

ATTACHMENT A - Final questions raised by the JCPAA

Funding programs

Question 1

Could the Department provide an indication of the amount of available funds for upgrading security that remained in the Regional Airports Funding Program as of 31 March 2006?

- Does the Department envisage further significant applications for funds under the Regional Airport Funding Program?

As at 31 March 2006, 101 of the airports eligible to access funds from RAFP had their funding announced, to the value of \$25.3 million.

The role of the Department is to determine eligibility of the proposed basic security measures for funding. All eligible airports have had their measures approved by the Department.

The role of the AAA is to facilitate and manage the distribution of funds. The airports that have not yet had their funding announced are currently liaising with the AAA to access their funds.

It is expected that all \$35 million will be expended.

Question 2

Could the Department specify which three airports undertook CCTV trials under the Securing Our Regional Skies program?

- Is a further funded roll out of CCTV at regional airports to occur?

Four airports are participating in the CCTV trial - Dubbo, Geraldton, Gladstone and Moorabbin. These airports were selected for their diverse locations and the unique security considerations identified in their transport security programs.

The one year trial will conclude in November 2006. This trial has already provided valuable insights into developing this kind of preventive security measure for regional airports across Australia. After the trial period, DOTARS will assess the research data and make a recommendation to Government as to the best use of CCTV at regional airports, considering on-going costs and the effectiveness CCTV systems.

It must be remembered that CCTV is just one system that can be used to mitigate identified risks at airports. It forms part of a broader framework of airport security, and the trial is providing very useful information on how to integrate this and other airport security measures.

A number of other airports have also accessed funding through the RAFF to install CCTV.

Question 3

REX claimed that:

It is also suggested by some regional airport operators that the current security upgrade scheme is a means by which enhancements can be made to their facility with the cost borne by the Federal Government. Comments have been made by such airports that they must not miss out on this untapped funding availability.

What checks are in place to ensure that RAFP funds are not spent on measures that would deliver negligible security outcomes?

Each of the eligible airports has received approval from the Department of Transport and Regional Services for the specific security enhancements consistent with the airport's individual needs, risk assessment and transport security program. This means all appropriate layers of security are being put in place based on the size and scale of the airport and the type of aircraft that service the region.

Security consultants contracted to the Department assessed each proposal for funding, to ensure the proposed measures were appropriate to address the risks identified by the airport.

Question 4

The Australian Airports Association stated that three airports chose not to prepare security risk assessments in bidding for RAFP funding.

- In light of complaints from the Shire of Northampton that it felt compelled to engage a security consultant to advise on security upgrades that it felt were not required at Kalbarri Airport, could the Department specify whether airports were required to submit security risk assessments?
 - If yes, have all security classified airports now submitted security risk assessments?
 - If security risk assessments are required but have not been submitted, what steps has the Department taken to ensure that all security risk assessments are submitted?

All prescribed aircraft operators and operators of security controlled airports are required to have or, in the situation of transitioning operators, be in the process of preparing a Transport Security Program (TSP) in accordance with the *Aviation Transport Security Act 2004* and the *Aviation Transport Security Regulations 2005*. An essential component of all TSPs is the completion of a security risk assessment for the operation to be covered by the program. Specifically, Regulation 2.10 states that an airport operator's TSP must include a statement outlining the local security risk context of the airport, including consideration of its location and seasonal and operational factors; a list of general threats and generic security risk events to people, assets, infrastructure and operations; and an outline of the people, assets, infrastructure and operations that need to be protected. The Department would not approve a TSP that did not have a security risk assessment completed. Likewise, all applications for RAFP funding must be accompanied by a security risk assessment.

Through the workshops held by the Department (details of which appear in our response to Question 6), to which all operators were issued an invitation to attend, extensive guidance was provided to operators in how to complete a security risk assessment.

The security risk assessment process is, in accordance with the legislation, non-prescriptive. Operators must assess their own risks and determine what security measures, if any, should be implemented or amended to address these risks as they relate to the minimisation of unlawful interference with aviation. This assessment is to be undertaken giving consideration to geographical, demographical and historical contexts that are individual to each operator. Operators were not required to engage the services of a consultant to assist in developing their security risk assessment, or to heed any advice given by a consultant, although some have chosen to do so.

All operators that were new to the strengthened security regime on or since 10 March 2005 have completed a security risk assessment as part of their TSP. Operators that are transitioning are required to have their TSP, with a completed security risk assessment, approved by the Department by 9 March 2007.

Advice to aviation industry participants

Question 5

The Department's submission contains a *Guide for Preparing a Transport Security Plan for Airport Operators – New Entrant* and a *Guide for Preparing a Transport Security Plan – Regulated Air Cargo Agent*.

On what date was the Guide for Preparing Transport Security Plan for Transitioning Airports and Transitioning Prescribed Air Services released?

The guidance materials prepared for new entrant operators were amended and revised following the introduction of the *Aviation Transport Security Act 2004* and the *Aviation Transport Security Regulations 2005* on 10 March 2005, and consultation with a number of transitioning operators, to incorporate feedback and other comments received. These guidance materials were placed on the internet in November 2005 and made available to all transitioning operators prior to the commencement of the transitioning operator workshops (details of which are provided in our response to Question 8).

Question 6

Could the Department specify which aviation participants were invited, the location and format (for example, material covered) of the workshops held around Australia from late 2004 to early 2005 referred to at Annexure Q of the Department's submission?

The purpose of the workshops was to provide information about the aviation security regime, and to assist operators to develop the security risk assessment component of their TSP.

The Department conducted 18 workshops for regional airport operators and 14 workshops for regional air service operators in the lead-up to the introduction of the *Aviation Transport Security Act 2004* and the *Aviation Transport Security Regulations 2005*. Information and guidance was provided to aviation industry participants by DOTARS representatives and a DOTARS-engaged risk management consultant. The guidance materials provided to participants formed the basis for the workshops.

Regional airport operator workshops

The following agenda was utilised at all regional airport operator workshops:

- Welcome (DOTARS)
- National Security Framework – aviation transport context (DOTARS)
- Security risk assessment (Consultant)
- Aviation Transport Security Programs (Consultant)
- Security risk assessment exercise (DOTARS and consultant)
- Final questions and close of workshop

The Department has retained data only on those participants that actually attended each workshop, not those that declined. The industry participants who attended the regional airport workshops are listed in **Attachment C** to this submission, which is classified Security in Confidence. The dates of these workshops are as follows:

- Albury - 23 June 2004
- Ballina - 1 July 2004
- Sydney - 5 July 2004
- Melbourne - 12 July 2004
- Launceston - 14 July 2004
- Hamilton - 16 July 2004
- Cairns - 19 July 2004
- Brisbane - 21 July 2004
- Longreach - 23 July 2004
- Broome - 26 July 2004

Perth - 28 July 2004
Kalgoorlie - 30 July 2004
Tamworth - 13 August 2004
Adelaide - 16 August 2004
Darwin - 20 August 2004
Dubbo - 24 August 2004
Mt Isa - 10 September 2004
Thursday Island - 23 September 2004

Regional air service operator workshops

The following agenda was utilised at all regional air service operator workshops:

Welcome (DOTARS)

National Security Framework – aviation transport context (DOTARS)

Security risk assessment (Consultant)

Aviation Transport Security Programs (DOTARS)

Security risk assessment exercise (DOTARS and consultant)

Final questions and close of workshop

The Department has retained data only on those participants that actually attended each workshop, not those that declined. The industry participants who attended the regional air service operator workshops are listed in **Attachment C** to this submission, which is classified Security in Confidence. The dates of these workshops are as follows:

Canberra – 21 October 2004
Adelaide – 26 October 2004
Melbourne – 27 October 2004
Cairns – 2 November 2004
Brisbane – 4 November 2004
Brisbane – 5 November 2004
Sydney – 17 November 2004
Sydney – 18 November 2004
Perth – 23 November 2004
Darwin - 26 November 2004
Sydney – 16 December 2004
Melbourne – 17 December 2004
Brisbane – 21 December 2004
Perth – 13 January 2005

Question 7

Could the Department specify the location and format (material covered) of any workshops held around Australia for the Regional Airport Funding Program?

No workshops have been conducted for the Regional Airport Funding Program. However, the program was mentioned in workshops held for new entrant security controlled airports. Operators were advised of how to apply for RAFP funding and an application form was provided. The Department conducted 18 workshops, the details of which can be found in our response to Question 6. These workshops were attended by the operators of 121 airports, listed in **Attachment C**. This attachment is classified Security in Confidence.

Representatives from the Office of Transport Security attended the annual Australian Airports Association conference in 2004 and 2005, where technical workshops on the RAFP were conducted.

Question 8

Will any workshops be held to support airports that are required to transition their security programs?

The Department conducted a number of workshops for domestic and international operators transitioning to the *Aviation Transport Security Act 2004* and the *Aviation Transport Security Regulations 2005*. These workshops were open to both airport and air service operators. Information and guidance was provided to aviation industry participants by DOTARS representatives and a DOTARS-engaged risk management consultant. The guidance materials provided to participants formed the basis for the workshops.

The following agenda was utilised in the transitioning workshops:

Welcome (DOTARS)

National Security Framework – aviation transport context (DOTARS)

Security Risk Assessment (consultant)

Aviation Transport Security Programs (DOTARS)

Airport Transport Security Program OR Airline Transport Security Program

Security Risk Assessment – Writing a security risk assessment (DOTARS and consultant)

Questions and close of workshop

The Department has retained data only on those participants that actually attended each workshop, not those that declined. The industry participants who attended the transitioning regional air service and airport operator workshops are listed in **Attachment C** to this submission, which is classified Security in Confidence. The dates of these workshops are as follows:

Melbourne - 2 November 2005

Newcastle - 4 November 2005

Hobart - 11 November 2005

Brisbane - 22 November 2005

Mackay - 29 November 2005

Melbourne - 2 December 2005

Karratha - 8 December 2005

Perth - 9 December 2005

Darwin - 16 December 2005

International airline workshops

Four workshops were held to assist international airlines transition their TSPs to the new regime. The Department has retained data only on those participants that actually attended each workshop, not those that declined. The industry participants who attended the international air service operator workshops are listed in **Attachment C** to this submission, which is classified Security in Confidence. The dates of these workshops are as follows:

Melbourne – 8 November 2005

Sydney – 15 November 2005

Brisbane – 17 November 2005

Sydney – 22 November 2005

Counter-Terrorism First Response airport workshop

One workshop was held to assist international airlines transition their TSPs to the new regime. The Department has retained data only on those participants that actually attended the workshop, not those that declined. The industry participants who attended the Counter-Terrorism First Response airport operator workshop are listed in **Attachment C** to this submission, which is classified Security in Confidence. This workshop was held in Adelaide on 3 November 2005.

Hand wand metal detection equipment

Question 9

Concerns have been raised that in the event that the use of hand wand metal detection equipment is required, some airports will not be able to conduct screening because of difficulties in establishing sterile areas.

- In the event that hand wand metal detection equipment is required, are airports without obvious sterile areas likely to encounter difficulties? Could the Department advise of a solution to the problem? For example, would it be feasible to screen passengers as they move directly from land to airside?
- Is it a requirement of new entrant airports that their TSPs contain consideration of how sterile areas would be established and maintained in the event that screening was required?

Airports will only be required to conduct hand wand screening should there be a change in the nature of the threat, and this will only be made on the basis of an assessment by the Australian Security Intelligence Organisation.

Airports that might be subject to such a requirement will have some flexibility in implementation. For example, wand screening could occur prior to boarding an aircraft. The department would provide advice to airports should this contingency be required.

It is unlikely that the department will require non-screening airports create a sterile area comparable to those in place at screening airports. Appropriate local arrangements would be necessary in the event that the threat environment for regional airports changed.

It is not a requirement of new entrant airports that their TSPs contain consideration of how sterile areas would be established and maintained in the event that screening was required.

Question 10

The Shire of Derby – West Kimberley supported the provision of hand wand metal detection equipment as a step in preparing Derby Airport for jet services.

- Is use of hand wand metal detection equipment an acceptable method of screening passengers travelling on jet services or is more elaborate equipment required such as walk through metal detectors?
- If Derby Airport were to receive jet services, would hand wand equipment provided by the Department be available for use in routine screening of passengers?

Hand wand is not a substitute to meet the requirements of clearing passengers, goods or cargo as described in the Methods, Techniques and Equipment Standards, under Regulation 4.17. A copy of this document was provided in DOTARS' submission.

Question 11

Annexure Q of the Department's submission states that the Department will fund training for up to 10 personnel in the use of hand wand metal detectors.

- What measures have been adopted to ensure that the owner operators of small regional airports continue to maintain an adequate number of persons trained in the use of hand wand metal detection equipment?

Regulation 5.03(5) requires that 'The operator of a security controlled airport from which screened air services do not operate must ensure that the operator has access to the services of at least 1 airport security guard who meets the qualifications set out in subregulation (3).'

To assist regional airports to meet this requirement, funding has been allocated under the Securing our Regional Skies package for refresher or replacement training for staff at eligible airports. Forward estimates in the Department's Portfolio Additional Estimates documentation (in attached table; see line item 10 which has been shaded) indicate that funding for the package will be provided in future years.

PAES 2005-06

Table 2.2.1 Administered Programmes - Outcome 1

	2004-05 Actual	2005-06 Budget Estimate	2005-06 Revised Estimate	Variance	2006-07 Forward Estimate	2007-08 Forward Estimate	2008-09 Forward Estimate
	(\$'000)	(\$'000)	(\$'000)		(\$'000)	(\$'000)	(\$'000)
Administered Expenses							
Airport Lessee Companies - reimbursement of parking fines	1 720	2 572	2 572	0%	2 702	2 839	2 984
AusLink ^(a)	1 594 570	1 705 469	1 688 899	-1%	2 015 615	2 149 716	2 019 394
<i>AusLink - National Network</i>	1 296 989	1 320 399	1 320 399	0%	1 617 115	1 768 216	1 684 394
<i>AusLink - Road Safety Black Spot</i>	44 500	44 500	44 500	0%	44 500	44 500	0
<i>AusLink - Roads to Recovery</i>	253 081	340 570	324 000	-5%	354 000	337 000	335 000
Aviation security enhancements - assistance to regional passenger aircraft	2 781	800	800	0%	0	0	0
Aviation security enhancements - improving international aviation security	0	0	20	N/A	912	158	99
Aviation security enhancements - increased air cargo inspections	0	0	4 900	N/A	0	0	0
Aviation security enhancements - regional airport 24-hour closed circuit television pilot study	666	535	2 000	100%	197	0	0
Aviation security enhancements - regional passenger screening	400	2 706	3 000	11%	1 260	966	1 260

Bass Strait Passenger Vehicle Equalisation Scheme	32 410	41 000	35 000	-15%	38 000	38 000	38 000
Compensation for sale of airport land	0	0	3	N/A	0	0	0
Implementation of noise amelioration for Adelaide Airport	7 623	7 000	7 000	0%	250	0	0
Implementation of noise amelioration for Sydney Airport	6 231	4 300	5 369	25%	2 500	94	0
International Civil Aviation Organization - contribution	1 206	1 235	1 285	4%	1 293	1 293	1 293
International Maritime Organization - contribution	292	310	286	-8%	308	332	358
Interstate Road Transport Fees	46 156	48 030	48 030	0%	48 030	48 030	48 030
Management of residual issues of former Australian National Railway Commission (AN)	54	720	450	-38%	416	0	0
Maritime salvage	2 750	0	4 250	N/A	0	0	0
Murray River Bridges - Federation Fund Project	20 462	9 538	0	-100%	15 000	0	0
National Transport Commission	2 450	2 564	2 507	-2%	2 625	2 691	2 758
OECD Road Transport - contribution	24	40	40	0%	40	40	40
Oil Pollution Compensation Fund	2 331	2 000	2 000	0%	2 000	2 000	2 000
Payment scheme for Airservices Australia's en route charges	4 729	5 550	5 550	0%	0	0	0
Payments to MIFCo ^(b)	8 775	7 629	7 629	0%	6 341	4 889	3 142
Sydney West Airports - rental properties	1 725	2 652	2 652	0%	2 705	2 759	2 284
Tasmanian Freight Equalisation Scheme	89 341	89 400	89 400	0%	89 400	89 400	89 400
Tasmanian Wheat Freight Scheme	647	1 050	1 050	0%	1 050	1 050	1 050
Transport and Logistics Centre of Excellence	2 000	2 000	2 000	0%	0	0	0

Upgrade of the Mainline Interstate Railway Track	0	20 000	20 000	0%	0	0	0
Depreciation	1 441	1 464	1 464	0%	1 464	1 464	1 464
Alice Springs to Darwin Rail Link	12 500	0	0	N/A	0	0	0
Australia's response to foot and mouth disease and other quarantine risks	1 707	0	0	N/A	0	0	0
AusLink rail infrastructure investment	100 000	0	0	N/A	0	0	0
Caboolture Motorway - Federation Fund Project	9 886	0	0	N/A	0	0	0
Compensation for land acquisition - Sydney Airport	3 405	0	0	N/A	0	0	0
Gold Coast Light Rail Project	147	0	0	N/A	0	0	0
Subsidy for transition to location-specific pricing for airport control towers	7 000	0	0	N/A	0	0	0
Tamworth Australasian-Pacific Aeronautical College	230	0	0	N/A	0	0	0
Upgrade of the Eyre Peninsula rail system	15 000	0	0	N/A	0	0	0
Total Administered Expenses	1 980 659	1 958 564	1 938 156	-1%	2 232 108	2 345 721	2 213 556
Administered Capital							
Reimbursement of Section 8 items	0	0	2 645	N/A	0	0	0
Sydney West Airports - land acquisition and works	0	2 799	2 799	0%	0	0	0
Total Administered Capital	0	2 799	5 444	94%	0	0	0

Security zones

Question 12

The Department's submission states security controlled airports may establish a Security Restricted Area.

- Could you specify which Security Controlled Airports do not require a Security Restricted Area and why?

A security restricted area (SRA) is a type of airside security zone prescribed by the regulations. The regulations do not make establishing a SRA mandatory at any airport, and airports that undertake a risk assessment (all security controlled airports) may determine that establishing a SRA is desirable because of the additional layers of security that SRAs provide. Generally, airports that accept screened air services establish a SRA around the apron or aprons that serve screened air services.

Question 13

The Department's submission refers to seven currently regulated airports without screening that are eligible for Securing Our Regional Skies funding. The list at Attachment 1 indicates only four: Weipa, Devonport, Mildura and Groote Eylandt.

- Could the Department specify the further three airports that were regulated but eligible for SORS funding?

When the Securing our Regional Skies package was announced in August 2004, there were seven airports who were previously regulated but did not have passenger screening. The three further airports are Cocos Island, Newman and Paraburdoo. These airports commenced screening operations since the Securing our Regional Skies package was announced and consequently do not require the hand wand equipment or training.

Closed charters

Question 14

Has the Department explored the feasibility of introducing screening requirements for closed charters operating jet aircraft? What disadvantages or difficulties would flow from the implementation of screening requirements for closed charters?

The Department of Transport and Regional Services works with the government to determine aviation security requirements. Threat assessments, such as those produced by the Australian Secret Intelligence Organisation, are utilised to determine the most appropriate security measures for the current threat level.

At this time, screening of closed charters is not considered by the government to be a necessary security measure.

ATTACHMENT B - Issues raised in the hearings held in Western Australia, March 2006

During the public hearings conducted in Western Australia from 7 – 9 March 2006, a number of issues were raised that DOTARS would like to take this opportunity to respond to.

DOTARS acknowledges that the strengthened aviation regime has required many operators to reconsider aspects of their operations and business practices and to make adjustments to their infrastructure. The department appreciates the efforts of all those involved in Australia's aviation industry to implement appropriate measures to ensure compliance with the regime. Where appropriate, funding has been provided to assist with this process.

DOTARS continues to liaise and work with industry in order to minimise instances of unlawful interference with aviation.

DOTARS does not provide prescriptive advice or guidance

The *Aviation Transport Security Act 2004* and the *Aviation Transport Security Regulations 2005* have been drafted to be deliberately non-prescriptive. Based on information about the security environment provided by the government and their own individual circumstances, operators are required to make their own decisions and determinations as to what security measures will be most beneficial to their operation. DOTARS has no mandate under this legislation to provide prescriptive advice. In this regard, the role of the department does not extend beyond the provision of interpretative assistance.

It should also be recognised by the Committee that many airports appreciate the ability to make their own decisions about how to comply with legislative provisions, by choosing options that will be efficient and effective given their operating environment.

DOTARS staff numbers have increased rapidly and staff are inexperienced

It is true that the number of staff in the Office of Transport Security continues to increase in order to meet the increasing demands of the transport security environment. OTS has developed a comprehensive capability building strategy for staff, including the development of a competency-based Capability Framework, with a priority placed on the role of Inspectors. Training is also provided to staff in relation to protective security and some have been involved in incident exercises. This training is specifically targeted to meet both international standards and the requirements of the Australian transport security environment.

In addition, some of the skills present within OTS include:

- several staff with intensive aviation industry experience. A number have also completed tertiary studies in aviation. Several qualified pilots are also employed
- several ex State and Commonwealth police officers and several with previous roles within a range of intelligence agencies, including in counter-terrorism roles
- several staff with investigation backgrounds, including in relation to ICAO audit, and an aviation security auditor who has been qualified by the US Federal

Aviation Administration. A number of staff also have post-graduate qualifications in Compliance and Fraud Investigation and in Security, Terrorism and Counter-Terrorism Studies. In addition to this, there is a staff member with a Certificate IV in Fraud Investigation and Fraud Prevention/Detection

- several staff with air cargo experience, including one who is authorised by CASA to conduct Dangerous Goods Acceptance training and who has also completed formal training in security clearance of international air cargo.

OTS also has staff with experience in the maritime and surface transport industries.

The Regional Airport Funding Program did not allow for larger airports to apply for funding to implement security measures

The Regional Airport Funding Program (RAFP) is a \$35 million program for the implementation of basic security measures at regional airports that are new to the regulatory regime that commenced on 10 March 2005.

The RAFP was introduced following consideration of an ASIO threat assessment of Australia's aviation sector and the need to ensure the viability of the regional aviation industry. An assessment of these factors found that the security of regional aviation would be better achieved through a requirement for airport operators to upgrade their physical security measures. The majority of these airports are owned and operated by local councils, often at a very slim margin or loss.

The funding is available to airports for the implementation of security measures such as fencing, lighting and alarm systems. Airports that were previously regulated under the *Air Navigation Act 1920* and the *Air Navigation Regulations 1947* were already required to have such security measures in place, so are not eligible to receive RAFP funding. A list of ineligible airports is at **Appendix A**.

Why Kalbarri Airport has been classified as a security controlled airport

Following consideration of the current threat environment and threat assessments, the Government has decided that those airports that receive RPT services, including Kalbarri, represent a risk that warrants them being security controlled airports.

Follow-up inspections of security upgrades funded under the RAFP

DOTARS conducts regular audits and inspections of airport security arrangements in accordance with the airport's approved TSP. These inspections include assessment of the airport's physical infrastructure.

Appendix A - Airports that are not eligible to apply for basic security measures funding under the RAFFP

Counter-Terrorism First Response airports

Adelaide
Alice Springs
Brisbane
Cairns
Canberra
Coolangatta
Darwin
Hobart
Melbourne
Perth
Sydney

Transitioning airports

Avalon
Ayers Rock / Yalara
Ballina
Broome
Burnie
Christmas Island
Cocos Island
Coffs Harbour
Devonport
Gove
Groote Eylandt
Hamilton Island
Kalgoorlie
Karratha
Kununurra
Launceston
Mackay
Maroochydore
Mildura
Mount Isa
Newcastle
Newman
Norfolk Island
Paraburdoo
Port Hedland
Proserpine
Rockhampton
Townsville
Weipa