



# McDERMOTT AVIATION HELI-LIFT AUSTRALIA

*The Helicopter Specialists*

31<sup>st</sup> January 2014

Dear sirs,

We write to add support to the efforts already being canvassed and proposed by AMROBA and the Aerial Agricultural Association of Australia both industry representative groups of which we are financial members and participants.

Most importantly, we write as a reasonably major General Aviation (GA) operator, with a fleet of 35 Specialist turbine helicopters and 7 Turbo Prop and Jet engine aeroplanes, We hold CASA, FAA, PNG and EASA approved maintenance organisations and a combined work force of around 150 specialist aviation personnel and associated staff.

We have approximately Eighty Million dollars (\$80.0Mil) invested in our aviation business!

We have also been very actively involved in CASA industry participation forums and meetings, which makes some of the current CASA proposal all the more disappointing?

GA is not currently considered 'unsafe' nor is there any safety based case for suggesting so? GA is NOT full of 'cowboys'. We are a group of very professional, highly skilled, trained and passionate people who have millions of dollars invested in our businesses! Often these businesses are 'family owned and operated, something no longer seen in the EU model! It is in our best interest for these businesses to be run safely, legally and cost effectively. There is no justification for the massive cost increases, reduced flexibility and proven unworkable restrictive regulation to be implemented, just for the sake of change!!

We in the general aviation (GA) sector are at end of our patience with the ridiculous proposals and expectations trying to be implemented by CASA over the past few years, to 'align' with EASA system. When CASA is asked one on one they deny that is the case, yet clearly it is!

Our opinion of the European - EASA model is it is possibly the absolute worse model to be trying to implement and enforce upon us General aviation sectors, within Australia. The demise of similar operations within Europe since the introduction of EASA is testimony to that statement!  
Some reasoning listed below.

EASA system was formed to provide EU freedom for airline operations within EU to function without 'borders' and permit alignment 'within Europe ' of airworthiness certification and return to service capabilities. It was also driven by the trade union model and in fact discriminates against non EU persons.

The EASA model can only work for larger Airline type operations due to the need for so many office staff required to comply, fulfil and manage the massive documentation associated with this system. The system is onerous, top heavy and is NOT friendly in any aspect to smaller commercial operators. Again the demise of smaller GA operations within EU supports that statement.

This is the case for both flying operations and engineering aspects.

Basically EU no longer have a general aviation industry remotely resembling that of the GA industry in Australia, an industry that is so important in so many ways to the Australian environment, economy and business requirements!

Historically, once EASA came into being in Europe, nearly every smaller operation which provided essential services tho on smaller scale went broke and was absorbed and created giant monopolies without ANY evidence of improved safety BUT with definite evidence of less competition with associated flow ons.

It has also been stated that the EASA system in fact favours the EU aviation industry as it's rules on mechanics gaining licences etc is so prescriptive, it almost eliminates mechanics from becoming qualified on non current production model aircraft!

This would have the same destructive effect for Australian mechanics and ultimately lead to the demise of many Australian GA businesses.

Basically the EASA system particularly in the helicopter industry applies all the rules and regulations to ALL smaller operators as would be expected for operations for example in IFR conditions in the North Sea oil fields.

Whilst these expectations may well fit into the Oil and Gas field high density operation, there are very few similarities with what GA provide in Australia.

I have firsthand experience of this, I own and operate a French helicopter company in New Caledonia and we have been forced in the past few months, to adopt EASA rules and regulations. We are currently assessing and contemplating closing the company down, not due to unwillingness to provide safe operations, purely due to the massive cost impost placed by installing additional equipment, under the banner of safety but which does not historically improve safety in any measurable way?

Evidence of this is the continuing safety issues, crashes, incidents which continue to occur within EU and the North Sea oil support sector, where there are still high occurrences of accidents, failures and deaths - despite all the legislation EASA imposes?

As could be argued in some very high profile accidents, such as the Air France A330 tragedy and more recently a couple of the off shore helicopters accidents, which have crashed with disastrous consequences, you cannot legislate against stupidity and unless the pilots and mechanics are well trained on how to actually 'perform their function' these accidents will continue to occur despite over regulation?

To this end, we believe Australia needs our aviation sector to be strong, as it currently is and whilst aligned with international regulation, we should not just blindly follow without realising the full consequences?

The dinosaur did not accept change and became extinct BUT the other species to become extinct was the Dodo Bird who simply followed the others over the cliff to their extinction!

### **Airworthiness**

The current proposals we have been forced to 'accept' simply don't work for the GA sector. I was part of the original industry representative group to consider the change from our then existing system and I thought between Casa and our group there were good workable and sound propositions put forward and we thought adopted and ultimately to be implemented?

The role out resembles NOTHING of what was considered and agreed to and has now aligned so closely with EASA that we are bound for the same outcome unless something is changed prior to implementation! The reasons I believe have been well identified by AMROBIA but briefly, it was proposed to open the pathway for engineers to become qualified, however, the EASA type system being pushed by Casa will increase the limitations already so prescriptive within Australia.

We have firsthand experience with USA-FAA, NZ Part 145, PNG Part 145 and EASA part 145 and of course Casa part 30 Australia has a massive shortage of aircraft engineers ( in fact engineers generally, another story) and we require a system that encourages and promotes new people to join and become qualified! The system currently being proposed by Casa further restricts and places obstacles to this need! Then there becomes the ongoing issues of individual agendas and interpretation of rules and regulations by some Casa Airworthiness Inspectors as well as higher ranks!

We have a situation where a current manager of AIRWORTHINESS does not 'like' PMA or MITCOM and has publicly stated that 'he' will resist and not approve certain engineering functions because 'he doesn't like them'? Not because of sound safety reasons, not because of historical failures of the system, just 'because'! His back ground - EASA!

By choice we prefer the USA system, however it has been identified that the NZ Part 145 is more representative of what can work within South Pacific region. Our experience with PNG Part 145 would suggest that their system has taken the original NZ system and refined and improved. We are aware PNG has issues with ICAO etc however; I believe that is not because of the system, it is more to do with the people who manage PNG. The PNG 145 is certainly a sound model for GA engineering and we believe would be a sound model for GA Australia.

### **Flying operations**

The proposed role out of Part 142 Part 66 has been a complete mess. Again, we have been actively involved with part 133,138 also and there are just so many fundamental inadequacies and issues. So often these industry discussions have been no more than a facade to provide industry false hope that 'we are working together', so often it is obvious the outcomes have been well predetermined long before the meetings take place?

I have been told that it is all about alignment with ICAO, which again, is fine for the airline business and commuter business but for those of us in GA it simply just creates additional costs and regulations for no safety based outcomes? Most of us in GA actually conduct aerial work, for which ICAO do NOT recognise, list, prescribe or oversee. As such, why should our industries be placed in jeopardy trying to align and comply with a regulation base NOT intended for our industry?

If CASA who seems almost hell bent on introducing the EASA type system so as to align with ICAO then that should clearly be for high capacity Airline operations whilst GA should have a system more aligned to what is needed to make the industry safe, reliable, viable and continue to provide such important services as is currently being provided!

Areas of obvious concern with proposed rules.

Part 142 will eliminate the current 'co pilot' rating to align with ICAO. Again, we in the GA sector use this rating to train and mentor many of our younger less experienced pilots into our industry. This has proven a

safe and effective means for bringing pilots onto line, as it allows these pilots to see and participate in real life situations without 'throwing them in' just because they have passed a Simulator flight check!

Part 66 engineering licensing is just a total mess! There was supposed to be scope for OJT, competency based training and recognition of transition between turbine engine type ratings and even airframe ratings. This has been totally thrown out and the EASA model, which does NOT work for GA has been presented. Again, it simply just does NOT provide better mechanics and in fact it places more obstacles and less incentive for staff to further their qualifications.

As an engineer myself I have the new Australian Part 66 EASA aligned engineers licence, yet it does not 'align enough' to permit me to return to service any EU EASA aircraft, so what was the point??

I could ramble on forever, I sincerely do not wish to sound like I am being just negative so as to avoid change, our business model actually demonstrates how well we adapt to change but there needs to be serious reconsideration to which system is introduced to take our industry forward!

I am hopeful your committee will be able to consider industry input and we can as a group move forward with CERTAINTY to our Safety and future!

Thanks for your time,

Yours truly



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