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**From:** Soils [REDACTED]  
**Sent:** Tuesday, 28 February 2023 10:38 AM  
**To:** Aviation White Paper  
**Cc:** senator canavan; David Fawcett; senator mackenzie; Senator Rennick; Glenn Sterle; senator mcdonald  
**Subject:** Submission to White Paper 28th February 2023  
**Attachments:** The Aviation Paradigm.pdf; AVMED 2 - 14th October 2014.pdf

Please ensure that GA is mentioned in the opening para of the white paper, as without it you do not have an aviation industry.

Please protect our airports, as these are the "Bridge for Aviation" and a line in the sand must be made to STOP any further losses or destabilisation by current owners with a well structured infrastructure plan for the future.

Some current exlemplars:

The three airstrip I have been mentioning for a long time. The small GA planes cannot use these strips. What a waste.

(I) Blackwater (II) Dysart (III) Moranbah.

These three airports are involved with mining companies. The airport situation goes back to the days when the coal leases were granted.

One of the arrangements for granting of the coal lease, build and maintain infrastructure.

Going by these actions the agreement has been reneged on or I have not seen where the agreement has been rescinded. With all that said the bleating and moaning we here about mining companies by different members of society may be carrying some truth. I have the good citizens in mind here not the other rabbles.

Regarding Blackwater I have been continually on this case for in excess of 6 years and nothing has happened. Not good for development of Queensland.

AND the thorny issue of AVMED, that affects all aviation.

See attachments

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Sincerely,

Rob Cumming [REDACTED]

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1. Please declare your phone number on calling, otherwise my phone will automatically reject the call.
  2. Please delete details of all previous senders (including mine) before forwarding again to reduce spam, viruses & identity theft.
  3. Its best to use the BCC field while forwarding emails. Thanks!
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Please contact us at once by return e-mail and then immediately delete both messages and any attachments that form part of this e-mail from your system.

My Class One Aviation Medical last year took approximately seven months to be issued and that has severely impacted on my business's reputation, and also my own financial situation.

I can accept AVMED requiring further tests etc. to clarify one's condition if there is one, but when such tests by specialists determine that there is no condition at all, that should be the end of the matter and the medical certificate should be issued without delay.

In my case last year, further tests (cardio ) were required and were promptly carried out with normal results, and submitted to AVMED by a specialist ( cardiologist ). That was only the beginning of what became a 'punishment' rather than a process.

After being cleared by a cardio angiogram, I received a letter cancelling my medical application, accusing me of not declaring a condition and advising of proceedings to fine me \$ 5,500.00. What condition ??? My application was refused 14 days after a previous letter giving me 30 days to prove that my cardio circulatory tree was clear.

I had to pay another \$ 150.00 to apply for a re-assessment and when that cleared me they (AVMED) tried to delay it further.

Finally in desperation as I had no more cash left to live on, I sought the intervention by my Federal Member.

I had no delays with my medical this year, although at 63 and in good health I have suffered severe financial damage that I may have to carry to retirement.

I am not the only person in this situation, I have been continually contacted by others who tell the same story. As CFI and owner of a Flying School operation I have a lot of contacts all around Australia and I suspect that there at least 400 other pilots who have been subjected to the delays, the lies, and even more worrying, the Medical Incompetence in AVMED. I know of cases where delays of over 12 months occurred, and some where people just gave up and stopped flying.

Last year a considerable number of CASA Flying Operations Inspectors had no medical for various reasons. They were treated by AVMED just as rudely as everyone else, however they were still being paid even though they could not fly.

In fear of dismissal they will not comment publicly.

The CASA Review Panel Report earlier this year came up with some very good recommendations such as the DAME's issuing all Medical Certificates, however this is for renewals only and, if you have ever had a 'brush' with AVMED and been cleared you will always have 'For CASA Audit' as a requirement for your renewal and CASA will still issue that certificate. (We are branded just like criminals).

Without prejudice to anyone, the whole attitude of this Australian Government Working Cell is very 'UNAUSTRALIAN'.

It appears that there are few options to fix this problem, I think that The Australian Aviation Industry needs to request a Senate or some sort of Judicial Enquiry into the actions of AVMED and determine the level of incompetence in the organisation's structure and the level of damage inflicted so far on the Industry.

There would be a considerable legitimate claim for compensation at this stage.

An enquiry would also need to look at a permanent and immediate fix

to this problem.

One easy and fast fix would be for the Government to legislate a change in the Civil Aviation Act such as that the requirement for a Medical Certificate to be ICAO compliant only. That would mean that Pilots could fly on compliant medical certificate issued by say, FAA, NZ CAA or similar.

CASA AVMED would not have the monopoly to suppress healthy pilots.

Rob, I have kept a diary of my dealings with AVMED since my medical renewal process started last year.

Recorded are the nature of the discussions and contact persons names for all the telephone conversations, as well as all correspondence for the period, and I am prepared to show all if required at an enquiry. My records also show many misleading and false statements made by AVMED staff.

CASA will not meet the simple obligations of the Departmental rules and give any apology or recompense for my costs incurred, and allow me to move on with my life. And as a result, I have a total lack of confidence in the accountability, honesty and reliability of the CASA system.

NO OTHER INDUSTRY IN AUSTRALIA WOULD TOLERATE THIS SORT OF CONTEMPT OF HUMAN RIGHTS.

Neil

File Name: <https://d.docs.live.net/973399095c628ecb/documents/aviation/meeting.doc>

Date of Document: 27<sup>th</sup> August 2019

# THE AVIATION PARADIGM – THE FUTURE

## Contents

The Aviation Paradigm – The Future.....	2
Support for change to Aviation Policy: .....	3
The way forward: .....	3
Example of recent #casa conduct – August 2019 .....	4
Basis of conduct of #casa in pursuit of Glen Buckley.....	4
Reference Material: .....	7
1.    Wagga Aviation Summit.....	8
2.    LNP Queensland Policy.....	8
3.    ASRR report:.....	8
Senate Committees - Aviation Accident Investigations .....	8

## The Aviation Paradigm – The Future

### CASA:

- Is causing economic and strategic damage to aviation companies because of its inefficiency and its seeming inability to learn lessons from previous failures;
- Is a significant barrier to entry and continuance in the aviation industry of individuals and business;
- Inefficiency is now compromising the ability of companies to adapt to changing circumstances.

CASA seems in many ways to be trapped in a 1950/1960s paradigm of relating to industry and its systems are simply not up to the requirements of a modern, dynamic, more fluid industry.

The effect of the bad regulatory set that the regulator has “developed”, is having serious impacts on rural and regional areas throughout Australia, but particularly in Queensland, NT and Western Australia on the following areas:

1. Maintenance;
2. Pilot training;
3. Pilot availability;
4. Ownership;
5. Engineer training
6. Aviation medicals
7. Compatibility with overseas regulations and certification
8. Other matters

Parts 61, 141, 142, 91, 125, 135, 66, 146 CASR 2016, 210 CAAAct s9A, 28BD all demonstrate the problems of CASA, who attempt to micromanage an industry out of existence.

In 2010, there was an increase in excise given to fund CASA for specific issues. This had a 4-year currency [to allow a \$89.9m fund to complete the rule set that at that time was estimated to be north of \$250m].

*But the excise was never stopped.*

A recent Freedom of Information reply says that CASA have no responsibility to account for the money and it now goes to consolidated revenue.

**Support for change to Aviation Policy:**

On the floor of the 2017 LNP [Liberal National Party] Queensland on Sunday 16th July 2016, the following motion was placed and carried “.....on the show of hands....”.

***That this Convention of the LNP:***

*Calls upon the Federal Coalition to review recent air crash incidents and other matters, particularly in rural areas, with a view to developing and implementing changes to the Civil Aviation Act to:*

- 1. Better manage aviation in Australia and*
- 2. Implement a judicial inquiry to investigate existing problems of the Regulator.*

**The way forward:****1. The Aviation Safety Regulatory Review**

This review was undertaken during 2014

**2. The Wagga Summit**

The recent aviation summit in Wagga (July-2018), gave some explicit guidance to the Minister as to a further way to deal with the aviation malaise.

<http://vocasupport.com/minister-mccormack-has-some-serious-work-to-undertake/>

**11. The Way Forward:**

Our aviation sector is able to secure national economic benefits; however, this cannot be achieved without:

1. Removing the over-regulation of CASA;
2. Replacing the current regulations with the US – FAR or CAA – NZ;
3. Developing a truly independent BASI<sub>12</sub>, producing high quality reports with quality Safety Recommendations [SR's],
4. Removing the statutory offences which make pilot's, aircraft owners, operators criminals;
5. Reviewing the impact of the raft of “security costs” to the industry [ASIC scheme];
6. Ensuring that Australia complies with the ICAO format, without raising exceptions;
7. Long term being able to meet the US-FAA and ICAO audits without exception [currently ~ 2000];
8. Ensuring for people living in regional Australia, air services for basic provisions, travel and health services;
9. Ensuring a healthy aviation sector is not just good for business, it's also good for jobs;
10. Fixing the ASIC card fiasco;
11. Fixing the aviation training industry;
12. Ensuring proper access to all airports and classifying these as “Infrastructure”, with specific goals and objectives for access to all users.

**Remember:**

Over 50,000 people directly employed in aviation;

500, 000 in tourism [interdependent on aviation travel];

Air-freight industry - \$110 billion in cargo annually;

Aviation overall contributes directly and indirectly \$32 billion to the Australian economy.

## Example of recent #casa conduct – August 2019

APTA/ MFT had a #casa AOC for training, for over 15 years. With the CASR changes and introduction of the Parts, “upgraded” the AOC to comply.

*#casa agrees to the proposal and assists in this process.*

At some time, #casa decide to rescind the AOC approval, giving the organisation no space to move and refuse to negotiate or retain the original approval.

APTA/MFT name the group (5 individuals) responsible for removing the approval to operate, including Graeme Crawford, sometime Acting #casa CEO.

The organisation – APTA-MFT is finished by July 2019 and #casa again move into the economic control of aviation, to the point where CEO Carmody says “...no further correspondence will be entered into...” and writes a letter to that effect.

SEE: <http://vocasupport.com/glen-buckley-afta-and-mft-suffers-at-the-hands-of-casa-another-casa-casualty/>

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**A quick recap for those that are having trouble following the background is:**

CASA introduced a regulatory change called Part 61/141/142.

It was finally introduced over 10 years behind schedule.

CASA set a date for all schools to “Transition” to the new regulatory environment of September 1st 2017.

Of Australia’s 350 schools, only 5% had achieved Part 142 status by the deadline. Importantly, APTA was among the 5%.

CASA delayed the date 12 months.

That delay cost many hundreds of thousands of dollars.

### **Basis of conduct of #casa in pursuit of Glen Buckley**

Glen Buckley alleges they [4- casa personnel] have demonstrated unconscionable conduct and made decisions that a well-intentioned person would not make, if they were making decisions based on safety and compliance.

The conduct of those four personnel within CASA has measurably and demonstrably reduced aviation safety.

These individuals have not acted with honesty and integrity, they have not acted with care and diligence, and they have not acted with respect and courtesy. They have in acted in a bullying and intimidating manner.

Those individuals have not used public and Commonwealth resources in a proper manner and have made deliberate decisions that have in fact misused substantial public resources.



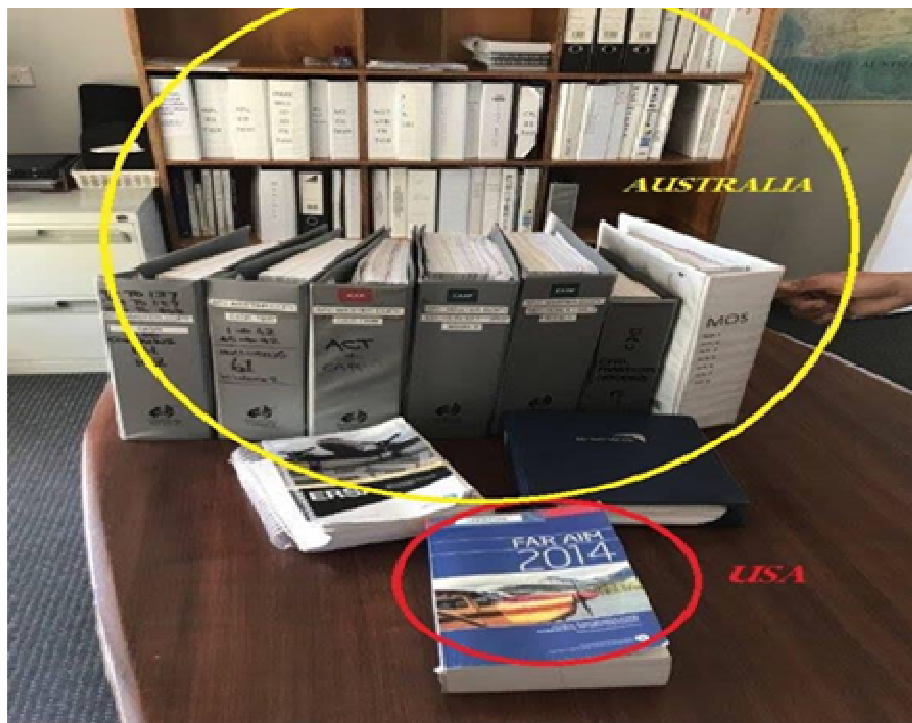
Glen Buckley alleges those four personnel have made calculated decisions that have caused detriment to his business, and other businesses and that they have deliberately avoided attempts to work collaboratively and resolve issues.

Glen Buckley alleges that their decisions and actions potentially bring harm to the integrity and good reputation of their fellow Employees and CASA in general, which can only degrade safety.

Glen Buckley alleges that one of those four personnel has improperly used inside information.

**In doing this, #casa personnel have:**

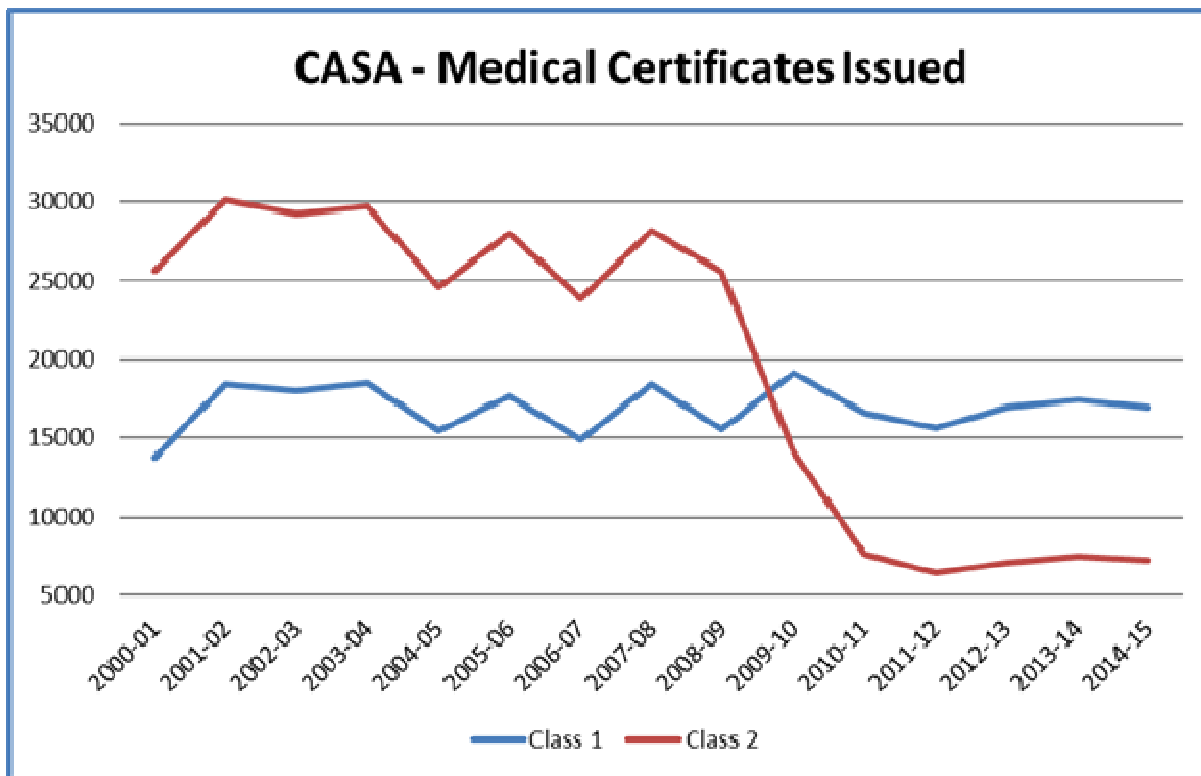
- Breached CASAs own Regulatory Philosophy;
- Breached their obligations under the PGPA Act;
- Not acted in accordance with the Ministers Statement of Expectations;
- Breached the obligations placed on them by Administrative Law;
- Reduced aviation safety measurably and demonstrably by their conduct;
- Clearly breached procedures outlined in CASAs enforcement manual;
- Not acted in accordance with their respective Position descriptions;
- Bought their fellow employees within CASA into disrepute through their actions.



**PAIN Submission to the ASRR in 2014:**

1. The CASA, despite industry objections, has chosen to (almost) follow the EASA approach to regulation; this has been proven, as it was in Europe to have a significant detrimental impact on some Australian aviation sectors. The EASA approach to regulation of the general aviation sector has been to take the basic rule set applicable to large commercial air transport operations and adapt those rules for general and regional aviation.
2. In many cases, where CASA has adopted EASA rules as the basis for Australian regulations they have gone beyond even EASA member states in their implementation.
  - a. For example, when CASA introduced the new Civil Aviation Safety Regulation (CASR) Part 66 Aircraft Maintenance Engineer (AME) licensing (2010) introduced a requirement for the applicant to have been 'trained and assessed' by a Maintenance Training Organisation (MTO).
  - b. This requirement removed the option for an AME to gain the required practical experience with a maintenance organisation (i.e. an apprenticeship) and to complete the required examinations for license issue, without attending any formal training course at a dedicated MTO.
3. This option remains available in the UK (EASA) and is available to AME in both New Zealand and the USA. The cost, availability and practicalities of attending MTO, particularly for intending AME living and working in rural or regional Australia contributes significantly to the demonstrable decline in the number of skilled AME in Australia, this hardest felt away from the major cities. This clearly defines the safety and economic reasons for reform of this and many other imposed regulations.
4. Direct comparisons of the level of safety achieved by mature regulatory systems are problematic because of the variations in the nature of data collected by different authorities.
5. There is however an established, supported argument that over-regulation may present a threat to air safety and investment made in existing safety enhancing measures and action might be degraded.
6. There is strong support for the argument that too much regulation inflicts a time-consuming, administrative burden together with additional financial imposts which are difficult to absorb. Considering the economic constraints under which aviation business currently must operate this can divert funding from true safety enhancement. Some regulation is deemed too detailed and complex, therefore not readily comprehended, significantly increasing the risk of accidental non-compliance.
7. In recent years, EASA has adopted an enormous number of new aviation 'safety' regulations. Industry and individuals alike have complained that this constant flux of regulation has caused them great inconvenience without always achieving any demonstrable safety benefit.

8. On March 13 2012, the EASA board met and agreed a different approach to regulating general and regional aviation was needed. The Board agreed that although the subject was complex and difficult, action needed to be taken because there were serious risks that general aviation would significantly decline and/or that 'non-compliance' would increase.
9. It was further agreed that the acceptable level of risk for general aviation must be higher than that for commercial air transport operations, that more effort was needed to avoid mixing regulations for these different types of operation; and, that the simplicity of and accessibility to general aviation rules should be increased.



## Reference Material:

### 1. Wagga Aviation Summit

<http://vocasupport.com/minister-mccormack-has-some-serious-work-to-undertake/>

### 2. LNP Queensland Policy

<http://vocasupport.com/judicial-inquiry-into-caa-called-for-by-lnp-queensland-conference/>

### 3. ASRR report:

[http://vocasupport.com/wp-content/uploads/2014/06/ASRR\\_Report\\_May\\_2014.pdf](http://vocasupport.com/wp-content/uploads/2014/06/ASRR_Report_May_2014.pdf)

### 4. Senate Committees - Aviation Accident Investigations

[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Rural\\_and\\_Regional\\_Affairs\\_and\\_Transport/Completed\\_inquiries/2012-13/pelair2012/index](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Rural_and_Regional_Affairs_and_Transport/Completed_inquiries/2012-13/pelair2012/index)

[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Rural\\_and\\_Regional\\_Affairs\\_and\\_Transport/Completed\\_inquiries/2012-13/pelair2012/index](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Rural_and_Regional_Affairs_and_Transport/Completed_inquiries/2012-13/pelair2012/index)

### 5. Regional Aviation

[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Rural\\_and\\_Regional\\_Affairs\\_and\\_Transport/RegionalAirRoutes](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Rural_and_Regional_Affairs_and_Transport/RegionalAirRoutes)

### 6. Aviation Firefighting

[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Rural\\_and\\_Regional\\_Affairs\\_and\\_Transport/Aviationrescueservices](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Rural_and_Regional_Affairs_and_Transport/Aviationrescueservices)

### 7. Maintenance and regulation

<https://amroba.org.au/wp-content/uploads/2018/12/Reform-Mismanaged.pdf>

<https://amroba.org.au/wp-content/uploads/2018/04/Nobody-Cares.pdf>

### 8. Link pprune thread

'Senate Inquiry, Hearing Program 4th Nov 2011' from page 21 (Vol 1 post #403):

<http://www.pprune.org/australia-new-zealand-pacific/468048-senate-inquiry-hearing-program-4th-nov-2011-a-21.html>

<http://www.pprune.org/australia-new-zealand-pacific/468048-senate-inquiry-hearing-program-4th-nov-2011-a-58.html>

### 9. From Planetalking 26/09/2012:

<http://blogs.crikey.com.au/planetalking/2012/09/26/atsb-and-minister-rebuffed-objections-to-pel-air-report-errors-before-publication/>

**10. News.com.au 22/10/2012:**

<http://www.news.com.au/breaking-news/national/air-regulator-not-proud-of-norfolk-report/story-e6frfku9-1226501003927>

**11. From Planetalking 28/10/2012:**

<http://blogs.crikey.com.au/planetalking/2012/10/28/pel-air-admissions-demand-immediate-remedial-actions/>

**12. NZ CAA-About:**

[http://www.caa.govt.nz/about\\_caa/vision.htm](http://www.caa.govt.nz/about_caa/vision.htm)

**13. Avweb blog 16/09/2012:**

[http://www.avweb.com/blogs/insider/AVwebInsider\\_ATSBNorfolk\\_207352-1.html](http://www.avweb.com/blogs/insider/AVwebInsider_ATSBNorfolk_207352-1.html)

**14. From Planetalking 11/11/2012:**

<http://blogs.crikey.com.au/planetalking/2012/11/11/australias-air-safety-regulator-attacks-senate-witnesses/>

**15. ICAO Annex 13 pdf:**

[http://www.cad.gov.rs/docs/udesi/an13\\_cons.pdf](http://www.cad.gov.rs/docs/udesi/an13_cons.pdf)

**16. Aviation Herald webpage:**

<http://avherald.com/>

**17. ATSB report for AO200402797:**

<http://www.atsb.gov.au/media/24535/AO200402797.pdf>

**18. Pro Aviation website – Paul Phelan article:**

<http://proaviation.com.au/?p=590>

# Instructor Rating Comparison- Between CAR 5 and Part 61

Old CAR 5	Could do	Cost	New Part 61	Additional Course to do	Additional Test	Cost
Grade 3-test ( held a NVFR or IFR )		Same	Grade 3-test			Same
	Basic Instrument flight	\$0.00		Basic Instrument Flight Course		\$840
	Design Feature	\$0.00		Design Feature	Design Feature Test	\$1030
	Night VFR	\$0.00		Night VFR	Night VFR training test	\$1925
				Grade 2 Course		\$930
Grade 2-test		Same	Grade 2-test			Same
	400 hours signed off of AFR	\$0.0		AFR included in the Grade 2 TE		\$0.0
Grade 1-test		Same		Grade 1 Course		\$1030.00
	Instructor Rating Training	\$0.00	Grade 1 - test			Same
	Instrument Rating Training (if held CIR)	\$0.00		Instructor Rating TE Course		\$1175.00
					Instructor Rating TE Test	\$1430.00
				Instrument Rating TE Course		\$1125.00
					Instrument Rating TE Test	\$1430.00
				MEI Multi engine instructor rating training		\$2200.00
					MEI Test	\$1870.00
<b>Totals</b>		<b>\$0.0</b>				<b>\$14,985.00</b>

	META Course Same	(\$5120)	META	Same as CAR 5		(\$5120)
META Test		(\$1870)			META Test	(\$1870)

# Instructor Rating Comparison- Between CAR 5 and Part 61