



# THE GLIDING FEDERATION OF AUSTRALIA

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## GFA DECEMBER 2013 SUBMISSION TO THE AVIATION SAFETY REGULATION REVIEW PANEL

### Initial Briefing<sup>1</sup>

#### Preamble:

Australian gliding is intent on working as closely and cooperatively as ever with Australia's aviation regulator and associated entities.

Since the inception of gliding in Australia more than 70 years ago, self-determination and administration of its own best interests have been the hallmark of its evolution to where it is today with a global track-record of proficiency and safety second to none.

A culture based upon excellence in airmanship, primacy of the accountability of the pilot in command for a successful flight with skilled maintainers assuring the efficacy of the craft those pilots fly is gliding's end point goal.

Over the years, gliding developed organically from those groups of adventurous pilots who banded together to explore and develop their freedom to fly and soar using their own ability to harness the power of the skies. Clubs of like minded persons formed and it is that club-based system that still remains as the underpinning foundation to successful self-reliant gliding; not only in Australia, but all around the world.

Gliding remains as much today as it ever was. Carbon fibre may have taken the place of spruce and fabric, glide ratios exceeding 60 to 1 at speeds higher than the  $V_{ne}$  of early craft and unpowered flights exceeding a thousand kilometres at average speeds higher than many light aircraft and at altitudes well in the flight levels are more the norm than the exception. But at its core gliding is much the same as before.

What is important to this Review Panel however, is that the safety track-record of Australian gliding, where every flight ends with a power-off landing either at the home field or at some other place, is achieved via performance-based, graduated pilot training and a development program that never ends. Processes and systems engrossed within a Manual of Standard Procedures that the gliding realm itself developed in 1962, underpin what has evolved ever since.

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<sup>1</sup> GFA will in due course make a formal submission to the Aviation Safety Regulation Review. This briefing is provided in order to provide background and to assist the Panel in its deliberations over coming months.



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Early on, clubs realised that their relationship with the Civil Aviation Authority had to be effectively managed. The early predecessors of The Gliding Federation of Australian Inc. (GFA) were formed to liaise and take care of that interface.

None-the-less, the real heart and success of Australian gliding rests within the 75 active gliding clubs and their pilot members spread across every state of the Nation. Even today, almost all pilot training and aircraft maintenance occurs at gliding clubs. Indeed, this model could be broadly adapted to the whole Sports and Recreational sector as the largest and most rapidly developing part of aviation in Australia.

Such has been the recognition by the Regulator that the gliding realm itself is the undisputed expert in managing its own best interests, it agrees gliding should continue to self-administer its own pilot training, aircraft registration, airworthiness and safety management. Equally, gliding recognises that its ongoing success depends on a constantly evolving culture of continuous improvement and change for the better.

All this has been achieved almost entirely by committed volunteers supported by less than a handful of paid staff at GFA's secretariat based in Melbourne.

In summary, Australian gliding is unquestionably a grand success story in self-determination and aviation safety. This is why GFA expends such energy in maintaining its cooperative partnership with Australia's aviation regulatory bodies, their leadership and the many good individuals within.

So it is of deep concern, that with such a rich success story and sound fundamentals, some in CASA have recently acted in an entirely unwarranted and unjust manner. Indeed, CASA's unilaterally suspension and threats to withdraw long held delegated rights without just cause or reason could itself lead to a safety risk.

## **Where does Australian gliding fit within Australia's aviation regulatory reform?**

Australian gliding and CASA wholly agree on the principle of the proposed **Part 149 Approved Organisational Model** within which GFA can continue to self-administer Australian Gliding and to assist CASA in its governing safety role.

However, there is important matters of detail requiring resolution.

For Pt 149 to work successfully as a model best suited to Sports and Recreational aviation, it requires a close understanding and acceptance of several important foundational elements:

1. Recognition that GFA and its antecedents have successfully self determined and administered Australian Gliding for almost 70 years with an enviable safety track record second to none and is the expert,



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2. This success is based upon GFA's collegiate voluntary self-help system (from top to bottom throughout the gliding movement) and an empowered club-based administrative system. The many dedicated volunteers within Australian Gliding ensures retention of corporate knowledge and specialist expertise.
3. Over that span of years, a culture of continuous improvement has supported Australia's gliding realm to develop sound, practical and safe flying outcomes.
4. Over time a **Cooperative Partnership** has been forged between CASA's Self Administrating Sport Aviation Organisation's office, the Associate Director of Aviation Safety, and GFA based upon mutual respect and agreement. GFA intends that this relationship continue with NPRM Part 149 as the singular element to a fully consulted cooperative agreement for the future.
5. On the basis of its outstanding safety track-record of the past, the GFA agrees that the current relationship based on exemptions and delegations is better served by the proposed Part 149 Approved Organisation Model. Most important is GFA's continuing right to self-determine and administer its own culture and rule-making, its role in supporting glider pilots in command, their clubs and the maintainers ensuring the operating efficacy of the craft they fly; plus GFA's agreed Manuals of Standard Procedures, operating rules, record keeping and audit activities.
6. CASA prescriptions proposed to change rules and operating requirements are to be justified by valid and agreed cost benefit analysis, a safety case and a sound risk management analysis.
7. CASA's respect for GFA's role in self-administering Australia's gliding realm and to not remove it from that role without first showing due cause and a process incorporating natural justice.
8. GFA accepts that a culture of continuous improvement involves adaptation and adjusting how we do things when change is deemed necessary. Equally, most of its resources and financial model are tuned to its business as usual activities and the continuance of safe Australian gliding. GFA's funding is finite in what it can apply to the cost of changing how it operates. Currently a small amount of funding is provided by CASA to achieve outcomes on behalf of CASA. It is acknowledged by CASA that this funding is inadequate to achieve these outcomes. GFA will fund that which it has the resources to deliver, however if services undertaken on CASA's behalf exceed that which GFA can fund as mandated by CASA, an appropriate level of additional government funding will be necessary to fund resources necessary to meet CASA's requirements,
9. An understanding by CASA that Australia's gliding safety is dependant mostly upon its club-based performance outcomes of skill and experience transfer and mentoring as compared to prescriptive processes defined by regulation as may be appropriate in say, airline operations.



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10. Mostly, GFA enjoys close, productive and respectful working association with the officers of the Regulator leading most often to satisfactory outcomes and valuable regulation. However, GFA's delegation to issue airworthiness certification was recently withdrawn unjustly and without notice or due process<sup>2</sup>. For several weeks the gliding aircraft industry and pilots who GFA provides important airworthiness services to and who depend on timely certification of aircraft for sales and services ceased with great disruption to the industry.
11. Oversight by CASA must be only via the GFA's manuals, procedures and structures, and not by direct intervention. Two recent examples of CASA officers circumventing the GFA in its dealings with its members. This undermined GFA's authority to oversee and administer gliding in Australia with consequent negative safety outcomes. The importance of a mutually respectful and mindful oversight of gliding in Australia must be paramount.
12. Oversight and compliance is mostly achieved through a watchful and caring culture where subtle layers of fellow club members, instructors, safety officers, duty pilots and pilot peers look out for each other. It is an elegant, effective and respectful approach to mentoring and performance development. On the rare occasions (< 0.1% pa) that stronger discipline is necessary, infraction has been satisfactorily resolved over time. Criminal culpability as currently proposed by CASA is counter-productive to the just culture and safety management Australian gliding has developed and refined over decades.
13. Gliding is a form of aviation having highly developed and sophisticated levels of airmanship and piloting. Because of the excellence and low cost structure of its training system, many young pilots start their military and commercial flying careers from within the sport, to the great benefit of those entities. Many aircraft maintainers also start out working in gliding club maintenance workshops undertaking tasks under the watchful and mentoring eye of skilled maintainers. As part of the fastest growing and dynamic sector of Australian aviation, GFA and the gliding realm have much to offer as a model of success upon which the newer entrants to sport and recreational aviation can benefit.
14. Glider pilots come from a diverse range of aviation interests including military fast-jet pilots, international airline captains, CASA employees, air-traffic controllers, and all those who have a passionate desire to fly and soar free from the strictures of conventional propulsion and associated encumbrances to be truly one with the power and marvel of the skies. This diversity generates a rich and powerful impetus for balanced outcomes.

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<sup>2</sup> Refer the recent GFA Safety Alert and related correspondence, which is available upon request.



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15. GFA strongly believes that CASA's Part 149 initiative is the correct mechanism for Australian Gliding's future. However, for it to be truly successful, the final crafting of the terms and conditions of an effective cooperative partnership need to be carefully and respectfully framed and finalised as soon as practicable.

In summary CASA's position in respect to sport and recreational aviation administration must involve a carefully measured and respectful understanding of each of the aviation administration organisations it contracts with. To be successful, it must administer that relationship and undertaking in a cooperative manner.

## Concerns:

Four principle areas of concern exist:

- ❖ CASA does not employ a transparent cost/benefit analysis of its risk management approach justifying the cost impacts that regulation imposes on the Australia's aviation industry and its participants.
- ❖ CASA's recent resort to unilateral and unfair action against those having a track record of worthy performance by suddenly and without recourse, suspending critical delegations was not congruent with a just, cooperative and properly risk assessed working association.
- ❖ Inconsistency and contradictions exist within CASA in relation to the meaning of rules and those applying the rules.
- ❖ There is great disquiet for the criminal punitive approach CASA is resorting to in enforcing compliance. An open, just and remediation based culture underpins a functional and inclusive safety system. Focussing on the documentation surrounding compliance, legal positions and administrative processes in a punitive way undermines the progresses made with safety management in Australian aviation.



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## GFA's message to the Panel is:

1. GFA recognises and appreciates the cooperation and collaboration evident within CASA through the Associate Director of Aviation Safety and the Self Administering Sport Aviation Office,
2. The Part 149 Approved Organisation model is the correct way forward,
3. Funding and the method of fair audit of GFA requires further consultation,
4. GFA is held in high regard by aviation generally and is well placed with CASA to build upon its existing administration and oversight of gliding in Australia,
5. A punitive, authoritarian and disrespectful attitude exists within the regulator's approach to serving the best interests of Australia's aviation industry. This is out of touch and not aligned with modalities for success, and
6. A thriving aviation sector is critical for Australia's future. CASA's current thrust is detrimental to this outcome and is unsupportable. A Ministerial Policy is urgently needed directing CASA to adopt a core mission to support and promote a vibrant, successful, diverse and thriving aviation sector.

Thank you for your consideration and appreciation of the importance of the Gliding Federation of Australia in the sport and recreational aviation sector.

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