

Mr David Forsyth AM
Review Panel Chair
Department of Infrastructure and Regional Development
GPO Box 594
CANBERRA ACT 2601

9 July 2014

Aviation Safety Regulation Review - Report

Dear Mr Forsyth,

I am writing to you in relation to the recently released Australian Safety Regulation Review (ASRR) report. The Australian Airports Association (AAA) would like to thank the Review Panel for the opportunity to comment on the report and for kindly granting an extension to provide a response.

The AAA has reviewed the ASRR report and is comfortable with the 37 key recommendations that have been proposed. Safety is of paramount importance for airport operators and the aviation industry as a whole, and it is pleasing to see that this issue has been identified as a priority.

In particular, the AAA strongly supports recommendation 18 of the report, which provides for CASA to reintroduce the 'use of discretion' procedure in its inspection processes. The AAA believes that this would allow for a much more collaborative approach between CASA and aerodrome operators, allowing for a practical and efficient outcome to be achieved in remedying any perceived breaches.

While many of the recommendations arising from the review are wide-ranging, they fundamentally highlight the importance of a more productive and collaborative relationship between the regulator and the aviation industry in the interests of improving the aviation safety regime for Australia. This is timely given that the industry has recently voiced its distress in relation to the current resourcing and operation of the Civil Aviation Safety Authority (CASA).

The AAA has recently written to the Deputy Prime Minister, the Hon Warren Truss, raising several concerns in relation to CASA. The industry is very concerned about the resourcing and recruitment difficulties being experienced by CASA in relation to its aerodrome inspection regime and the much needed review of the Manual of Standards (MOS) Part 139 – Aerodromes. The AAA has also alerted the Deputy Prime Minister to the need for a person with experience in aerodrome operations to be appointed to the CASA Board.

Consultation with CASA has revealed that it has been experiencing difficulties in maintaining a sufficient number of aerodrome inspectors to carry out its aerodrome safety inspection program. The AAA understands that aerodrome inspector staffing difficulties have arisen from a combination of staff resignations, long-service leave, and retirement. Normally these issues could be managed through the course of business, however due to the Commonwealth's efficiency dividend and the resultant budget restrictions on recruitment, CASA is now short-staffed in this area by as much as 30%.

The impacts of these shortages have been evident in recent consultation with a major regional airport member that indicated that it had not been subject to an in-person inspection in some eight years. Given the size of the airport and the size of aircraft that service that airport, this is a very concerning outcome.

Whilst the AAA is confident that the internal processes at that particular airport are sound and that inspections are regularly undertaken by an accredited third party inspector, it does raise questions about the scope and validity of the CASA inspection regime. To avoid potentially compromising safety in the future, it would be prudent to introduce a maximum allowable timeframe between aerodrome inspections, with any aerodrome inspections falling outside that timeframe to be reviewed as an urgent priority.

With regards to the review of MOS Part 139, a Post Implementation Review (PIR) of the standards has not been undertaken since its inception in 2008. Standard CASA practice allows for the PIR to take place approximately two years after implementation. By any standard, the review of MOS Part 139 is incredibly overdue.

After raising the need for a review of certain chapters of MOS Part 139 over a number of years with CASA, with nothing having been completed, we were pleased when advised in October 2013 that the PIR was to finally be undertaken and resources had been allocated to the task, with two positions being advertised to undertake the work. Unfortunately no successful candidates were found in the recruitment process at that time.

The lack of internal resources has meant that the PIR of MOS Part 139 has again stalled. Industry has now been waiting a further nine months for anything to occur. The AAA has also been advised that CASA will not be immediately re-advertising the roles required to undertake the review, with the roles scheduled to go back out to market expected to take an additional two-three months.

The apparent ongoing lack of concern displayed by CASA, given the important need to undertake a review of MOS Part 139 is alarming. The industry has identified more than 100 issues that need to be urgently addressed in the document, through our paper titled "AAA Review of Manual of Standards 139". This was provided to CASA in May 2014. The AAA has received no formal response from CASA and any meetings with CASA staff where the matter has been raised have resulted in statements indicating that nothing can be done until the staff are recruited for the PIR roles.

From a risk perspective, should a serious safety incident occur at an airport, there is likely to be substantial criticism levelled on the approach taken by CASA in relation to its regulatory processes for airports. It is for this reason the AAA has requested the Government give immediate attention to reviewing the resourcing issues impacting CASA to ensure that aviation safety does not continue to be compromised.

In relation to the CASA Board, the AAA has argued that airport or aerodrome management experience should be a 'highly desirable' attribute for future Board appointments. Australia's aerodromes are absolutely critical parts of the national aviation infrastructure, and experience of their operation and management is vital to informing discussion and decisions on aviation safety and regulation matters.

It is recommended that the CASA Board, in broadening its aviation industry experience, endeavour to reflect all aspects of aviation operations, including aerodromes. In ensuring greater industry representation on the Board, it is important that the diversity of the aviation industry is also adequately reflected and this extends beyond airlines and the flying community. Put simply, there is no aviation industry without our aerodromes, large and small, across Australia.

The AAA has also identified the need for there to be stronger oversight and reporting from CASA to the Department of Infrastructure and Regional Development. The AAA understands that there are legislative restrictions in place that prevent the Department from exercising any control or direction over the operations of CASA, however the industry believes that these restrictions need to be reviewed. In allowing the Department to have influence and visibility over all aspects of the infrastructure portfolio, there would be greater transparency of operations and the ability to manage issues efficiently as they arise, resulting in an improved safety outcome.

Australia has a well-deserved reputation as a leader in aviation safety and the AAA is pleased that independent review has identified a number of areas for improvement across the industry. The AAA looks forward to continuing to work with the Government to ensure that Australia stays at the forefront of best practice in aviation safety regulation.

I would welcome the opportunity to discuss any of the above issues with you further and please do not hesitate to contact me should you have any questions.

Yours sincerely,



Caroline Wilkie
Chief Executive Officer