

NATIONAL AVIATION POLICY – GREEN PAPER  
CAIRNS AIRPORT PTY LIMITED SUBMISSION  
AIRPORT EMERGENCY PLANNING

On 27 February 2009 Cairns Airport Pty Limited (CAPL) (writing as North Queensland Airports Consortium on behalf of Cairns Airport Pty Limited and Mackay Airport Pty Limited) provided a written submission on the National Aviation Policy Statement (Green Paper). CAPL also participated in the round of consultative forums conducted by the National Aviation Security Taskforce that allowed, among other things, relevant stakeholders to respond to issues raised in the Green Paper.

At this late stage it appears that Airport Emergency Planning has been overlooked at the expense of broader issues. This submission is designed to correct that oversight and, on the basis that the government aims to deliver the highest standards of safety and security, to provide for Airport Emergency Planning to be included in the White Paper.

The application of airport emergency planning to civil aviation stems from deliberations of the International Civil Aviation Organisation (ICAO) and from ‘standards’ determined by ICAO. In 1947 ICAO was formally established as an agency of the United Nations. Since that time the organisation has developed numerous conventions with the objective of promoting the safety of international civil aviation. In accordance with the provisions of Annex 14 to the Chicago Convention 1944, member States are required to establish at every airport an emergency plan commensurate with the aircraft operations and other activities conducted at the airport.<sup>1</sup>

Annex 14 also contains ICAO’s standards and recommended practices for aerodrome emergency planning. Guidance material supporting Annex 14 is set out in the ICAO Airport Services Manual, Part 7, Airport Emergency Planning.

---

<sup>1</sup> ICAO Airport Services Manual Part 7 Airport Emergency Planning

In relation to airport emergency planning it is perhaps not unreasonable to draw an analogy with aviation security. Just as aviation security, as a specialised area, sits under the broader spectrum of national security, so airport emergency planning, also a specialised area, sits under the broader spectrum of emergency management/planning generally. Aviation security and airport emergency planning are both subject to ICAO standards and recommended practices, although it might be argued that aviation security has been dealt with, continues to be dealt with, quite differently to airport emergency planning. And at this point it might be worthwhile to make a distinction between aviation security (and OTS) and airport emergency planning (and CASA):

- On an international level standards and recommended practices for aviation security are addressed in Annex 17 to the Chicago Convention 1944. The ICAO Security Manual for Safeguarding Civil Aviation Against Acts of Unlawful Interference is the detailed guidance document issued in support of Annex 17. The Manual was developed for the purpose of assisting states to promote safety and security in civil aviation through the development, among other things, of aviation security practices and procedures and, where necessary, a response to an act of unlawful interference. Introducing international requirements in relation to aviation security is the responsibility of the Office of Transport Security (OTS). That office resides within the Department of Infrastructure, Transport, Regional Development and Local Government. OTS is responsible for policy development and implementation based on sound risk assessment and risk management practices; the development and introduction of aviation security standards via legislation (the standards are designed to consider Australia's aviation security risk and also to implement international (ICAO Annex 17) standards); responding to increased threat and risk advice through the implementation of additional security measures as appropriate; evaluating compliance with Australian aviation security standards by airline, airport and international cargo regulated agents performance; disseminating appropriate intelligence advice to the aviation industry; overseeing aviation security exercises to improve industry and other aviation users' ability and skills to

respond to aviation security incidents and increasing overall airport security awareness.<sup>2</sup>

In addition, OTS chairs an industry consultative group (the Aviation Security Advisory Forum or ASAF) that meets on a regular basis and also appoints Working Groups to report back to ASAF on identified issues within the aviation security industry.

- Also on an international level, airport emergency planning (among others) is addressed in Annex 14 to the Chicago Convention 1944. The ICAO Airport Services Manual, Part 7 is the detailed guidance document relating to airport emergency planning issued in support of Annex 14. The purpose of the material in this manual is to assist States in the implementation of these specifications and thereby help to ensure uniform application. Introducing international requirements in relation to airport emergency planning is the responsibility of CASA. CASA was established on 6 July 1995 as an independent statutory authority and is a body corporate separate from the Commonwealth. The mission of CASA is to enhance and promote aviation safety through effective safety regulation and by encouraging industry to deliver high standards of safety.<sup>3</sup> In relation to CASA:
  - The Chief Executive Officer manages CASA, and is responsible to the Minister for Infrastructure, Transport, Regional Development and Local Government,
  - CASA's primary function is to conduct the safety regulation of civil air operations in Australia and the operation of Australian aircraft overseas.<sup>4</sup>
  - the previous CEO expressed the view “A good regulator will communicate and consult extensively with stakeholders.”<sup>5</sup>

CASA’s regulatory processes relating to aerodrome (airport) emergency planning are not an issue, although unlike OTS, presently there does not appear to be an appropriate mechanism for government sponsored consultation nor for the development of

---

<sup>2</sup> Department of Infrastructure, Transport, Regional Development and Local Government website [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

<sup>3</sup> CASA Our Mission [www.casa.gov.au](http://www.casa.gov.au)

<sup>4</sup> CASA’s Role [www.casa.gov.au](http://www.casa.gov.au)

<sup>5</sup> CASA Service Charter Forward by the former CEO, Bruce Byron

comprehensive guidance material endorsed by government that would materially assist airports to “demonstrate worlds best practice”<sup>6</sup> in meeting aviation safety regulations.

It is perplexing that Government has demonstrated strong support and sponsorship for aviation security, but airport emergency planning does not attract anywhere near the same level of interest from Government.

Until 2005 airport emergency planning relied on the National Airports Emergency Planning Committee for guidance material and as an industry consultative forum.

The National Airport Emergency Planning Committee (NAEPC) was established in 1994 after the major airlines had earlier approached the Federal Airports Corporation (FAC) in 1992 to discuss the need for a standardised Airport Emergency Planning framework.

The FAC at the time (a Commonwealth Government Business Enterprise which commenced operations on 1 January 1988) managed and operated 22 airports. After the announcement of the Federal Government’s airport privatisation program in 1994 the demise of the FAC was eventually bought to a close in 1998 when Sydney Airport Corporation Limited (SACL) was formed. SACL in turn was sold to a private consortium in 2002.

The NAEPC convened under the auspices of the Australian Airports Association (AAA). The AAA was founded in 1982 in recognition of the need for a representative body for all aerodromes and airports throughout Australia. It is a non-profit organisation that, as at 1 July 2007, represented the interests of over 270 member aerodromes and airports Australia wide.<sup>7</sup>

As an organization, the NAEPC produced and issued a guidance document titled Airport Emergency Planning in Australia. Generally, airport emergency plans are based on this document.

---

<sup>6</sup> CASA Charter Letter dated 25 November 2003

<sup>7</sup> Australian Airports Association Website [www.aaal.com.au](http://www.aaal.com.au)

In mid 2005 serious concerns were raised about the organization and operation of the NAEPC. Two were of particular importance and carried implications for the future of the NAEPC:

- Was it appropriate for the Federal Government **not** to have an over-riding coordination role on the NAEPC?, and
- Was it appropriate to have an industry guidance document **not** endorsed or otherwise approved by the Federal Government?

As a result of these concerns the AAA, about June 2005, reviewed the role and function of the NAEPC and sought legal advice on liability issues that could arise from the AAAs involvement as an organization that has no statutory or regulatory responsibilities. The AAA then indefinitely postponed further meetings of the NAEPC.

There followed a period of absolute inactivity where AEP issues, across the industry, were totally unsupported and uncoordinated. About 27 April 2006 the AAA formally advised the industry that:

- “the Board of the Australian Airports Association decided at its most recent meeting in Adelaide on 12 April 2006 that the Association was no longer in a position to assume responsibility for the convening and governance of the National Airports Emergency Planning Committee...”
- “the Board had regard to legal advice concerning the potential legal liability to which the Association might be subject by reason of its involvement in the work of the Committee (and especially its advice to airports in connection with the content of their emergency plans) in the event of claims arising out of death, injury or property damage caused by an emergency event at an airport.”
- “an approach was made to the Department of Transport and Regional Services to suggest that responsibility for the Committee should be assumed by an appropriate agency of the Commonwealth. However, the advice to us from the Secretary of the Department was that the Commonwealth would not assume that responsibility.”

The advice from AAA was followed by a further period of absolute inactivity.

In January 2008, the AAA wrote to former NAEPC members advising of the formation of a new planning forum under the auspices of CASA to be known as the Airports Emergency Planning Advisory Group (AEPAG). The first meeting of AEPAG was held on 4 March 2008. In writing to former members of the NAEPC the AAA made it clear that AEPAG was an advisory body and that “it does not necessarily represent, and cannot be construed as being, the concluded view of any of the organizations represented amongst its membership. Those receiving the Advisory Group’s advice must determine for themselves what, if any weight, is to be afforded to such advice. In doing so, they must consider their own particular circumstances and any legal obligations to which they may be themselves subject.” The chair of AEPAG is provided by CASA on the basis that the chair is independent and impartial. CASA is otherwise represented in their own right on the AEPAG.

In support of this submission, the following examples (and by no means limited) are provided to demonstrate the importance of maintaining currency, consistency and uniformity of Australian airports AEPs:

- Melbourne Airport. On 21 February 2005 an incident at Melbourne Airport resulted in the activation of Melbourne Airport’s AEP. The incident caused the evacuation and closure of the southern terminal from 1000 hours until 1800 hours. The cause of the incident remains unknown, however, 57 people were seen by ambulance officers, 47 of whom were transported to hospital. All were released the same day except one person who had a pre-existing medical condition. The incident caused major disruptions to Melbourne’s domestic operations. As a result of this incident the Premier of Victoria requested the Emergency Services Commissioner of Victoria to review the response to the incident and prepare a report for government.<sup>8</sup>

A number of the Commissioner’s recommendations targeted Melbourne Airport’s Emergency Planning Committee and AEP. Concern might reasonably be exercised in some quarters that a report commissioned by a state government

---

<sup>8</sup> Emergency Services Commissioner – A Report of the Response to an Emergency at Melbourne Airport on 21 February 2005

agency can seek to influence arrangements put in place ostensibly through a national body.

- Jandakot Airport. On 11 August 2003 a Cessna C404 Titan crashed on take off from Jandakot Airport. Five of the six persons on board survived the crash, however, another later died in hospital. The State Coroner, in his investigation, noted “Jandakot Airport Holdings Pty Ltd did have an emergency plan” and “evidence at the inquest, however, indicated that in a number of respects the plan was not applied and in certain respects it could be improved.”<sup>9</sup>
- Perth Airport. On 3 May 2007 a box fell from the rear of a Malaysian B777 aircraft standing on Perth’s international apron. The box, apparently, was reported as a suspicious item. A subsequent police cordon triggered an evacuation of Perth’s international terminal. The terminal remained closed for approximately 12 hours while the incident unfolded. Perth’s AEP was not activated.

These incidents represent matters that deserve national analysis to determine whether existing AEP guidelines are satisfactory and whether, in some cases, recommendations by statutory state authorities should be supported and, if necessary, introduced nationally. This task is rendered close to impossible while no federal government base exists to support an airport emergency planning consultative process.

Implicit in this submission are a number of considerations for government relating to airport emergency planning. As a corollary, the following recommendations are made in support of reform and improvement in the process of airport emergency planning in Australia:

- The AEPAG, as a representative industry body, be provided with a federally funded secretariat, and
- The AEPAG be organized, sponsored and supported by government in much the same way aviation security is presently treated.

---

<sup>9</sup> WA State Coroner’s Investigation Report dated December 2005

One further issue is also deserving of a place in this submission.

Business Continuity Planning is a recognized contemporary practice (or discipline) that prepares an organization to maintain continuity of business during an emergency – and probably an emergency of some magnitude. A Business Continuity Plan (BCP) is a document that contains procedures and guidelines to help recover and restore disrupted processes and resources, perhaps on a temporary basis initially, to normal operational status within an acceptable time frame.

To date efforts have yet to be made that will establish an enduring interface between BCPs and AEPs. BCPs, mostly, will address specific airport emergencies outside of those emergencies AEPs are designed to address, but emergencies none the less that, in the worst case, will have as great an impact on an airport's operations as the crash on airport of a large RPT aircraft. For instance:

- the loss of all or part of a terminal for any reason
- the loss of vehicular access to an airport and its terminals
- the loss of critical aerodrome assets (runways, movement area surface damage, aerodrome lighting etc), or
- the loss of the airport's information management systems.

It may be that national consideration should be directed more towards a uniform incident management structure for airports than individual plans themselves. Be that as it may, BCPs, in particular their activation and operation, should interface with AEPs and not be wholly separate and isolated plans in themselves.

