

Recreational Aviation Australia Inc.

Submission on the National Aviation Green Paper.

Executive Summary

Recreational Aviation Australia Inc. with over nine thousand members, is the fastest growth area of light aviation in Australia. The organisation is pleased to provide this submission to the Government on the National Aviation Green Paper. We have sought to identify areas of concern to the organisation.

Safety

Recreational Aviation Australia Inc. believes that safety must be the priority of any Government Aviation Policy Initiative. Safety of the Fare Paying Passenger remains the priority of the initiatives in this paper. However, it is abundantly clear that very little attention has been aimed at General Aviation (GA) and the sport and recreational sector - even though thousands of these aircraft share the same airspace at times with commercial flights. The training and education of future pilots operating in non-controlled airspace has not been adequately addressed and the lack of resources in this area continues to be a risk that is not addressed in the National Aviation Green Paper.

Security

Unrealistic security requirements forced on sectors such as sport and recreational aviation have not been addressed adequately in the National Aviation Policy Paper. The formation of yet another Government body, AUSCHECK, to administer security matters seemingly contradicts the findings of the Wheeler Report (2005) in respect to maximising security whilst minimising bureaucracy.

Airport Privatisation

The National Aviation Policy Paper highlights the economic benefits of the privatisation of major airports. However, the lack of Federal/State and Local Government continuity with regard to Airport, Airfield or Aircraft Landing Areas is not addressed. Private and Local Council controlled aerodromes provide the training ground for future pilots and for the development of aviation business - not large airports where private corporations price training schools and small business out of existence.

General Aviation

As the pool of GA pilots and Instructors rapidly dries up, Recreational Aviation Australia Inc. notes that little is proposed in the National Aviation Policy Statement that will make positive, sustainable and measurable change to the predicament of General Aviation in Australia. Finalising the Regulatory Reform Project quickly will free up some Industry system resources that are currently devoted to advising the Regulator on reform. However, this will not assist the average GA or recreational pilot in the future, let alone our up and coming generation of airline pilots.

Pilot Shortage

Regional and remote areas are also given little recognition for their importance in future development of the aviation sector. Many new trainee pilots will need to relocate inland away from metropolitan areas as Airport privatisation and housing development restrict their operations.

Technology

The transition to Satellite Technology does feature in the National Aviation Policy Paper but fails to recognise the cost and operational impost on GA, sport and recreational sectors of the industry as these costs are not easily passed on and must be absorbed by its participants.

Self Administration

Self administration rates highly on the Government agenda proposed for the resurrection of our light aircraft industry. Yet no consideration, understanding or study has been undertaken in detail with current self administrating bodies to ascertain the viability, challenges and fragility of this sector of the industry. Its growth and therefore perceived success is taken to relieve government purse strings and absolve the regulator and ultimately the Government from its inherent responsibilities.

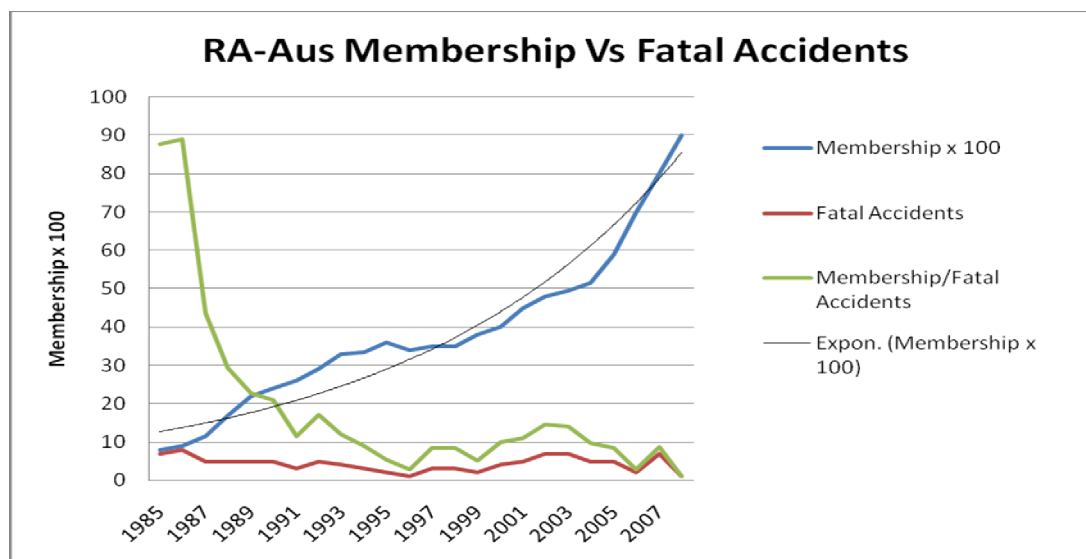
Introduction

Recreational Aviation Australia Inc. (RA-Aus) is a self administered aviation organisation committed to the safety and well being of over 9000 members participating in sport and recreational aviation in Australia. Recreational Aviation Australia Incorporated was established in 1983 as the Australian Ultralight Federation. Since these humble beginnings over a quarter of a century ago, RA-Aus has matured into a professional and efficient organisation. It stands, arguably as the epitome of self administration organisations in Australia.

The mission of RA-Aus is “To foster, encourage and develop safe Recreational Aviation in Australia with minimum bureaucracy and minimum cost.” Our Vision is

- To be recognised as a leader in the development, promotion and administration of Recreational Aviation in Australia.
- In an alliance – both strategic and operational – with other aviation associations where resources, experience, technologies and skills are shared with each organisation's development potential is protected and enhanced so that Australian aviation is revived, encouraged and its future assured.

Safety has always been a keystone of the organisation and its work with members. The following graph displays the improvement in safety of RA-Aus as a self administering organisation over its 26 year history:



It has been widely publicised in the National Aviation Policy Statement White Paper that self administration is seen by the government as a major opportunity to allow General Aviation in Australia (GA) and indeed other organisations to manage their own affairs.

Whilst RA-Aus supports any move towards self administration, the Government must be aware of the dichotomy that exists in the practical execution of these duties. Self administration organisations have high responsibility (Safety, Training and Education) and low authority (Disciplining of Errant Members), which is undesirable in any management application.

As the government is dedicated to the introduction of further self administration as a model for future growth of the light aviation sector in Australia, a full review of self administration roles and responsibilities is required. Some current self administration organisations are on the brink of collapse due to the inordinate responsibility placed on them without appropriate structure, systems and funding allocated to them.

Safety

Recreational Aviation Australia Inc. commends the Government sentiment of Safety as the number one priority of Aviation in Australia. Whilst understanding that priority is given to the Fare Paying Passenger, little is being done to support the safety education and training of self administrating organisations which are fast becoming the nursery of aviation, future pilots and technicians in Australia.

Security-ASIC Cards

Recreational Aviation Australia Inc. recognises the importance of aviation security in relation to Passenger Transport Operations but is opposed to the manner that these aspects have been applied to recreational and sport pilots across Australia. RA-Aus has previously indicated to the Government in many consultative forums that the requirement of security identification cards to pilots operating from security controlled airports does little to enhance safety when baggage screening procedures at the same airport for non-jet aircraft are completely ineffectual.

The Wheeler Report (2005) recommended the active review of all Aviation Security Legislation with the view to maximising security whilst minimising bureaucracy. Since this review, the formation of another government body has emerged charged with the approval of all ASICs Australia wide. The formation of AUSCHECK has further increased the already bureaucratic processes to the point of absurdity. This has left many organisations such as ours in a predicament as to whether to continue to support our membership by the provision of this service or the abandonment of our ASIC provider status.

It is clear that recommendations from the Wheeler report have not been applied in the spirit they were intended and is evident from the formation of further bureaucracy with no enhanced safety or security outcome.

Airport Privatisation and Aircraft Landing Areas

Airport privatisation has been one of the areas of concern to all operators, large and small, in Australian aviation. Large operators continue to pass on these excessive costs to their customers while smaller operators, sport and recreational pilots are forced to absorb the rising costs for no increased safety or cost benefit.

Many private airport operators openly admit that they actively discourage light aircraft from using airport services by increasing costs in order to dissuade them from utilising services that are geared for higher return from larger operators.



This may be considered a commercial reality by the Government; however the impact on the light aircraft industry and the future supply of pilots from Australia is immense. The high cost of pilot training has resulted in fewer pilots. This situation was exacerbated by the short term gain and long term loss of airport privatisation in the past.

Operators of these light aircraft have had to find other areas to operate from, many of these involve the rural use of private land which has brought about further inequity for the private, sport and recreational pilot; local councils.

Local councils have seen fit to shut down private operators from pilot's own property using big brother tactics and the flexible use of their own council bylaws and definitions in relation to what they view as an airport. This of course means that a private airstrip is considered an airport under local legislation and is therefore subject to the same requirements and development application. Some aviators risk local fines from councils despite safe operation of their aircraft from their own property due to further bureaucracy and the absence of a unified State/Federal definition of an Aircraft Landing Area (ALA) or Airport.

No longer can private, sport and recreational pilots gain hours towards an airline career safely from their own property. They either operate from a cost prohibitive privatised airport or cease to fly, and deny the Australian Aviation Industry their skills and experience to address the growing crisis developing in Australian Aviation today.

Pilot Shortage and RA-Aus

Pilot, Instructor and the mechanical skill shortage in Australia is placing further stress on an area of the market that is not equipped to deal with such changes. The reality is that these issues require rectification in an urgent manner to save the Industry from potential collapse.

RA-Aus maintains over 160 flying schools in Australia which out-numbers the GA flying schools that teach Ab-Initio (from the beginning) Day VFR flight. It is clear that many RA-Aus schools are now targeted as feeder schools for future advancement of pilots to commercial and ultimately airline positions. This is an industry driven process that has begun to mature in the last twelve months and has many benefits for all parties involved. However the lack of a formal recognition process for many pilots transferring from RA-Aus to GA has given rise to confusion and ultimately a reduction in numbers of potential candidates.

Likewise, the lack of formal recognition of RA-Aus Instructor Qualifications when transferring to GA has occurred ad-hoc, effectively limiting the number of regionally based flight instructors in Australia by over 400.

RA-Aus has identified many retired airline captains with check and training qualifications and invaluable experience who have wished to return to Flight Instruction only to find that current GA requirements (security, medical, FMRS, English Tests, AOD) are far too costly for them. As a result they are unable to give back to an industry that they have gained so much from over the years.

The result of this negative experience in returning to flight instruction manifests itself in one of two ways. Either the experienced captain joins RA-Aus and immediately begins to impart his wealth of knowledge and mentors new pilots or they depart the aviation scene altogether with a net loss to Australian Aviation.

In order to boost instructor numbers in Australia, both GA and RA-Aus, a formal bridging course must be investigated by the Regulator. Previously, this need has been identified and has been left to industry to present a case to the regulator. This will not produce timely outcomes in the best interest of supplying trained individuals to support flight schools and train entry level trainee pilots for Australia's needs in the future.

It is fact that Fee-Help and HECS-Help is not applicable to Trainee Pilots under Sport and Recreational Sectors, even though it is evident that many of these individuals continue their training to become competent and accomplished aviators in the Defence and Civilian world.

Anomalies in the recognition of RA-Aus flying hours prevent efficient use of trained pilots from Recreational Aviation Schools. One example concerns the Commercial Pilots Licence (CPL). Half of the required hours 'In Command' are accepted if the applicant conducts a 200hr course, however none of the hours 'In Command' count if the course is a 150hr course. This anomaly has many joint RA-Aus / GA Chief Flying Instructors questioning the logic and methodology, considering that the same aircraft type could be used with one registered RA-Aus and the other GA. Bureaucracy such as this is preventing entry of skilled participants to professional aviation and airline careers.

Regional and Remote Areas

Regional aviation in Australia is at the heart of the pilot shortage, whilst Government funded schemes keep Regular Public Transport (RPT) services to the bush, little is being done to curb the demise of the regional Aero Club. Many of these have found refuge in RA-Aus and continue to produce quality pilots in the recreational sector. Due to the difficulties in recognition of RA-Aus qualifications many of these will never make it into GA or indeed be able to pursue a career in Aviation. The strengthening core of recreational pilots and instructors in Australia are a previously untapped reservoir of talent that could, with adequate recognition, immediately assist in addressing the current and long term shortage of pilots and instructors in Australian GA.

New Technology-ADS-B and the Industry

Whilst there is no doubt that satellite technology has its benefits to increase efficiency and in some instances safety and decrease environmental emission in the airline industry, the introduction to the lower airspace project in 2008 lacked adequate factual, safety or cost benefit analysis information. As a result further impost was proposed on the sector of the industry that could least afford it, thus increasing the gap between those who could pass the cost on to those who would have to absorb the cost to retain the privilege to fly.

The eventual decision to suspend the mandatory introduction of ADS-B in the lower airspace project was a welcome outcome for the recreational sector, giving time for the introduction of this technology to mature into a viable alternative for airline separation. It should be noted that the introduction into the lower airspace project will still be a contentious issue and one likely to draw adverse attention if a mandate is still pursued for fitment in classes of Airspace that are uncontrolled.

Self Administration

The term self administration is quickly becoming the new buzzword of Australian aviation, however many seldom understand its complex and fragile balance. It is difficult to argue against the fact that self administration improves safety outcomes. The indicative increase in figures for Bureau of Transport and Regional Economics (BTRE) hours flown over the past years is further evidence of the increase in RA-Aus aviation due to self administration and its mission of 'minimum bureaucracy.'

Equitable use of airspace and the absence of risk management from the recent Australian Airspace Policy Statement (AAPS) continue to be serious issues relating to all self administering bodies in Australia.

Whilst many areas of the 'over regulated' industry have lobbied for what they call a level playing field, they have stood beneath the CASA umbrella and taken shelter in the regulation that protects them from public perception. While this statement may seem contradictory to common perceptions about GA, it is evident that self administration is not a silver bullet when it comes to solving the aviation problems of the nation.



Self administration requires a many multi-faceted, responsive, committed and proven organisational structure and operating parameters. The simple divulging of CASA responsibility to a self administrating organisation without assistance is to forecast the imminent collapse of that organisation under intense public scrutiny.

The long term viability of self administration and the work conducted on behalf of the regulator, CASA, must have the legal and financial backing of the regulator. The requirements placed on self administrating organisations to oversee their area of influence become onerous when they are asked to become regulator and service provider at the same time. This cannot happen under Government policy for Airservices Australia and CASA; however is a requirement of any self administrating organisation.

When there is inevitable disciplinary action against a member, precious organisational resources in both time and money are consumed with no assistance from the Regulator. Often this involves staff of the organisation pleading a case against professional legal representatives. If the case is successful, the greatest action that can be taken by the organisation is removal of the member. If this involves a breach of regulations or the Act and is reported to CASA, no information can be shared with the self administrating organisation without the express permission of the member that had been removed. This also applies if a new member comes to the organisation with an adverse record under CASA, this information is not available to the organisation and they are obliged to accept the new member on good faith, perpetuating the process above.

Often, no further action is taken in relation to a breach due to advice from legal services or CASA resources; however these reasons do not apply to a self administering organisation under CASA.

The legal liability of each self administering organisation in regard to maintaining the requirements under their deed of agreement with CASA is not covered by the Regulator or the Government. No legal assistance is rendered at all to self administrating organisations conducting work on behalf of the Government and CASA.

The true cost of self administration is borne by the members and however desirable this may be for the Government and the Regulator it must be understood that in order to conduct the role of the Regulator in certain circumstances the organisation must have the support of the Regulator in terms of real-life costing of services performed, legal support and free access to critical safety based information.

Self Administration and Accident Investigation

The National Aviation Policy Paper describes at length the proposed increased independence of the Australian Transport Safety Bureau (ATSB). RA-Aus believes that this is a basic requirement of accident investigation but notes with some alarm that no increase in funding for accident investigation is addressed.

The ATSB investigate accidents under the protection of the Transport Safety Investigation Act (TSI) and as such have far reaching powers in collection of evidence and investigation. It is understood that ATSB personnel are well trained and committed individuals who are responsible for accident investigation in Australia, and their priorities are much aligned with CASA and Airservices in relation to resources being allocated towards the Passenger Transport Operations. It is alarming to note that many if not all light aircraft accidents with less than four seats are not investigated by ATSB due to limitation of resources.

This task is left to the State Police and the Coroner. State police do not have the resources and the aviation background knowledge required to investigate aircraft accidents and make recommendations to the Coroner. The likelihood of the Coroner making an informed decision in relation to any accident involving aircraft is then diminished. This is evident in some coronial findings and can involve adverse findings against the self administering organisation despite operating with limited budget and staff.

In an effort to combat unrealistic Coronial findings and to assist State Police, a handful of self administering organisations participate in assisting the Coroner and Police as Subject Matter Experts (SMEs). Very few have formal investigation qualifications and yet they are expected to provide “ATSB-like” results.

Recreational Aviation Australia has since created an Accident Investigation Course with the assistance of the ATSB to guide self administering organisations in investigation of accidents and their interaction with Police and Coroners.

However, with no formally recognised qualifications, few organisational resources and no jurisdiction or backing of the TSI Act, self administering organisations cannot devote the time effort and resources to assisting the Coroner in the manner that the ATSB does.

Coroners, however, remain sceptical about the investigation process due to the absence of formal government recognition of investigators. Being involved in accident investigation also translates to an increased organisational and personal risk for investigators as many are volunteers. This is not covered in any way by funding from the Government but is still undertaken by many self administering organisations as a social responsibility in order to prevent the same accident from occurring again and to educate and train members to avoid future fatal accidents and therefore improving safety.

Staffing and Remuneration

Self administration requires staff that not only are experts in their field but also able to adapt to take on responsibilities far in excess of their daily duties and experience due to the limited pool of resources available to each organisation. This is not the norm in most Government positions. This places great personal strain on key management positions and results in high turnover of staff. The National Aviation Policy Statement accuses Industry of not keeping up with modern staff retention processes and remuneration packages required to keep key staff, yet recommends a forward vision for the industry of self administration under the same terms, remuneration and otherwise, that have led to the failure in staff retention and remuneration in the past.

The Future

The ‘level playing field’ as so described by many in the traditional GA sector under CASA, consists of a distinctive uphill disadvantage to all self administering organisations. If self administration is to survive, prosper and re-invigorate aviation in Australia and supply much needed pilots and instructors for the future; then a complete understanding of the intricacies of self administration is necessary and must first be assessed and adequately provided for by the Regulator and the Government.

Regulatory Reform Project – CASR Part 103/149

The Regulatory Reform Project and its priority for rapid completion has the full support of Recreational Aviation Australia Inc. The reform project completion is required to establish long awaited changes to RA-Aus and all self administering organisations with the introduction of CASR Part 103 and 149.

Whilst the short term introduction of certain elements is currently being addressed it is highly desirable that the conclusion of this reform be expedited considering the work that has been invested by industry and Government alike for more than a decade.

Many Industry participants have become extremely frustrated by the changing regulatory priorities involved during the extended production of these reforms. Consideration must also be given to Industry by the Government with regard to their participation in the reforms at Industry expense.



RECREATIONAL AVIATION AUSTRALIA INC

Conclusion

RA-Aus is pleased to submit this response to the Government on the National Aviation Policy Paper but does not believe that the Paper yields answers to address current or long term issues in the light aircraft industry in Australia.

The importance of the Light Aircraft industry in the provision and retention of capable, skilled and efficient staff to fulfil key positions in the Aviation Industry will continue to pose long term difficulties in the future unless it is recognised and the industry adequately supported.

The current bureaucracy existing between all interactive elements of Government involved in the oversight of Aviation in Australia needs to be minimised and promotion of aviation as a career and long term investment in securing our Light Aircraft Industry for the future must be maintained, simplified and expanded.

It is clear that the National Aviation Policy Paper is directed towards the provision of service and support to Major Airline Carriers. We ask that the Government not ignore recreational aviation which stands as the very building blocks required to staff the Australian Aviation Industry into the future.

Recreational Aviation Australia Inc.

27th February 2009.

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