

The Illawarra Flyers Inc.

Submission to

Aviation Safety Regulation Review

The Illawarra Flyers Inc is a 150 member strong self help group of Illawarra based aviation enthusiasts and operators whose mission is to improve air safety, and to improve relations with our neighbours in the Illawarra region through positive peer pressure, training and education.

Our members fly ultralights, a helicycle, gyrocopters, RA Aus aircraft, experimental aircraft, GA aircraft and historical aircraft. We are an active group who have flown the length and breadth of our country.

We have deep concerns about what we see happening to our industry and we summarise our concerns in the following areas:-

- Infrastructure management
- Airport security
- Pilot medicals
- Accident and incident investigation
- Airspace management
- Admin/oversight

Infrastructure Management:

Regional and smaller airports.

We are very lucky in the Illawarra because our Council (airport owner) sees our airport as a strategic regional asset. This was not the case with Hoxton Park which was closed down for commercial gain. It is not the case with Bankstown which is dying a slow and painful death as an airport due to its current commercially driven mismanagement.

Appropriate commercial activity, light industry and airports can work very well together, but not the way Bankstown management are doing it.

When the minister does his shake-up, he needs to provide clear strategic direction for the future of our airports, with clear responsibility and accountability for whoever has to get this area back on track. He also needs to implement an appropriate series of check steps to ensure that what he wants to happen actually happens. Devolving responsibility and accountability with appropriate check steps is delegation.

Devolving responsibility and accountability without appropriate check steps is abdication.

Navigation aids

Over the years many decisions have been made about nav aids:- VOR vs NDB; an Aust stand alone version of the DME which was later abandoned for the international version; ADSB that is different from the countries where most aircraft and avionics equipment are made; WAAS GPS or not. These technically driven decisions remind us of the old VHS vs Betamax wars. The purists 'knew' Betamax was technically superior, but the world went with VHS. We seem too often to go the 'Betamax' route. This is a costly and inefficient way to manage our system. The minister needs to consider how to build checks and balances into this decision making process so we go with the smart decisions, not the technically superior but dumb decisions. These sorts of decisions should not be driven by any government body alone. They require the input and support of appropriate industry members before being accepted by the minister.

Fuel Prices

There are two issues with aviation fuel prices. The first is the apparent lack of competitive pricing, especially at airports with only one supplier, but even at those airports, the price differences do not reflect their transport cost differences. The second is the automatically indexed carbon tax on avgas. This impost is regularly ramping up the cost of avgas. It has not been made on car fuel and should be removed from avgas.

Airport Security

We are in favour of improved airport security. We are not in favour of the current ASIC cost burden. Surely somebody can find a more appropriate and cost effective way for GA and Sport Pilots to demonstrate that they are not terrorists? Many suggest a pilot photo license which seems a sensible and practical idea. Perhaps these could be adequate at all Australian airports except the majors where the ASIC could still be required.

Pilot Medicals

There was an excellent attempt made to establish a recreational pilots license which has a less stringent medical requirement for those pilots who don't fly IFR and don't fly into controlled airspace. The initial idea was that your car licence was adequate proof of your fitness to fly and this came with restrictions on the type of flying you could do and where you could fly. This idea was welcomed by most GA and Sport pilots. Step by step the idea morphed into requiring a medical by your GP rather than by your DAME, which still could have been reasonable. Unfortunately the extensive guidelines now written for the GPs make the whole idea almost worthless.

There is a second major issue with pilot medicals. Should it transpire that you require further tests, regardless of how long it takes to get those tests completed and to get the final acceptance by the regulator, the medical is then back dated to the original

renewal date. There are examples where pilots have “lost” 6 or more months off the validity of the medical, and then they have to go through it all again come the next renewal date. Dates of effectiveness of delayed medicals should commence when the medical results are accepted by AVMED, just as they put an earlier renewal date if you go for your medical and it is renewed earlier.

Accident and Incident Investigations

All major incidents and accidents should be investigated to determine root cause by a body which is not associated with the regulator. There are examples of fatal accidents in the last 10 years that have not been investigated. This is unacceptable.

The sharing of personally identifiable information by the ATSB and especially with the regulator is a major concern. This definitely hinders the reporting of all incidents. Even ATSB reporting call signs is personally identifying.

The ATSB should concentrate on getting to root cause of incidents and disseminating those findings far and wide. They should not be held responsible for improving safety, that is our job. They should be responsible for helping us do our job well. They should not be spending their time developing solutions, they can best add value by being the expert totally independent investigators, making sure we all understand what happened so we can find the solutions.

The ATSB should have an oversight role to ensure self administered organizations have a robust incident reporting and investigation system in place, and they should also have the responsibility of helping those organizations as and when required to set up and run those systems. Some joint accountability here would work well.

The ATSB should not be releasing unsolicited statements to the media. This does not foster good relations, especially if there is any “point scoring” associated with the release.

All safety incident and accident reporting systems (ATSB and self administered organizations) should be legally protected from the regulator, insurance companies and anybody else who might want to use the evidence against those concerned, otherwise it will remain very difficult to get those systems fully utilized.

Airspace Management

Changes

There are far too many changes made to airspace rules for no apparent net safety gain. For example:

- the number of changes made to the procedures to be followed at non-towered airports over the years. Unfortunately now that we have returned to a more sensible and practical set of guidelines along the lines of the US system, it is followed up with “strong advice” in two voluminous CAAPs - [CAAP 166-1\(2\)](#) and [CAAP 166-2\(1\)](#) which reflects the old rules (both dated Dec 2013)

- there was a different frequency introduced at Lake Eyre when it got busy. This change was not communicated well, with locals needing to monitor both frequencies because of the mixed use of both frequencies by visitors.
- There is confusion amongst pilots, clubs and airstrip owners of strips that aren't in ERSA. A very large number of pilots think that 126.7 is the correct frequency to use at such strips, but CAAP 166-1 (2) para 6.6.2 says it is the area frequency that must be used. The CAAP even acknowledges the feedback from industry about confusion on this issue, but nothing else has been done to clear this up. We now have both frequencies being used and those with only one radio have a 50% chance of not hearing or being heard.
- GAAP airports were changed to class D airspace to improve safety, then exceptions were made to each class D airport clawing back many of their former GAAP attributes, rather than making them all identical to make it easier for pilots – compare Albury with Bankstown, or any of the others for that matter.

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If you want people to understand and follow the rules, keep them simple, keep them clear and keep them constant. Then if the need is felt to change them, make that process very cumbersome with significant required consultation and justification. That will stop unnecessary/unjustified change which causes confusion. It is a very big job for any pilot to keep up with the number and volume of changes that are happening.

Admin and Oversight

Given the resources and the opportunity, people will excel. Look at what has happened to sport aviation (aircraft design, numbers built and flying, and avionics developments) since the inception of the LSA and Experimental Amateur Built categories.

There seems to be a good safety case for self administration of all non-commercial aviation activities.

It is not appropriate for any government body to attempt to regulate the private/sport aviation body as though they were a major airline company.

It certainly makes no sense whatsoever to impose EASA rules on the private/sport aviation sector when the vast majority of such aircraft are built under FAA rules.

There can be issues with self administration if the government body concerned abdicates responsibility for such activity rather than delegating it. The relevant government body needs to be given a mandate to 'support and foster' the self administration bodies. There needs to be a team effort to achieve the common goal of safe aviation for all, and the government body concerned needs to be prepared to step up to the mark and support the self administering body when they need help with a wayward member. Nothing grabs the attention of a pilot/aircraft owner more than having his/her aircraft grounded.

Thank you for the opportunity to provide input on these very important topics, and we would be very pleased to have any member of your team come and talk with us if that would be of any help.

Yours Sincerely

John Cleary

For and on behalf of The Illawarra Flyers Inc.