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SUMMIT RESOLUTIONS

GENERAL AVIATION SUMMIT 2018

UPDATE TO THE CIVIL AVIATION ACT 1988

Monday 9th & Tuesday 10th July, Wagga Wagga NSW.



17th July 2018

Mr Michael McCormack MP
Deputy Prime Minister
Minister for Infrastructure and Transport
Leader of The Nationals
PO Box 6022, House of Representatives
Parliament House
CANBERRA ACT 2600, Australia

GENERAL AVIATION SUMMIT 2018

Deputy Prime Minister,

On behalf of the 100 delegates of the 34 general aviation associations who attended the General Aviation Summit on 9 – 10 July, I express our sincere appreciation for your attendance, address and for your willingness to listen and have regard to the views and concerns of the general aviation industry. The delegates were very pleased to hear of your willingness to adopt a bi-partisan approach to the consideration of necessary changes to the Civil Aviation Act widening its applicability to have regard to matters in addition to solely safety.

The Summit was a major success. Many have said it was a most significant gathering of aviation associations who have worked together in harmony to provide an agreed approach to regulatory reform. Industry consensus such as this must provide Government with a clear approach for the future.

I have great pleasure in providing the Summit's Findings and Recommendations as set out in the attached document.

Australia is in a unique position for our industry to benefit substantially from the huge demand for pilot and engineer training not only for our aviation industry but also for our neighbours in Asia and the world. The Australian economy and community benefits from a healthy general aviation sector and we must not let these opportunities pass because of impractical and overly burdensome regulation.

The Summit delegates were very clear. No one wishes to see our world class safety record and performance diminish. What is needed is practical, outcome-based regulation designed to foster and develop our industry while maintaining our high level of safety as demanded by the community.

The consensus on immediate changes to the Civil Aviation Act will provide direction for the regulator to move forward. A full review of the Act and subsequent regulations over the coming few years will build on this reform.

On behalf of the delegates, I urge you to accept the Findings and Recommendations and work with your Parliamentary colleagues, including the Opposition, minor parties and Independents to enact the consensus changes and allow the industry to move forward and achieve the best possible outcome for Australia.

With kind regards,

GEOFF BREUST
General Aviation Summit 2018 - Chairman
PO BOX 26, Georges Hall NSW 2198, Australia

RESOLUTIONS

GENERAL AVIATION SUMMIT 2018

The General Aviation Summit has agreed to pass two resolutions which (1) set out the principal findings of the summit with regard to the regulation of general aviation in Australia and (2) commits the industry to providing appropriate information and to make recommendations for action on reform as follows.

The General Aviation Summit concluded:

1. the General Aviation sector wants to maintain or improve Australia's aviation safety outcomes;
2. the General Aviation sector is of vital importance to Australia especially regional and rural Australia not only in economic terms but in social and community service provision terms;
3. the General Aviation sector, including the commercial elements of the sector, is overburdened with the complexity and cost flowing from the current Civil Aviation Act, Regulations and other aviation legislation;
4. the current regulatory regime is based on a prescriptive approach to rules and compliance. World best practice is based on Outcome Based regulation which Australia should implement immediately in accordance with DAS Directive 01/2015 and the Minister's CASA Statement of Expectations;
5. the cost and complexity burdens placed on the General Aviation sector are exacerbated by the actions of Airservices and airport operators, both privatised and local government owned, by further cost impositions, operational restrictions and inappropriate infrastructure development;
6. the Australian economy has the opportunity to benefit from pilot and engineering training, aircraft and component maintenance and construction services flowing from the world-wide expansion of air travel and aviation activity – especially in Asia. To achieve this, we must be able to respond effectively and be liberated from over regulation; and
7. the attitude must be to adopt best regulatory practices in parallel with embracing safety and economic benefits of new technologies in Australian aircraft and operations. This will allow Australia to achieve its potential as an aviation leader, aviation service provider and exporter.

In looking to the future, the Summit further resolved to:

1. provide a statement of value of the General Aviation sector in Australia;
2. provide a statement of opportunity for the General Aviation sector in Australia;
3. recommend the Civil Aviation Act and other Acts associated with aviation including aviation infrastructure, be reviewed and amended to ensure implementation of Outcome-Based regulation and industry facilitation during the first term of the next government;
4. in the meantime, to recommend a small number of amendments to the Civil Aviation Act to immediately refocus to an holistic and less prescriptive approach to regulation for bi-partisan passage through the parliament before the next election (see ANNEX 1);

5. recommend the establishment or redefinition of an Office of Aviation Industry in the Department of Infrastructure and Transport to engage and assist industry to further foster and develop aviation both domestically and internationally; and
6. recommend that there are a number of advances in aviation safety and amenity that can be made within the current regulations and responsibilities. The summit seeks to have an established programme to identify, prioritise and implement a programme of these changes with defined timeframes and covering CASA, ASA and Aerodrome Operators (see ANNEX 2)

ANNEX 1: CHANGES TO THE CIVIL AVIATION ACT – STATEMENT OF INTENT

Whereas the current regulatory stance adopted by CASA is out of step with contemporary regulatory practice, as adopted by The International Civil Aviation Organization through the promulgation of Annex 19, Safety Management Systems, and is contributing to the rapid decline of Australia's general aviation industry, and whereas the world is facing a growing shortage of skilled aviation personnel and Australia has the opportunity to contribute to the training of these personnel in a way that can improve safety, the Aviation Summit finds that elements of the current Civil Aviation Act are not fit for purpose.

Specifically, Section 9A, Performance of Functions, imposes upon CASA a limitation that impedes the development of performance-based regulation and the safety benefits that would otherwise be achieved. §9A (1) requires that, in exercising its powers and performing its functions, CASA must regard the safety of air navigation as the most important consideration and there is an urgent need to address this anomaly.

1. The Aviation Summit supports a review of the Civil Aviation Act, to include as a minimum, a repeal of Section 9A (1) and a replacement with the following language:

9A Performance of functions

- (1) In exercising its powers and performing its functions, CASA must seek to achieve a world standard of **safety in air navigation as well as:**

(a) maintaining an efficient and sustainable Australian aviation industry, including a viable general aviation and training sector;

(b) creating the conditions for more people to benefit from civil aviation.

2. The Summit delegates support the need to amend, as soon as possible, the Object of the Civil Aviation Act and other aviation related Acts, without reducing the primacy of safety, to include an amended Object to support a sustainable and viable aviation industry;

The current main objective of the Act is to establish a regulatory framework for maintaining, enhancing and promoting the safety of civil aviation with particular emphasis on preventing aviation accidents and incidents;

Moving forward, the objects must include;

- i. a strong, efficient and sustainable aviation industry;
 - ii. enabling more people and communities to benefit from aviation; and
 - iii. emphasis on substantially reducing the administrative and financial burden of regulatory compliance.
3. The inclusion of the government's Red Tape Policy to be permanently inserted into Section 98.

ANNEX 2: PRIORITY LIST OF ACTIONABLE ITEMS (3 Pages)

MINISTER & GOVERNMENT

1. **Update the Civil Aviation Act as prescribed by the Summit in Annex 1**
2. **Change the name of CASA to the Civil Aviation Administration (CAA) to reflect its enhanced responsibilities;**
3. **Establish clear transparency of the CASA Board and require that all meeting agendas and minutes be published publicly via the CASA website;**
4. **Government to assure that CASA conforms with, and reports publicly on its compliance with DAS Directive 01/2015 (existing) and the Minister's Statement of Expectations (existing);**
5. **In recognition that the GA sector has an extensive slate of both Macro and Micro reform concerns, the government establish a joint general aviation industry task force that;**
 - a. **identifies industry reform priorities;**
 - b. **builds an agreed agenda of action items that assigns clear timelines and accountability for reform completion;**

AVIATION MEDICAL

6. In alignment with its indemnity for Flight Examiners, CASA to confirm inclusion/extension of Indemnity to DAMEs acting pursuant to CASA delegations for the issue of medical certificates;
7. Extend the newly announced Class 2 Basic Medical provisions to include IFR (Command and PIFR) and NVFR for private operations (which are arguably as being of no greater stress level than VFR operations), and on a minimal risk to public basis to include solo Aerobatics;
8. Introduce US FAA regulations for supplemental oxygen use as per FAA 91.211;

FLIGHT TRAINING

9. Require that CASA publish on an ongoing basis via its website a business directory of all current general aviation flight training organisations, which includes;
 - a. Company Name and Full Address Information – Including airport location details
 - b. Contact Telephone, Email address and website information
 - c. Summary of approved services
10. In recognition of the pending closure of many smaller and local training operations, based on their apprehension of Part 141/142, delay final implementation of part 141/142 until either the regulations can be made workable for such operators, or necessary education and familiarisation is completed;
11. Notwithstanding the Part 141/142 provisions for Approval of Individual Instructors, adopt the much simpler US Federal Aviation Regulations in relation to instructor certification and operations which are, where applicable, treated as provision of educational services, not of piloting services;

METEOROLOGY

12. Undertake an immediate post implementation review of 'reduced Terminal Area Forecast services' with a view to re-establishing services in critical locations;
13. Undertake an immediate post implementation review (in conjunction with the General Aviation industry) of the 'introduction of Graphical Area Forecasts and Grid Point Wind and Temperature Forecasts;

AIRPORTS

14. The Federal Government formally acknowledge that all Australian airports including regional and secondary are 'Public National Infrastructure Assets' that are essential to the success of the aviation industry and are being operated as a 'Monopoly' that requires strict federal government management to ensure fair and equitable access by the general aviation sector;
15. The Federal Government, where they are the underlying airport owner, be responsible for ensuring;
 - a. that aviation infrastructure be maintained in full, preventing runway closures and/or shortening, along with preserving taxiways, aprons and other essential aviation infrastructure;
 - b. GA aircraft users and operators have access to facilities for parking, loading and passenger amenity, at rates/charges that are consistent with the community usage of the facility;
 - c. aviation related airport lessees are to be provided with long-term lease conditions in excess of 25 years and be provided with guaranteed lease-renewals, so as to encourage continued investment in their aviation businesses and to satisfy bank lending conditions;
 - d. all fees, charges and leases to be subject to review as required;
16. Make it a condition of all Commonwealth and State Government funding provided to any privatised or local government managed airport that an Airport Advisory Committee (AAC) made up of airport users and stakeholders be established and for the AAC to sign off on any airport funding requests before funding can be provided;

AIRCRAFT REGISTRATIONS

17. Require that CASA perform an audit of its aircraft registrations and for it to publish on an ongoing basis via its website up to date information, with respect to the;
 - a. Total number of aircraft registrations
 - b. Total number of airworthy registrations (aircraft with a valid/current maintenance release)
 - c. Total number of non-airworthy registrations

MAINTENANCE, ENGINEERING & LAME

18. Require that CASA publish on an ongoing quarterly basis via its website a directory of all current general aviation maintenance organisations, which includes;
 - a. Company Name and Full Address Information – Including airport location details
 - b. Contact Telephone, Email address and website information
 - c. Summary of Certificate of Approval information
19. Establish the necessary framework to facilitate the sustainable and reasonable operations of small Independent LAMEs without excessive administrative and procedural burdens more appropriate to larger scale and commercial operations;
20. Simplify and increase the efficiency of gaining aircraft engineering/maintenance qualifications for GA Aircraft;
 - a. Simplification and clarification of Maintenance Training Requirements;
 - b. Encouragement of apprenticeships;
 - c. Recognition of prior learning (without high charges);
 - d. Reintroduction of Distance Learning LAME training (possibly drawing on existing mothballed materials);
21. Undertake a post implementation review of the Cessna SIDs and impact on industry, with a view to establishing improved forward arrangements for the continuing maintenance of Cessna aircraft.

AVIATION SECURITY

22. The Minister communicate with the Hon Peter Dutton MP, Minister for Home Affairs, requesting an immediate review the ASIC Card procedures and requirements for general aviation, with a view to;
 - a. the termination of the programme - failing this;
 - b. extending ASIC issue to a minimum 5 years in alignment with the Marine SIC card (MSIC); and
 - c. reducing the cost impost on industry;

AIRSPACE

23. Fully implement the national airspace system to reduce complexity and allow more equitable use of airspace;
24. Standardise metro class 2 airport procedures for entry, exit and clearance along with Transponder code pick-up;

In addition to the items above, it is anticipated that a General Aviation Task Force, recommended in item 6, will result in further micro reform items.

ANNEX 3: SUMMIT PARTICIPANTS

SUMMIT CHAIRMAN

Mr Geoff Breust, former Managing Director of Regional Express

INVITED SPECIAL GUESTS

- 1) The Mayor, City of Wagga Wagga, Councillor Greg Conkey OAM
- 2) Deputy Prime Minister, The Hon Michael McCormack MP
- 3) The Hon Anthony Albanese MP, Shadow Minister
- 4) Member for Mount Isa, The Hon Robert Katter MP
- 5) Senator for Western Australia, Senator Slade Brockman
- 6) Senator for Queensland, Senator Fraser Anning
- 7) Senator South Australia, Senator Rex Patrick, Represented by Jonathan Sharman
- 8) Senator South Australia, David Fawcett, Represented by Mr Micah Wright-Taylor
- 9) Senate RRAT Committee Secretary, Dr Jane Thomson
- 10) Department of Infrastructure, Mr Jim Wolfe
- 11) Department of Infrastructure, Ms Melissa Cashman
- 12) Aviation Advisor to the Deputy Prime Minister, Mr Stephen Campbell
- 13) Civil Aviation Safety Authority, Group Manager, Mr Rob Walker
- 14) Airservices Australia, Mr Stephen Angus
- 15) Australian Transport Safety Bureau, TBA
- 16) iAOPA Secretary General, Mr Craig Spence
- 17) University of New South Wales, Prof Ian Hampson
- 18) Falcon Air Safety Officer, Mr Ken Lewis

ATTENDING INDUSTRY ASSOCIATIONS

- 19) Aircraft Owners and Pilots Association of Australia (AOPA Australia)
- 20) Aircraft Electronics Association – South Pacific Region (AEA)
- 21) Aircraft Maintenance Repair Overhaul Business Association (AMROBA)
- 22) Airtourer Association (AA)
- 23) Antique Aeroplane Association of Australia (AAAA)
- 24) Australian Aircraft Manufacturers Association (AAMA)
- 25) Australian Beechcraft Society (ABA)
- 26) Australian Business Aviation Association (ABAA)
- 27) Australian Licensed Aircraft Engineers Association (ALAEA)
- 28) Australian Mooney Pilots Association (AMPA)
- 29) Australian Parachute Federation (APF)
- 30) Australian Piper Society Inc (APS)
- 31) Cessna 182 Association of Australia (C182AA)
- 32) Cessna 200 Association of Australia (C200AA)
- 33) Cirrus Owner Pilots Association of Australia (COPA)
- 34) Colour Vision Deficient Pilots Association (CVDPA)
- 35) Experimental Light Aircraft Association of Australia (ELAAA)
- 36) Gliding Federation of Australia (GFA)
- 37) Hang Gliding Federation of Australia (HGFA)
- 38) International Comanche Society – Australia (ICSA)
- 39) Lancair Owner Builder Organisation (LOBO)
- 40) Recreational Aviation Australia Limited (RAAUS)
- 41) Regional Airports User Action Group (RAUAG)
- 42) Sport Aircraft Association of Australia (SAAA)
- 43) Seaplane Pilots Association of Australia (SPAA)
- 44) Australian Aero Clubs Alliance (AACA)
- 45) Your Central Coast Airport Association (YCCA)
- 46) AVPLAN-EFB
- 47) *Rotorcraft Asia Pacific– Observer Only***
- 48) *Angel Flight Australia (AFA) – Observer Only***
- 49) *Royal Federation of Aero Clubs (RFAC) – Observer Only***
- 50) *Australian Women Pilots Association (AWPA) – Observer Only***
- 51) *Australian Warbirds Association Limited (AWAL) – Observer Only***
- 52) *Regional Aviation Association of Australia (RAAA) – Observer Only**
- 53) *GARMIN Australia – Observer Only***
- 54) *Hawker Pacific – Observer Only***
- 55) *Thomas Global Systems – Observer Only***