



THE GLIDING FEDERATION OF AUSTRALIA

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SUBMISSION TO THE AVIATION SAFETY REGULATION REVIEW PANEL BY THE GLIDING FEDERATION OF AUSTRALIA (GFA) Inc.

EXECUTIVE SUMMARY

1. The GFA represents, supports and provides important services to the sport of Gliding in Australia, with a long term demonstrated capability to deliver safe and cost effective outcomes.
2. 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,
3. The Part 149 Approved Organisation model is the correct way forward,
4. Funding and the method of fair audit of GFA requires further consultation,
5. It is vital that the review of aviation safety considers and accommodates the broader inputs provided by sport aviation rather than focussing solely on commercial aviation interests.
6. Recent punitive, authoritarian and disrespectful attitude demonstrated by the regulator in its approach to dealing with the aviation industry is out of touch and not aligned with modalities for success, and there is a need to provide role clarity around CASA's regulation and enforcement functions ¹.
7. A thriving aviation sector is critical for Australia's future. CASA's current thrust is detrimental to this outcome and is unsupportable.
8. A Ministerial Policy is urgently needed directing CASA to adopt a core consultative mission to support and promote all sectors of Australian aviation.

SUBMISSION:

Who is the GFA?

GFA is an association incorporated in Victoria Australia. Its charter is essentially to represent, support and provide important services to Australian gliding. Gliding in Australia is undertaken predominantly at 72 active clubs spread across the country where pilots operate under the auspice of both their club structures and the umbrella of GFA.

It is within this club structure that the important accountabilities for training, oversight, safety management, aircraft maintenance, mentoring, peer support, coaching and an elegant process of continuous skills/experience development occurs. This is what is unique to Australian aviation and which makes such good sense for successful flying missions. Rules by themselves do not lead to aviation safety. It is the way pilots are trained and the pervading culture and airmanship that leads to success.

¹ The reader is referred to the OECD Principles for the Governance of Regulators Paper 2013

Not to be confused with hang gliding or para gliding, the GFA operates under delegation from CASA, with responsibility for pilot training/licensing and aircraft **registering, operating and maintaining VH- registered aircraft**, through a system of CASA approved manuals (Manual of Standard Procedures), approved regulations, training systems, Safety Management Systems, and thorough auditing/compliance methodologies.

The GFA system is, by and large, a successful example of industry self-regulation. GFA's autonomy has been one of the success stories in Sports Aviation in Australia, with input from dedicated experienced volunteers, operating within a club based framework.

GFA uses its delegations not to avoid complying with the regulations, but to implement agreed alternative means of compliance, better suited to the way gliding activities are conducted.

Sport aviation: A legitimate partner!

The Sports and Recreational aviation sector is the largest and most rapidly developing part of aviation in Australia. It is also the pipeline for commercial aviation in terms of pilot training and experience. It is also a major source of social engagement across much of rural Australia, as well as a significant contributor to aviation related business turnover.

Sport aviation contributes to Australian society as both a means of aviation but also as a sport. It provides strong economic activity particularly in non-metropolitan areas, and has a significant contribution to tourism as a consequence of our less crowded airspace, weather and environment.

It is vital that the review of aviation safety considers and accommodates these broader aspects rather than focussing solely on commercial aviation interests.

CASA/GFA relationship

- GFA expends much energy in maintaining its cooperative partnership with Australia's aviation regulatory bodies, their leadership and the many good individuals within.
- The Regulator recognises that the GFA is the undisputed expert in managing its own best interests, and agrees that gliding should continue to self-administer its own pilot training, aircraft registration, airworthiness and safety management.
- Gliding recognises that its ongoing success depends on a constantly evolving culture of continuous improvement and change for the better. This change process needs to be handled appropriately, and with respect and tolerance, at all times focussing on safety outcomes, with evidence-based risk assessment.
- The GFA is deeply concerned, that despite such a rich success story and sound fundamentals, **some in CASA have recently acted in an entirely unwarranted and unjust manner**. Indeed, CASA's unilateral suspension and threats to withdraw long held delegated rights without just cause or reason could itself lead to a safety risk.

Cost effective safety management

- Self-regulation and the focus on voluntary labour means that the GFA can manage its delegations at a much lower cost in terms of both human resources and dollars, than would be possible with CASA management.
- 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.

- If new requirements are imposed on us by the regulator as a consequence of this review, then we would require funding to enable the necessary changes to be put in place, at least during the establishment phase.
- Resorting to a CASA managed model will attract very large cost and bureaucracy increases for the Government.

Part 149

Australian gliding and CASA wholly agree on the principle of the proposed Part 149 Approved Organisational Model which supports GFA's continuing right to self-determine and administer its own culture, rule-making, and operational standards within the Australian regulatory framework.

For Part 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 is the expert and has successfully self-determined and administered Australian Gliding for almost 70 years,
2. Recognition that this success is based upon GFA's collegiate voluntary self-help and empowered club-based administrative system, as compared to prescriptive processes defined by regulation as may be appropriate in say, airline operations.
3. Continuation of the Cooperative Partnership between CASA's Self Administering Sport Aviation Organisation's office, the Associate Director of Aviation Safety, and the GFA which is based upon mutual respect and agreement.
4. CASA proposals 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.
5. 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 led to consequent negative safety outcomes.
6. 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.

Concerns:

Four principle areas of concern exist:

1. CASA does not employ a transparent cost/benefit analysis of its risk management approach to justify the cost impacts that regulation imposes on the Australia's aviation industry and its participants.
2. 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.
3. Inconsistency and contradictions exist within CASA in relation to the meaning of rules and interpretation by those applying the rules. It evidences CASA's conflicting/competing functions and goals of safety outcomes, regulation and enforcement.
4. Applying administrative and bureaucratic requirements, which may be appropriate for a major airline, to sport aviation organisations which have a very low risk impact on the travelling public. CASA is resorting to a punitive approach in enforcing compliance to these administrative requirements.

Thank you for your consideration and appreciation of the importance of the Gliding Federation of Australia in the sport and recreational aviation sector. I and/or our staff are available to answer any specific questions of the review panel, or provide evidence to support your research.

I am hopeful that we will be given the opportunity to review your final recommendations prior to publication so that we can respond to any perceived gaps.

Yours sincerely,

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