

31<sup>st</sup> January 2014

The ASRR Secretariat  
Aviation Safety Regulation Review Panel  
Department of Infrastructure and Regional Development  
GPO Box 593  
CANBERRA ACT 2601

Dear Sirs

Re: The Australian Government's Aviation Safety Regulation Review Submission  
by Brisbane Aero Engineers Pty Ltd

I have been involved in this industry all of my life due to my father's involvement and more formally since working full time since 1983. I now own and operate a small business that employs around 15 people and we specialise in the repair and overhaul of the piston engines and related components.

I am a long term member and supporter of AMROBA and AOPA and I support their comprehensive submissions to this Aviation Safety Regulation Review.

The following outlines my own personal thoughts:-

### **Supporting Aviation Compliance**

Unfortunately we, like most in any business today in this country, are getting further burdened and buried in ever increasing levels of red tape and other such bureaucratic demands on our businesses and time.

The products that we are continuing to provide haven't changed in many, many years. For example, over 20 years ago, we used to support a ratio of say one office team member to around 5 workshop/technical team members. Today, this staff ratio is approximately one to two or less.

Throughout this timeframe, we have consistently maintained a very good and high safety record. Such measures only therefore appear to appease all the growing levels of bureaucracy without any real measure of improvement in real direct safety outcomes. Now, as a result of ever increasing levels of red tape and paperwork, the most experienced technical team member is normally forced to be buried at their desks, while the lesser experienced team members are out on the workshop floor.

### **Competing in a World Market**

What makes all of this that much more frustrating is now having to work under the current Part 145 regulations to enable us to continue to try and support our long term and valued RPT clients. I am personally very happy to work to very high and totally compliant standards but, then we are also working in a very competitive world market and exposure to imported goods is a significant pressure. We and our clients are exposed to imported engines and related products from countries like America that are automatically accepted into this country due to our long standing bi-lateral agreements.

Sadly the majority of these imported products do not comply with the same high standards that we are required to continue to support here in Australia. We cannot compete in any way on price as a direct consequence of this lower level compliance from these imported products. The travelling public is not receiving the same equitable levels of safety/compliance that the regulator has instructed us to supply. Let alone the total unfairness and total hypocrisy to someone trying to operate a successful business in Australia.

I have personally brought these matters to all levels of CASA, including all the way to their director John McCormick without any due action or effort to properly rectify these issues.

### **Rotary & Non Rotary Wing Sector Confusion**

One sector of the industry that continues to work well and continues to grow is the rotary wing sector. As they appear to be able to work well with total compliance to original manufacturers' requirements and therefore all parties pretty well all know where they all stand and what they are required to do. The other sectors all appear to be in a continual state of confusion without consistent applications of compliance regulations. No wonder these other sectors of the industry are not growing like they should be. A lot of this confusion within the non rotary wing sector of the industry is generated by CASA, they are not being totally clear on what is required with respect to original manufacturers' requirements, as far as maintenance requirements go.

### **Higher Levels of Operating Costs**

From my perspective, I personally feel the current imposed Part 145 regulations should also have been implemented for aircraft down to say 36 seaters or so and therefore not all the way down to our level of 6-10 seater aircraft. Especially when again, no barriers are being established on these inferior imported items. The current Part 145 regulations have also not improved our export capabilities above what they previously were and I feel that they are actually pushing us competitively further away from our neighboring countries. Rather than ending up with a set of complimentary regulations that will align nicely with our neighboring countries, we have ended up with a very complicated license system/rating as well. The current Part 145 regulations have just imposed such a higher level of operating costs to ourselves in business to initially implement and then continue to maintain and support.

### **CASA's Operating Budget**

I am also mystified at the budget or operating cost of CASA at nearly \$200 million per annum to support only a list over 10,000 aircraft that are actually flying. Of which simplistically works out at around \$20,000 per aircraft per annum to support.

Again all a further portrayal of the out of control costs that we all appear to be willing or are forced to support in this country of which are all totally unsustainable.

### **CASA – Raft of Aviation Industry Inconsistencies**

I seriously question the level of training that CASA AWI's receive today as compared to what they received years ago. The acceptance standards of experienced personnel within CASA have sadly diminished. Spending more money on training CASA staff, encouraging open dialogue between colleagues to discuss problems/solutions/outcomes and a hands on approach to assistance with safety/compliance initiatives will benefit the industry. The attitudes of many within CASA need to improve greatly and adopt a more supportive direction.

I also believe the CASA complaints commission and relevant team should all be totally independent and impartial to the operations at CASA. I am very dubious as to how the current system works effectively from our side in industry and equally from within the complaints team. It is difficult to see that they can operate independently. Respect from within industry to CASA and vice versa is at an all time low and therefore needs to be dramatically turned around by all parties.

CASA and the ATSB also need to work more closely together at all times. Plus the same mutual respect needs to also be greatly improved as well by all parties.



CASA from an airworthiness perspective, also need to actually have greater powers if they are going to be effective. As it appears Air Operator's Certificate (AOC) holders can be shut down overnight if serious breaches of the regulations have occurred, but it appears to be very difficult in the situation of maintenance organisations and relevant individuals whom consistently and blatantly break the rules. As such processes appear to be long drawn out affairs through involvement with Administrative Appeals Tribunal (AAT) hearings and so on. All of which appears to all be so totally inadequate and just makes the regulator look like a toothless tiger and again, no respect is fostered. Equally any actions need to be totally equitable at all times, and have a suitable appeal process etc. As there have been situations with mainly AOC holders that have been prosecuted by CASA and then have not been able to adequately defend themselves, due to CASA not putting up their side of the case in a suitable timeframe. The affected parties then become financially crippled in the long drawn out process anyway and whether they were in fact guilty or not.

All of this needs to be sorted out to end up with a more accountable system for all parties involved. There is also a growing level of inconsistencies within CASA on all levels between different areas and states that also need to be addressed. They need to communicate amongst each other a lot more than they appear to currently do and also develop unified guidelines on matters that consistently arise from within industry. The move of CASA offices off secondary airports like Archerfield and into larger combined centers hasn't been a good idea. As all parties simply lose touch and the once good working relationships are then naturally broken down. Generally now, the only time one gets to discuss anything with anyone from CASA is in directly regulatory or business matters.

### **Aviation Industry Growth**

On the subject of growth in this industry, I also believe the federal government should re-introduce the stimulus packages that were at play during the 1970's that offered 40% depreciation on new aircraft. Such measures would then obviously have a positive effect on our ageing fleet of aircraft and also would help stimulate the respective original manufacturers as well.

### **Airport Privatisation**

The privatisation of our secondary airports has also had a huge detrimental effect on anyone trying to invest in this industry as well. As these monopoly head lease holder companies are killing us all in their continual unfair and monopolistic attitude actions to us without any due intervention from respective government bodies as well. Many of these head lease holding companies have also carried out changes to these airports and infrastructure that have then made them all less safe from an operational point of view in many respects.

Our business operates from Archerfield Airport in Brisbane, and we have many such examples of such safety issues of which CASA and also the ATSB have been loathed to act in any way. In one situation, CASA changed the rules to support an unsafe situation as well. The way that these privatised airports are now being managed and how tenants and direct users are all being treated by these head leasing companies needs urgent attention and direct intervention and support by the federal government and relevant agencies, otherwise the general aviation industry is going to decline even further.

In closing, I am very grateful to the Hon Warren Truss MP for providing a platform for the aviation industry to convey their concerns and eagerly await in anticipation the outcomes of this review panel.

Yours faithfully

David Paynter  
CEO