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### **Aviation Rescue and Fire Fighting Services Regulatory Policy Review**

I am writing to you in relation to the paper released by the Department of Infrastructure and Regional Development (the Department) on the Aviation Rescue and Fire Fighting Services (ARFFS) Regulatory Policy Review. The Australian Airports Association (AAA) welcomes the opportunity to provide input into this review as we believe determining the operation of ARFF services at airports is an important consideration.

The AAA is the national industry voice for airports in Australia. The AAA represents the interests of more than 260 airports and aerodromes Australia wide – from local country community landing strips to major international gateway airports. The AAA's members include Adelaide, Brisbane, Cairns, Canberra, Darwin, Gold Coast, Hobart, Perth, Melbourne and Sydney airports. There are a further 130 corporate members who provide goods and services to airports. The Charter of the AAA is to facilitate co-operation among all member airports and their many and varied partners in Australian aviation, whilst maintaining an air transport system that is safe, secure, environmentally responsible and efficient for the benefit of all Australians.

The AAA acknowledges that this review has been initiated following the Government's response to the Aviation Safety Regulation Review, which requested that the Department provide policy advice on a range of potential improvements to the efficiency and clarity of ARFFS requirements, including the use of risk assessments.

The overarching proposal arising from this review paper is that there be a move towards a more risk-based approach to determining the establishment and disestablishment of ARFFS at airports. In principle, the AAA agrees with the risk-based approach proposal, however there are a number of important issues that the Department must take into account prior to finalising its policy advice. These issues include the proposed risk assessment process, roles and responsibilities of ARFFS and airports, and state/territory fire authorities as ARFFS providers.

#### **Risk assessment process**

The current regulations operate so that ARFFS must be automatically provided at an aerodrome when there is an international passenger air service and/or where the annual passenger movements exceed 350,000. Under the approach proposed in this paper, there would no longer be an automatic establishment of ARFFS once certain trigger points are met, rather it would trigger a CASA risk assessment process to determine if ARFFS are required. It is proposed that the triggers for this new risk assessment process still be based on international services and/or passenger numbers, however it is proposed that the annual passenger number trigger be increased from 350,000 to 500,000. In relation to the potential disestablishment of ARFFS at airports, it is proposed that a risk assessment would be triggered once annual passenger numbers fall below 400,000.

The AAA believes the move to a more risk based approach for the establishment/disestablishment of ARFFS at airports is a sensible one, particularly given the substantial time, resources and investment that is involved. The AAA also understands and accepts the reasoning for increasing the passenger threshold to 500,000 per annum, noting the substantial increase in aviation activity since the threshold was adopted and the continuous improvements to aircraft safety.

In regards to the risk assessment process itself, it is important that this be conducted in close consultation with relevant stakeholders to ensure that all aspects of the airports operations are sufficiently captured within the process. The AAA supports the risk assessment being conducted in accordance with the International Organization for Standardization (ISO) 31000:2009 *Risk Management – Principles and guidelines*.

That being said, the AAA notes that the paper does not explore whether this same risk based approach is intended to be used for assessing the expansion/contraction of existing ARFFS at airports. The paper focuses exclusively on establishment/disestablishment, however the AAA believes that there would be value in considering a similar risk based approach for the expansion/contraction of existing services and what potential trigger points might be used for that review process. Given the dynamic nature of the aviation industry, it is important that there is sufficient transparency for airport operators on the determination process for the level of ARFFS and how that may change under different scenarios.

### **Roles and responsibilities of ARFFS and airports**

The paper discusses the roles and responsibilities of both ARFFS and the airport operator. In relation to ARFFS, the paper notes that a number of 'other' services have been traditionally provided at airports such as monitoring of fire alarms, first aid, and non-aviation rescue and fire fighting. In relation to these other services, the paper proposes that current regulations be updated to better reflect what activities constitute core ARFFS aviation-related activities at an airport. In doing so, it is proposed that an 'activity based' concept be introduced to determine ARFFS responsibilities, rather than relying on the term 'aerodrome' as defined in the *Civil Aviation Act 1988*.

While the AAA understands that the expansion of non-aeronautical development at airports in recent years has presented challenges around the definition of what constitutes an aerodrome and therefore what ARFFS is responsible for, it is important to recognise the value provided by ARFFS carrying out these 'other' services. In providing these services to airports, ARFFS enhance the overall safety and security of the airport community. Carrying out the duties also assist ARFFS maintain continual familiarisation and integration with the broader airport environment, as per the internationally recognised 'All Hazards' approach to emergency management. While the AAA sees value in more clearly defining ARFFS responsibilities, it is important that these other services continue to be provided at airports wherever there is clear value in doing so. Further Departmental consultation with individual airport operators will be required before determining a position on what services should or should not continue to be provided.

In relation to the proposed 'activity based' concept, the AAA notes that this proposal still seems to be largely based on defined geographic locations, albeit where specific aviation related activities occur. The paper does not appear to consider facilities that cross the airside/landside boundary and how they would be treated under the 'activity based' approach, nor does it consider technological innovations that have allowed traditional airside facilities to be relocated landside, such as airport control centres. Further consultation with individual airports is required prior to determining what constitutes an aviation-related activity and the geographic scope of ARFFS.

The paper also explores clarifying the role of the airport operator in relation to the provision of ARFFS. The paper suggests that the current regulations be amended to transfer responsibility for providing facilities (such as appropriate emergency roads and replenishing water supplies) from Airservices to the airport operator. The AAA does not support this proposed regulatory change, which has potentially significant cost implications for airport operators.

The AAA believes that the full extent of costs associated with provision of ARFFS (including consequential costs in other areas associated with changes to ARFF service levels) be allocated and captured within the ARFFS charging mechanism. It would be distortionary in nature and lack transparency if consequential costs were to be borne by airport operators and incorporated, for example, into airfield/landing charges.

While in some cases, mostly at major airports, the facilities and infrastructure required to support changes in ARFFS may already be in place simply due to the nature of operations; this is not necessarily the case for all airports. This is particularly evident in situations where the ARFFS may introduce new vehicle types that require strengthening or widening of existing airfield pavements, drainage, crash gates, or roadway infrastructure to accommodate these vehicles. In these situations, the costs of accommodating such changes should be considered in the ARFFS business case and reflected in the pricing system. It is simply not equitable to transfer the responsibility of facilities related expenditure to the airport operator for ARFFS, these costs must be captured in the existing service pricing arrangements with airlines.

#### **State/Territory fire authorities as ARFFS providers**

The paper proposes that the ARFFS regulatory framework be updated to specify that state and territory fire authorities are not required to hold separate CASA approvals to assist Airservices in the provision of ARFFS. In considering this amendment to the regulatory framework, the AAA believes it would be prudent to consider the existing emergency management arrangements in place across the jurisdictions. The AAA understands that in the event of an aviation accident, national and state emergency management arrangements (as a general principle) require all relevant state emergency authorities (police, fire and ambulance) to respond to the accident. These state agencies are not responding to a call from assistance from Airservices, they are responding in accordance with established emergency management arrangements in that jurisdiction that are articulated through legislative provisions and Aerodrome Emergency Plans.

Regardless of whether there is or isn't an existing regulatory impediment to state and territory fire authorities assisting in the provision of ARFFS, the AAA supports an approach that allows for state/territory fire authorities to carry out this function unimpeded, where appropriate. For those airports that may not warrant ARFFS under the new risk based framework, it would be useful for those airports to still be able to demonstrate that ARFFS functions could be carried out by the local fire authority. This may be particularly useful for those airports that wish to attract certain airline services that may expect a level of ARFFS to be provided. The AAA would support regulatory changes that would allow for state/territory fire authorities to be able to more readily provide ARFFS to airport operators.

I would welcome the opportunity to discuss this matter with you further and should you have any questions, please contact me via Simon Bourke (AAA Policy Manager) on [REDACTED]

Yours sincerely,

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Caroline Wilkie  
Chief Executive Officer