Submission to the Aviation Safety Regulation Review Panel, from Aircraft Owners and Pilots Association of Australia, (AOPA).

January 2014.

In October 2010 AOPA conducted the GA Revitalisation Summit. This conference was attended by AOPA and nine other organizations with interests in general aviation in Australia. A paper was subsequently prepared and submitted to relevant authorities. That paper, "A Plan to Revitalize General Aviation in Australia", is still an accurate summation of the ills that affect GA in Australia, and the recommended solutions are still relevant. We therefore attach a copy of that paper to this submission, and in the précis below will refer to it frequently, such as "see para 3.3.2".

However, the subject of this submission is specifically regulation, and thus this submission will restrict itself to the relevant sections of our 2011 paper, to which are added a few extra points.

A. Foreword . Whether gauged by aircraft hours flown or by number of aircraft movements at airports, it is clear that GA is stagnant at a time when both the population and the economy are growing. We can all remember the times when one had to queue for take-off at a major airport like Bankstown or Moorabbin, and when the aircraft parking areas were full. What a contrast to the present! Few new pilots are entering GA.

B. Does this matter? We think it does. For clarity, we will refer to GA as the spectrum of air activities outside of Regular Public Transport. GA generates thousands of jobs, and includes such vital services such as charter, Flying Doctor, Medical Evacuation, Search & Rescue, Fire Spotting, Shark Spotting, Agriculture, Bank Run operators, Freight operators, Careflight Helicopters, Police Helicopters, Media Helicopters, Medical transfer Helicopters, Cattle farming, Sport Aviation, (including gliding, hot air ballooning, aerobatics, hang gliders, ultralights, and warbirds), and pilot training. Add to that the people involved with supply and maintenance of the aircraft and associated equipment. Add also the investment in the equipment and supporting businesses.

Australia has a history of innovation in aviation and the aviation workforce has developed diverse skills. With the decline of Australia's manufacturing industry generally, and the loss of skills associated with it, Australia should be encouraging an industry where it has a track record. To let it wither seems to be an opportunity lost.

Another consequence of the decline in GA is that fewer GA-trained pilots are being produced. According to many credible sources, airline pilots who do not have a background in GA never learn the basic flying skills that would have been expected in the past.

C. Why this decline is happening? There are many factors, such as:

(a) Increased costs. Discount airlines have made interstate travel very cheap in comparison to flying a private aircraft. The cost of fuel makes any long-distance private flying expensive. Flying training is made expensive because of complicated regulations and costs of documentation which AOPA regards as not having an adequate safety case to justify. Maintenance under the EASA system would send costs even higher. (See para 3.3.2).

(b) The variety of competing leisure-time activities has increased enormously and most activities have become more and more affordable. Flying, by comparison, is becoming increasingly expensive and has lost its "glamour".

(c) The ageing GA aircraft fleet is less attractive to prospective pilots. It is hard to justify (or obtain finance for) new aircraft when so many other factors are lined up against GA.

(d) The ASIC Card makes no practical contribution to security, and is a major inconvenience. It has become a device enabling routine obstruction of legitimate operations. (See para 3.1.7). It is ignored at many airports, but stringently demanded by over-zealous staff (such as ground-keepers) at others. In the USA, where terrorism first became such a major issue, a pilot licence is sufficient. Here we have a separate card that must be renewed each two years at significant cost. Why can't it be permanent, with cancellation if someone commits a criminal offence?

The time delay in obtaining an ASIC card makes it virtually impossible for an overseas visitor to hire an aircraft in Australia. This process should be simplified to facilitate the overwhelming amount of bona fide flying and reduce what is in reality, unnecessary cost.

(e) Airport security. At numerous airports around Australia, security fencing terminates a few metres beyond the security gate. The security gate is often propped open by regular users, and if not, access to the code can be obtained by simply photographing the code with a mobile phone held through the bars of the gate. These expensive gates and fences deter and inconvenience legitimate people, but do nothing to deter anyone with malicious intent. These unnecessary and demonstrably pointless costs should be abandoned.

(f) Declining number of and access to airfields: there are simply fewer places to fly to. The failure of the Commonwealth Govt to enforce its deeds of agreement with airport owners has seen many airports become unwelcoming or even downright hostile to GA aircraft, in the airport owners' efforts to seek profit from activities other than aviation. In particular, city airports effectively exclude GA, and thus many people who would use this transport system cannot. This should change.

Ready and facilitated access to city airports is critical. Aviation being blocked from major centres discourages operations

Owners of airports often make it difficult to the point of being impossible to own a hangar. Bankstown Airport offers a prime example: recently an operator of a medivac aircraft was refused permission to build a hangar as "it wasn't in the airport's long term interests." If building a hangar to house an aircraft is not in the interests of the airport, what is? Others have been offered leasehold land, but ownership of developments revert to the owner of the airfield in as little as 10 years. That is obviously not commercially viable for the aircraft operator.

GA in all its forms is widely distributed, not concentrated in major centres. Some of the higher level maintenance and overhaul work is conducted at regional centres, but services such as hangarage, fuel and maintenance support are needed across all areas.

A monopoly landlord only interested in his commercial interests can be detrimental to the industry. Some policy-based oversight is required. When the Commonwealth was operating the airports this was less of a problem, as airports were regarded as having national importance in their own right. This is not the case in the de facto operation of commercially motivated airports.
(See paras 3.1.1, 3.1.2, 3.1.3, 3.1.4, 3.1.5, and 3.1.6).

(g) Airspace control. Civil and the Military duplication costs are hundreds of millions of dollars. There is a serious shortage of air traffic controllers. Airline flights have been cancelled with significant flow-on costs; amalgamation should occur providing cost saving revision of military control zones. Nowra's military control zone occupies 65,000 cubic miles of airspace and yet our last aircraft carrier was scrapped over 40 years ago. By contrast, in California, the US 7th fleet of several carrier battle groups and hundreds of strike aircraft has but a small region of restricted airspace!

(h) Airservices Australia: produces trivial updates on near-static information, which is distributed to conscripted subscribers, mostly unnecessarily, at hundreds of dollars per year. This should change.

(i) Orphan technical infrastructure: Australia's WW2 system of radio towers is ageing and outmoded. GPS navigations allows for direct routes that save time and fuel. It would seem logical that a country with limited resources like us would simply follow the FAA Nextgen system of satellite-based navigation, which includes precision approaches by WAAS, (ground base enhanced GPS), or SBAS, (fixed satellite enhanced GPS). Instead, it seems that we are again going to be out of step with the rest of the world by relying on Baro VNAV.

Just about all new aircraft produced in the last few years include the electronics compatible with Nextgen.

(j) CASA. In a nutshell, GA is shackled with laws and proposed laws that stifle operations and innovations. The AOC process and other limited time certificates inhibit capital investment and access to finance. The process of managing disputed medical certificates is dysfunctional. The fundamental lack of trust in and by CASA (and in

passing, the secondary airport management), and its processes, is all-pervasive and is destructive of innovation, investment, and long terms engagement with the industry.

Just how unnecessary and intrusive regulation can stultify development is seen by observing the burgeoning developments in Ultralights. Whilst the heavier aircraft have technically stagnated, (save for navigation electronics), there is a thriving and occasionally amazingly innovative industry in the ultralight category. That innovation could likely benefit Australian aviation if the artificial limitations of weight and functionality did not so clearly divide ultralights and heavier GA aircraft.

Specifically, the aspects of the regulator that we believe requires change are as follows.

1. Industry consultation. Although communication (and subsequent goodwill) between GA and CASA has improved in recent years, it is a fact that new regulations or changes in regulations are frequently presented to GA as an ultimatum.

   A consultative approach is required with those contending with and introducing innovations and technical improvements in all aspects of aviation. This calls for legislative reform of the existing process.

   It is apparent that the CASA legal department, whilst efficient and capable in itself, has an influence which leads to preoccupation by the CASA as a whole with legalistic arguments. Legalism is an arid process. Aviation is an industry of practical and constantly changing technology. Legalism should give way to practicality by the involvement of a positive consultative process concerning both new technology and discarding outmoded rules and technology.
   (See paras 3.2.5 and 3.2.6).

2. CASA enforcement. The industry is rife with stories of individuals who have been "persecuted" by CASA. Sometimes these cases do sound like individual disagreement "pay-back" fights, and sometimes problems occur through regional FOs interpreting the rules aggressively rather than with any sense of national coordination or common sense. Sometimes these arguments go on for years at high cost to all concerned. Justice should be seen to be done and the processes altered to enable rapid and non-destructive resolution of rules to occur. (See para 3.2.7).

3. Aviation should be encouraged by CASA as part of its formal charter. Having its charter limited to 'Aviation Safety' encourages negativism, which is widely seen in practice. There is no settled standard for 'air safety'. This leaves CASA with a poorly identified obligation, a completely subjective mantra, and no obligation to act for the benefit of Australian aviation this is unsatisfactory on its face and should change. Perhaps the roles of regulation and administration should be separated, and the regulator given the dual roles of promotion of aviation as well as safety?
4. Australian LAME training standards are lower than those of NZ. Our training schools don't align curriculums to industry requirements, and those curriculums vary from state to state.

We should support an Australasian / Pacific approach to maintenance. CASA will base future AMR licences on academic achievement, with insufficient emphasis on experience. (See paras 3.2.4 and 3.2.9).

5. The need to hold an AOC, and consequent increasing demands on paperwork, means that small flying schools are no longer viable. The paperwork does not improve operations or safety. Practical laws are urgently required. Proposed Part 141/142 rules would alleviate this problem.

6. To the outside observer, sometimes CASA appears to consist of 4 organizations in one, and each part appears to believe it runs the organization in the style of the Satraps. Those 4 parts are upper management, middle management, the field officers, and the legal dept. This may be an unfair criticism, but again to the outside observer, CASA often appears to fail to adhere to government directives, or to enforce its own regulations. Different interpretations of rules within CASA can cause the hapless aviator considerable anguish. Internal turf wars conducted in the name of name of 'safety' affect aviation operators, when in fact they are personal 'fiefdoms' being exercised.

   The 4 parts of CASA make consultation with industry very difficult. Many times various GA organizations have thought to have come to an agreement with CASA, only to find that an agreement has been ignored or reversed by another of CASA's "parts". A formalized consultative procedure that overcomes this problem would be very desirable.
   (See para 3.2.6).

   CASA or its replacement must act coherently across its whole organisation and do so with regard to its remit from Government: that should include a better definition than 'air safety', plus a positive commitment to encourage aviation. In AOPA's view, this problem is the key to improving Australian aviation.

7. Constant regulatory changes breed confusion, mistrust and doubt. They increase the risk of inconsistent interpretation. A safety case should be presented and debated prior to any alteration to the Act, Regulations and other dictums. CASA's regulatory changes frequently have no perceptible safety outcome, or certainly none relevant to GA. Quite a number of rules now come under the criminal code. (See para 3.2.7 for more detail). Strict liability applies. Aviation is hardly assisted by repressive regulations, criminal charges, and reversed onus of proof. There is no evidence that this process improves or assists safety, but it does deter many would-be pilots and operators.

8. Pilot licencing: This extensive topic will no doubt be dealt with by others. We limit our comment to suggest that proper accord should be given to foreign training qualifications. We have seen highly qualified and experienced pilots required to sit for exams in Australia, even when their overseas training was from facilities recognized as the best in the world. This can be inconvenient and costly for Australian pilots, and can make it impossible for foreign pilots who wish to fly and/or holiday in Australia.

9. Medicals. This is probably the single biggest continuous issue that causes acrimony between GA pilots and CASA. Problems with Avmed include delays in dealing with medical assessments, rejection of DAMEs opinions, demands for ever more complex specialist reports that many would consider unnecessary, and which are then frequently ignored by Avmed itself. Avmed has unique medical opinions which sometimes do not agree with overseas experience, eg; FAA. Communication between CASA, AVMED and pilots has often been poor.

   For what purpose? Most GA pilots intend to fly themselves and perhaps a few associates, mostly in VFR during daylight. Motor vehicle licencing is nothing like this, yet driving is only slightly less stressful.

   CASA should rely on its own DAMEs for issue of class 2 medicals, and where specialist opinion is required, CASA should at least listen to specialist opinion.

10. Passenger Insurance: AOPA calls for an industry-wide insurance scheme in the manner of the Civil Aviation (Carriers' Liability) Act (Cth) to be made applicable and exclusively so for all passengers in all Australian GA aircraft, with appropriate caps, whether paying passengers, students or otherwise.

11. EASA rules. The GA industry appears to be universally against this implementation. These rules are designed for and suit airline aircraft, not private GA. They are too complex for a typical small GA maintenance organization, and thus add more expense. Most GA aircraft are FAA type-certified. It is perverse and inappropriate to adopt European Rules.

    Other Pacific nations, including NZ (which has a thriving GA scene), use FAA regulations. In fact it is our belief that Australia should align ourselves with NZ, in regulation of individuals (not organizations), training and qualifications, and with inspection authorizations. (See paras 3.2.1, 3.2.2, and 3.2.3

D. Conclusion. As in many areas, over many decades Australia has developed its own systems and regulations because it was argued that "Australia is different". We've had our own DME, an attempts at our own MLS and modifications to GPS, and rejection of WAAS. Despite the fact that our flying environment of terrain, weather, and traffic density is favourable compared to the USA or Europe, CASA has developed a set of regulations that is too complicated and is not in step with other countries in our region. We have duel air traffic control systems, and more military-restricted airspace than the USA.

The result is too often that pilots, charter operators, and maintenance people just give up. "It's just too hard."

Without a radical revision, it seems that GA will follow so many other Australian industries into oblivion, taking jobs, opportunities, and skills with it. The prospective GA pilot faces problems with access to airfields, high costs, and a far from appealing ageing aircraft fleet. The aircraft owner faces a frequently hostile airport owner, shortage of licenced maintenance engineers, rising maintenance costs, increased

paperwork, and such uncertainty with both CASA and airport owners that it is difficult to obtain finance to purchase new aircraft.

In contrast, Ultralight aircraft have prospered in a realistic regulatory environment

Perhaps addressing the individual problems with CASA would go a long way towards easing this situation. However, it is with some regret that our organization has come to the conclusion that continuing to patch up problems is like renovating a house with rotten foundations. You spend twice as much time and money and at the end of the day you still have an old house. We now believe in nothing short of a clean sweep of the old, and adoption of FARs, as has been demonstrated by NZ's adoption of the FAA GA model about 17 years ago. It is fact that since then, NZ's GA has outstripped Australia's.

We have heard it said that where it takes a wheelbarrow to carry a copy of all regs pertaining to GA, New Zealand's can be carried in one hand. This may be an exaggeration, but it is not an exaggeration to say that adoption of the NZ regulatory system for GA would improve the prospects of GA's survival.

A reversal of disastrous government policy on airfields is also a high priority. Fix CASA (by adopting the NZ system) and make airfields back into airfields, and all the other problems will seem minor.

A Plan to Revitalise General Aviation in Australia

Prepared by:
Aircraft Owners and Pilots Association of Australia (AOPA)
February 2011

Acknowledgments

AOPA gratefully acknowledges the attendance, time and input of the nine other aviation industry representative organisations that attended the *2010 GA Revitalisation Summit* held over 26-27 October 2010.

Although the ideas are theirs, this document has been prepared by AOPA, and may not necessarily reflect the views and opinions of all those organisations.

Some parts of this paper have been adapted from the article prepared by Brian Bigg, editor of *Australian Pilot,* January-February 2011 edition, pages 17-26. AOPA is most grateful to Brian for his contributions, including as a session chair at the *2010 GA Revitalisation Summit* and for his article covering the outcome.

Other individuals who significantly contributed to the *2010 GA Revitalisation Summit* as session chairs, presenters and organisers include Ken Cannane of AMROBA and Allan Bligh, Spencer Ferrier, Jeff Muller, Andrew Andersen and Phillip Reiss of AOPA.

Table of Contents

1 Foreword

General Aviation (GA) should be booming in this country, but it's not. In the ten years to 2009, hours flown by GA have declined, quite sharply in some years, while the number of landings also fell substantially[1]. When compared with population growth in the ten years to 2007 (13%+)[2] and an average annual GDP growth rate of 3.5%[3] in that period, it is clear that GA is going backwards.

GA is a vital employer but jobs in the sector are declining. Beyond just pilots, the GA industry generates thousands of jobs for aircraft engineers and technicians, airport and facilities personnel, logistics and parts supply, manufacturing and support staff.

All these jobs are threatened if GA continues to wither.

Faced with ageing aircraft and facilities, the industry no longer attracts the leisure dollars that it did in the past. This brings a knock-on effect to other operations in the sector, including the availability and standard of charter services, professional flight training and tourism services.

GA is the grass roots of all aviation and if it is not healthy, then all aviation will eventually suffer, as airlines cannot source trained personnel and regional facilities and services decline.

But GA cannot possibly succeed, if:

- Aspiring pilots cannot be trained;
- Aircraft cannot be maintained; and
- There are no airports from which to operate.

Australia's GA representative organisations recognise that the industry must provide the answers and propose sensible solutions to government and the regulator, beyond just identifying problems.

Accordingly, as convener and host of the *2010 GA Revitalisation Summit*, AOPA offers this document as a plan for the future of the GA industry.

This document is intentionally practical and straightforward. In section 3, we outline problems faced by the industry, together with potential solutions, in airports, aircraft maintenance and flying operations. In section 4, we suggest what should happen next to rescue GA from the current downward trend. In the Appendix, as a practical example of what's possible, there is a table that highlights how new maintenance regulations, based on the framework adopted in New Zealand and sourced in the United States, could be translated to Australia.

We hope that you will join with us in seeking an end to the malaise that has overtaken General Aviation in Australia – not just for us, but for the future of the aviation industry, at all levels, on whom geographically sparse Australia depends.

Phillip Reiss,
President
Aircraft Owners and Pilots Association of Australia

---

[1] *Statistical Report, General Aviation Activity 2009*, Bureau of Infrastructure, Transport and Regional Economics ISSN 1320-3274, pages 4, 13 and 15.
[2] Australian Bureau of Statistics, *Year Book Australia, 2009–10,* catalogue number 1301.0
[3] ibid, catalogue number 3105.0.65.001

2 The 2010 GA Revitalisation Summit

Over 26 and 27 October 2010, AOPA sponsored a conference of all GA organisations in Australia, who came from around the country.

Two full days were spent discussing the state of the industry and recommendations.

Safety and efficiency have been paramount in discussions at the Summit and as factors in the development of this plan.

It recognised that any viable plan must enable the Civil Aviation Safety Authority (CASA) to meet its regulatory oversight responsibilities.

Whilst intended to reflect discussions and ideas raised at the Summit, this document has been prepared by AOPA, and therefore may not necessarily reflect the views and opinions of all those organisations, except as specifically stated.

Collectively, GA's representative organisations seek support for a fresh look at the industry, to encourage growth and create employment opportunities.

General Aviation's representative organisations recognise that although each has member requirements that need protection, there is also a common objective - the promotion and growth of GA as an industry.

The following representative organisations have indicated their support for this paper:

Aircraft Owners and Pilots Association of Australia
Australian Business Aircraft Association
Australian Warbirds Association Limited
Aviation Maintenance Repair and Overhaul Business Association
Aircraft Electronics Association.
Sports Aircraft Association of Australia.

3 Problems and Solutions

In preparing this document, several aviation industry reports, reviews and government and industry initiatives, including one[4] that specifically analysed GA since deregulation, privatisation and devolvement of government functions to the aviation industry, were reviewed.

In the main, previous recommendations that were made to support General Aviation have not been adopted.

With GA basically stagnated, it is imperative that radical action is taken to regenerate renewed interest and activity.

General Aviation representative organisations believe that growth would return to the GA sector, whilst remaining safe and ICAO compliant, if these recommendations were adopted.

It is clear that some regulatory changes introduced since the early 1990s have contributed to the reasons why General Aviation has stalled.

We recognise that while there has been forward progress in some areas, overall, much more focused action is needed if a turn-around is to be achieved for the GA industry.

[4] *The General Aviation Industry Action Agenda,* Strategic Industry Leaders Group, Department of Transport and Regional Services, 2008.

3.1 Airports

3.1.1 Airport Closures and Withdrawal of Facilities

Issues	Solutions
• Government is not enforcing the Airports Act.	• Government could appoint an industry ombudsman for disputes. • Government needs to regulate to ensure operators don't reduce an airport's capacity. • Government needs to restate strongly that airports are for aviation and support it with legislation. • Legislative support needed to ensure longevity of regulation so policy cannot be changed at political whim.

3.1.2 Airport Operator Training and Experience

Issues	Solutions
• Local authorities responsible for airports do not have appropriate training or experience.	• Local councils need education on best practice and how to get the best from an airport. • GA industry should, where possible, seek to be part of airport advisory groups. • National guidelines for airport operators should be developed, with emphasis on planning and security. • Develop a cost/benefit analysis of a successful airport to show others the correct path.

3.1.3 Metropolitan Secondary Airport Monopolies

Issues	Solutions
• Metropolitan secondary airports have become, and aggressively operate as, government-sanctioned monopolies. • Airport charges, both for aviation property leases and services, are rising without regard to economics or business principles. • Rental contracts and leases are subject to state, not federal law. • The decline in the number of airports reduces competition.	• Change legislation and make secondary airport charges subject to the ACCC. • Establish more joint user facilities at military airports in order to increase competition.

3.1.4 Airport Owners and Tenants

Issues	Solutions
• Airport tenants have no freehold and no security of tenure. • Airport owners frequently have no regard for the profitability of aviation businesses that are dependent on airport infrastructure.	• If GA organisations had the opportunity to buy an airport, they should do so. • Business plan templates should be prepared to assist aviation businesses.

3.1.5 Funding of Airports

Issues	Solutions
• GA Airports lack funding and facilities are generally in decline. • Attracting non-aviation businesses has become the principal source of airport funding. • Regional and capital city airports have different problems. • 'One size fits all' regulation is not adequate to solve all problems.	• Legislation needed to guarantee adequate GA and training airports in each community. • Local councils need to be assisted in understanding where their authority begins and ends and encouraged to apply for grants for airport development and upgrades.

3.1.6 Inconsistent Airport Availability

Issues	Solutions
• There is little consistency between airports as to GA rights of access and control. • Airports have different rules on who can land and where pilots can go.	• ALOP Deeds, by which airports were handed over to local government, must be strictly enforced. • Department of Infrastructure and Transport has authority and needs to convey rules and requirements for compliance with the Deeds and Government policy more strongly and consistently to airport operators. • GA needs legal assistance to clarify specific divisions of responsibilities at airports.

3.1.7 Security

Issues	Solutions
• Security arrangements at General Aviation airports are onerous and inconsistent.	• ASIC cards should be valid for at least five years. • ASIC cards should be immediately renewable, unless computerised Government security checks identify concerns. • Pilots should be issued with a combined pilots license/ASIC swipe card. • Security gates should be linked to a central computer system. • Police checks should be done in camera.

3.1.8 Additional Comments

- Many local government airport owners are now struggling to justify airport recurrent and capital expenditure.

- The withdrawal of regional airline services from many regional locations has exacerbated the situation.

- Misguided entrepreneurs view airports as a source for quick profits from non-aviation land and event developments, with no consideration for community welfare or future utility.

- Previous Commonwealth Government policy has created artificial airport monopolies, particularly at secondary metropolitan airports, suppressing tenants and destroying the GA industry's potential to create employment and business opportunities.

3.2 GA Aircraft Maintenance and Manufacturing

3.2.1 New GA Maintenance Rules Based on EASA Unworkable for GA

Issues	Solutions

• EASA rules are not geared towards Private GA, are too complex and not outcome based.
• Navigating through the EASA regulations is very difficult for private GA – must also use EU NAA rules.
  o For example, GA Aircraft listed in EASA Appendix 2 are covered by EASA NAA rules, not EASRs.
• EASA regulations adopted (for example, CASR Part 42) will result in outcomes that are too expensive for private GA.
  o EASA NAAs mainly use country of Type Certificate holders' maintenance standards or specify minimum standards, for example, FAR Part 43 or CAA(UK) Light Aircraft Maintenance Schedules.
• Different issues apply between private and commercial operations.
• The majority of GA aircraft in Australia are FAA type certified and the FARs include minimum regulatory maintenance standards for GA, which the EASRs currently do not.
• Australia GA maintenance standards will be out of step with local Pacific region countries.
	• Support an Australasian / Pacific approach to private GA.
	• New Zealand, for example has adopted the ICAO/FAR approach to regulate individuals, not organisations, in GA. Recommend a similar approach.
	• A Trans-Tasman (qualification) recognition agreement is already in place; it should be enhanced by aligning GA LAME training and qualifications.
	• NZ LAME Inspection Authorisation (IA) rating, based on FAA IA, should be adopted to clarify current similar LAME responsibility in CARs.
	• Ageing aircraft need a LAME IA rating to augment safety levels.
	• Adoption of the ICAO / FAR / NZ principles will address the aircraft excluded from EASR coverage.

3.2.2 Airline Maintenance Suite Can Never Suit GA

Issues	Solutions
• EASA-based regulations should be rejected for General Aviation.	• Adopt an ICAO / FAR / NZ approach to regulate individuals in GA not organisations. • Airline approach is totally inappropriate for the non paying passenger sectors.

3.2.3 Australian GA Rules Not Harmonised with the Region

Issues	Solutions
• Maintenance definition in regulations is not consistent with ICAO or other NAA signatories. • Maintenance definition in the Act is acceptable, but having two definitions confuses industry. • EASA rules are not appropriate; they contain no suitable GA provisions. • Pacific region harmonisation required.	• Amend Act to adopt EASA maintenance definition. • If Act definition stays, adoption of EASA principles needs to be reviewed. • Government should commit to regional harmonisation, particularly aimed at bilateral agreements.

3.2.4 AME Trade Training Out of Step with New Zealand

Issues	Solutions
• LAME training standards are too low. • Skill level of LAMEs is falling. • Training is broadly business based instead of industry based. • Industry currently employs many NZ LAMEs and they very competent.	• An inquiry is needed into the best way to source appropriately trained people as GA LAMEs. • Take steps to bring apprentice trade training back into step with industry needs – not business needs. • Take steps to adjust school curriculums, which are disjointed. • Training schools are state based – a national curriculum is required.

3.2.5 Positions Agreed with Past CASA CEO Not Followed Through

Issues	Solutions
• Government directives are not adhered to. • Mid management levels in CASA still appear to operate to their own agenda.	• Attain and enforce consistency in CASA practices and management from the top to the lowest levels of the organisation.

3.2.6 Consultation with CASA Not Always Effective

Issues	Solutions
• Some consultative activity has been ineffective. • CASA often seems to have a pre-set agenda before it consults with industry. • Government White Paper seems to have changed CASA's approach to consultation. • CASA already appears to have a complete picture for the future regulatory system, why not tell industry and get on with implementing rules?	• Recommend adoption of successful FAA consultative process. • Effective consultation between CASA and GA continues to be required. • Educate industry on White Paper outcomes, which are non negotiable as these are government directions.

3.2.7 CASA's Enforcement Approach Does Not Maximise Safety

Issues	Solutions
• Enforcement focus is not consistent with safety management systems. • CASA appears to be relying on enforcement to achieve safety gains. • No confidence in CASA's complaints system. • Airworthiness safety and enhancement needs a partnership approach. • FAA and others concentrate on a just culture to encourage safety improvement. • CASA pursues easy targets for drug and alcohol testing, wasting its own time and money, and gaining no safety benefit.	• Review CASA enforcement approach and effectiveness. ○ Industry has no method to have CASA decisions reviewed except for highly expensive AAT process. • An effective ombudsman is required. • Ombudsman should report to the Minister as well as the CASA Board. • CASA to work with industry to improve airworthiness and exclude these matters from its enforcement policy. • Random drug and alcohol testing to be redirected to real risks rather than soft and already compliant targets. • Remove individual DAMP and adopt a CASA promulgated standard for GA small businesses.

3.2.8 LAME Responsibilities Under Threat

Issues	Solutions
• CAR schedule paragraph 2.7 requires the LAME to certify serviceability into the future, which can't be done. • We have unique requirements – no equivalent in other industries or aviation jurisdiction.	• Correct maintenance regulation deficiencies by adopting proven ICAO and NZ principles based on FARs. • Need to abandon trade limitations and adopt ICAO privileges.

3.2.9 Shortage of Trained LAMEs for GA

Issues	Solutions
• Proposed B3 licence is not acceptable to LAMEs and industry. • Need to retain experience plus knowledge capability. • Current LAME group ratings were not based on academic achievements but CASA will base future licences on academic achievement. Not enough has been done to accept current LAME academic achievements.	• CASA must retain examination capability. • Review NZ GA LAME ratings for the purpose of TTRMA harmonisation.. • Possibly adopt NZ LAME ratings for GA. • Consider developing commonality of exam Q&A with CAA NZ to achieve common examinations in Australasia.

3.2.10 Private Owners' Ability to Perform Simple Maintenance

Issues	Solutions
• Private owners need the ability to perform simple maintenance. • Caution would be needed during implementation to avoid problems arising from inexperience.	• Should be restricted to simple aircraft, similar to the Canadian system, which enables owner maintenance. • Training element will be required. • May need to be limited to two seats.

3.2.11 Additional Comments

A key aspect of this plan is to harmonise GA regulatory requirements so that they are harmonised within the Pacific Region. Compliance with the International Civil Aviation Organisation (ICAO) GA regulatory framework to regulate individuals and not organisation will provide a safe and vibrant GA system similar to New Zealand and the United States of America (USA).

It is strongly recommended that CASA, during the final stages of new non RPT maintenance regulations development, adopt a dedicated general aviation regulatory system that has clarity and independence from the airline sector. This new regulatory framework would:

- Be based primarily on ICAO Annex 6 Parts II & III;
- Take into consideration the FAA GA aviation regulatory system through a dedicated regulatory Part for GA, implementing appropriate provisions of FARs Parts 43, 61 and airworthiness provisions of 91 and FAA recommended standards for FBOs/SASOs; and
- Insert additional provisions to improve safety by enabling CASA to continue to provide proper regulatory oversight as set out in this document.

Unlike the EASA system that has been developed for airlines, a regulatory framework stated above would be compatible with GA operations and shift the emphasis to safe outcomes rather than paperwork. It can be integrated within the current regulatory development program and would not cause any delay to the timetable promulgated by CASA for completion.

New Zealand has adopted the FAA GA regulatory model, albeit without implementing some processes from the USA DoT's guidelines, that has seen their GA sector grow; we need a similar approach.

Even without changes to the USA GA system, GA in New Zealand has outstripped Australia's GA over the 15 years since adopting the ICAO/USA GA regulatory system. For example, the NZ system included the FAA Inspection Authorisation, which is not regarded as a necessary concept for LAMEs here. The LAME IA is seen as a crucial element in maintaining an ageing GA fleet safely.

Basically, the main aviation regulatory difference between airline and non airline sectors, based on ICAO, USA and NZ systems, would be that responsibility for aviation safety would rest with individuals who are licensed by CASA, whereas the airline sector will, under CASA current and new rules, place aviation responsibilities on the approved operator/organisations as well.

This recommendation is based upon:

- Implementing a GA regulatory system based on the current structure (Regulations/MoS/ACMs/GMs) that adopts ICAO Annex 6, Parts II & III, to correctly empower individuals in the non paying passenger carrying sector.

- Implementing a GA regulatory system based on Annex 8 to provide a continuing airworthiness minimum inspection system to maintain validity of the current indefinite period certificate of airworthiness.

- Adaption of the USA GA regulatory principles will provide Australia with a safer, more efficient and cost effective GA industry.

- Industry's clear preference for a dedicated regulatory Part for GA based on appropriate provisions of ICAO Annexes similar to FARs Parts 43, 61 and airworthiness provisions of 91.

- GA representative organisations forming a positive working group with CASA to expedite the development of a dedicated GA regulatory system.

The above proposal can be integrated within the current regulatory development program and should not cause any delay to the timetable promulgated by CASA for completion.

3.3 Operations

3.3.1 Poor Understanding of the Benefits of General Aviation

Issues	Solutions
• Inconsistency and doubt about the real size and value of GA as an industry.	• The government must recognise the strategic importance of GA as infrastructure and for economic sustainability. • A professional study is needed to determine the real economic benefit of GA to the country.

3.3.2 High Costs of General Aviation

Issues	Solutions
• Overall, there is a serious decline in general aviation and urgent action to arrest it is necessary. • New pilots are not entering GA and existing pilots are being pushed out. • Maintenance under the EASA system could send costs even higher. • Documentation costs are crippling to operators, owners and pilots. • Cost of CASA services is out of proportion to the value received. The average LAME/AME rate is $80 per hour, whilst CASA charges $130. • Obtaining a CPL and Instrument Rating should be within the realms of average individual affordability. • Regulations are too complicated for many flying training organisations. • SMS, IASA and DAMP all add costs to flying operations. • Ageing aircraft programs may include invalid assumptions, unsupported by evidence and will add to costs as maintenance increases. • Discontinuation by so many recently trained Private Pilots with new licences needs to be addressed. • The availability of AVGAS and alternative aviation fuels is becoming a matter of concern.	• Reduce costs. • Reduce government charges. • Simplify regulations. • Introduce the Recreational Pilot Licence, day-VFR only, for aircraft up to four seats, with simplified training, testing and medical requirements. • All incidental Government charges should be included in the fuel levy - landing fees, parking fees etc. • CASA should generate documents that do not require duplication in every case. • Operations Manuals should be initially created by CASA and capable of adoption in full with only variations required. • An AOC ought not be required to conduct a GA flying school. • Replacement of ageing aircraft will only come with a tax break. • Government should allow HECs payments for flying training conducted outside universities. • There should be a modular Private Pilot Licence culminating in Private Licence plus IFR rating to enable Private Flying to be used as a tool for business.

3.3.3 Additional Comments

There is a serious decline in general aviation and action to arrest it is necessary. However the structure of the industry is changing. The following comments are given as elaboration of the points made above.

Flying Training

- A solid base is required for ab-initio training and RA-Aus training is not satisfactory for career flying training.
- The move to the Recreational Pilot Licence would assist new and existing GA pilots and be an important improvement to the licensing system.
- Reference should be made to the RA-Aus processes, which can change quickly and flexibly, while CASA cannot do so. CASA should move to copy RA Aus' flexibility. Flying training should be competency based; cost should not be an issue.
- Flying theory exams should be spread out over a number of tests - at least two separate exams. However there is no issue with the quantity of required knowledge and theory for trainee pilots.
- Examinations should be straightforward and not contain tricks.
- Proper business approach to a flying school and *'learn to fly'* advertising, applied wisely, would produce good results.
- It is essential to have well maintained, clean and tidy premises and aircraft.
- The industry's standard is sub-standard and that drives away students.
- The overall standard of instructors as pilots and trainers is low.
- Costs in the industry are beyond the control of individual operators – for example, the requirements on operators to collect other people's costs, which negate incentive, profitability and the integrity of a business.

Proposed Part 61, 141 and 142 Flying Training Rules Await Promulgation

- Subject to a final review by concerned industry sectors (it has been work–in-progress for some time) they would like to see the rules adopted to ensure training industry business confidence and stability.

Commercial Pilot Industry Opportunities

- Concern about the availability of jobs for recently graduated CPLs and LAMEs.
- The aviation industry wants experienced pilots but will not provide the on-job training and exposure.
- There was some concern about exploitation of junior employees. Some looked for an industry forum to act as a guide to employment prospects.

Access for New and Young Pilots

- Access for youngsters and other potential new pilots to major training airports is not satisfactory. On weekends, often no one is present at airports. There is generally an unfriendly atmosphere at airports. Occupational health and safety issues discourage 'hands on' participation. The 'Blue Card' requirement for children means that they are unwelcome.

- One potential solution may be to involve schools to circumvent these problems.

- Better customer treatment by flying schools is critically important.

- Standard of appearance of the GA aircraft fleet is poor - old, untidy and tired aircraft interiors and paintwork discourages interest.

- Young people are now conversant with computers, so glass cockpits will not be such a big step and probably expected.

Access to Airports and Airspace

- Generally, most people find that driving between 30 and 50 minutes to access an airport would be acceptable, while up to one hour is acceptable in Sydney.

- Military airports should permit joint use by GA, using ground facilities away from sensitive assets.

- Airport access is an issue - airports should be kept open and pressure for closure or non-aviation use should be resisted.

- Statistics should be obtained and maintained concerning airport closures, LAME ageing and pilot licence start-ups.

- ILS access in Sydney is not adequate for training.

- Space Based Augmentation (SBAS) for GPS navigation should be implemented as a whole-of-government initiative, which would aid many industries in addition to aviation and would improve instrument approach safety at regional airports.

4 Conclusions and Next Steps

Responsibility for the declining state of General Aviation does not rest with any single party. GA has been adversely affected, in no particular order, by the following:

- Economic reform and cost-recovery programs that have been the policy of all Federal governments since the mid-1980s.
- Privatisation of the nation's metropolitan airport infrastructure.
- Inconsistent, frequently ineffective and sometimes destructive stewardship of regional airports by local government.
- Convoluted and expanding legislation, with extensive regulatory documentation requirements, sometimes inconsistently applied and enforced.
- Improved roads, airline fare deregulation and low cost airline carriers as alternative transport modes.
- Consolidation of regional airline routes.
- Declining importance of many rural industries and regional communities and local economic and population growth.
- Poor business practices by many GA operators, including poorly presented aircraft and facilities, minimal staff training and supervision, lack of marketing skills, financial ignorance and reliance on regulatory measures to avoid competition.
- Increased technological sophistication in both aircraft and air traffic management infrastructure.
- Large volumes of controlled and restricted airspace and associated operational constraints.
- Lack of an effective single representative voice.
- Unrealistic public expectations of aircraft operations and sensationalist media coverage of aviation incidents.

The current state of affairs must be addressed as a matter of urgency. If it is not, General Aviation will contract to the point where Australia will be unable to train future generations of airline pilots and support regional and rural communities. Emergency services, including medical evacuation flights, fire-fighting and community relief operations will also be threatened as regional airports wind-down and are subsumed by more profitable land development.

AOPA considers that recovery can only be achieved by engaging with the affected sectors of General Aviation and working through solutions to these problems now.

GA needs rapid traction on at least the major points of the solutions set out in section 3, which may be summarised as follows:

4.1 Airports – Department of Infrastructure and Transport:

- Directly intervene where local governments and privatised airport operators propose airport closure, withdrawal of facilities, onerous local requirements, or diversion of facilities for non-aviation purposes.
- Arrange for oversight of charges at all privatised airports.
- Develop guidelines for airport owners as to their rights and responsibilities, available sources of funding and competent management of airports.
- Work with the Department of Defence to extend joint user arrangements to all remaining military airports located near capital cities to the extent possible.
- Support aviation user groups to acquire airport leases or establish new ones.
- Extend the period of validity for ASIC cards and simplify renewal processes.

4.2 Maintenance: CASA Task Force with Industry Involvement

- Adopt a regulatory framework no more onerous than CAR 30 for Australian GA maintenance.
- Harmonise AME/LAME licensing, training and related standards.

CASA to:

- Ensure consistency and effectiveness of enforcement activities.
- Improve its GA safety programs beyond regulatory enforcement.
- Review the effectiveness of consultative processes and forums.

4.3 Operations: Joint Industry-Government Panel

- Properly measure and recognise the economic benefits of GA.
- Identify and maximise employment opportunities in GA.
- Address sources of cost and inefficiency across the sector, particularly in compliance costs.
- Design and facilitate implementation of effective tax incentives for the replacement of aged aircraft and facilities.
- Develop templates for business plans, programs for public awareness and marketing and financial guidelines for General Aviation operators.
- Support industry recommendations for satellite navigation augmentation and surveillance technologies.