aviation in Australia has suffered from inconsistent and slow implementation of decisions reached during the industry consultation process. This paper has highlighted a number of areas that need detailed consideration in development of the white paper. The main areas of concern are:

CASA Bureaucratic Inertia

Industry has invested vast resources supporting the CASA regulatory reform process only to find that the mechanism of government is unable to deliver agreed out comes in a timely fashion. On many occasions the consultation process has arrived at an agreed outcome and CASA is unable to have the changes implemented reportedly due to a lack of resources in the Office of Legal Drafting. In some cases the delays have stretched into years and undermine the industry's faith in the system or CASA's ability to deliver on promises made.

CASA should as part of its charter be required to foster and develop aviation so that it becomes mindful of the deleterious effect that ill thought out regulations have on General Aviation.

ADS-B

RA-Aus has severe reservations about the transparency and quality of advice the Government is receiving on ADSB as well as the adverse effect any mandate will have on the viability of the recreational sector of the aviation industry. Clearly, ADSB will save Air Services Australia many millions of dollars in currently identified radar capital replacement costs. To have the CEO of Air Services sitting on the Aviation Policy Group (APG) offering advice on ADS-B is a blatant conflict of interest and should be addressed immediately.

RA-Aus had submitted a response to the Joint Consultation Paper in October 2007. We believed the paper was flawed and resorted to bogus safety case data and full of wild claims and assertions. Again The JCP only allowed a matter of weeks for industry to comment. Industry is still waiting for the analysis and feedback on our input some nine months later!

In the United States ADS-B is not being mandated until 2020 and then in airspaces above FL120 and is not being contemplated for lower airspaces where recreational aircraft operate. For Australia to mandate a technology a decade before the US is to invite obsolescence and additional cost to industry in the future. A mandate for ADS-B is likely to affect only several hundred commercial jets, however if the mandate is extended to lower level airspace the cost will be prohibitive and affect in the vicinity of ten thousand aircraft (10,000), further constraining the viability of the General Aviation sector and in particular the recreational sector. Mandating of ADS-B for other than Upper Level airspace cannot be supported.

Airport Infrastructure

The Government needs to revisit the ALOP decision that handed airfields to Local Councils. In many cases Local Councils do not have the experience necessary to operate airfields and airports and in many cases have sold off the airfields for short term gains. Development and growth of General Aviation is predicated on affordable access to both secondary and rural airports.

National Airspace System

The current government policy statement is supported. Of paramount importance to us is the long standing policy of equitable access to airspace for all users regardless of economic power. We currently have airspace rules that are unique to Australia, we would like to see standard ICAO airspace adopted as the norm and NAS 2c scrapped.

ASIC Security Requirements.

When new aviation security requirements were introduced, the government reimbursed infrastructure providers for the additional costs of the mandates. Ongoing security costs in the General Aviation sector are an addition inhibitor and all associated costs should be met by Government or more common sense applied to the current ASIC card requirements.

Recreational Aviation Australia Inc.

27th June 2008.