BURNIE AIRPORT CORPORATION PTY LTD
3 Airport Street/Post Office Box 420 Wynyard Tas 7325

Submission to the Joint Committee of Public Accounts and Audit regarding the impact of the Aviation Transport Security Act 2004, and its associated Regulations.

This submission is based on experiences at Burnie Airport at Wynyard, and as the Tasmanian representative of the Australian Airports Association communicating with smaller airports such as Flinders Island, King Island, and Strahan.

The submission addresses item (e) of your Terms of Reference, and provides some general comments on the impact of the Regulations on regional, regional/rural and smaller airports.

1. **Transport Security Programmes**

   Airports required to develop and implement Transport Security Programmes have, from my experience, found it to be a beneficial exercise, and have no objections to the process continuing. Most found the Security Risk Assessment an informative process that focussed attention on identified high risk areas.

2. **Aviation Security Identification Cards**

   The requirement to hold and display an Aviation Security Identification Card (ASIC) has created a problem for smaller airports, specifically as follows -

   - Average ASIC processing time at a major airport where dedicated staff performs the task is 30 minutes. At larger airports such as Hobart and Launceston, where the processing is regularly performed as part of a position's functions, the processing averages 45 minutes per application. The manufacturing time for an ASIC is minimal, and is offset by the correspondence time at those airports that contract another airport as their ASIC manufacturer.

   - It is estimated that the processing time for an ASIC application at a smaller airport, where the function is new, or not regularly performed, could be 60 minutes. This is based on the theory that, without queues experienced at major airports, which tend to eliminate chatting time because of pressure to provide service, there would be greater opportunity to chat.

   - The average number of ASICs per small and regional airport is estimated at about 150. Some airports will have minimal (say 20 – 50) but will be offset by those with aero clubs and maintenance organisations (200 – 250). An airport operator would need to find additional resources of approximately 150 hours per year. At an average estimated labour cost of $65 per hour (including overheads) this equates to an increase in expenditure of $10,000.

   - At Burnie Airport about 130 ASICs will be required, depending upon the final requirements of the Wynyard Aero Club. This will require Burnie Airport Corporation (BAC) to find an additional 130 man hours each year, from a resource base consisting of 2 employees. The impact of this on the operations of this airport, and its tenants, would be an additional annual cost of approximately $8,540. This is an impost on limited and stretched resources.

- At Local Government owned and operated airports any increase in resource requirements is no less an impost on their operating resources as all airports have been required to operate efficiently through customer demands (cost recovery) or through stakeholder demands (use of council resources).

- The issuing of ASICs will cause disruption to both airport operators and users. At one remote airport on the West Coast of Tasmania (Strahan) the airport operator's administrative centre is located at Zeehan, about 45 km from the airport, and the operator has no representative based at the airport. Applicants will be forced to travel to the neighbouring town twice simply to obtain an ASIC. The town is not the commercial centre of the district so that there is no normal travel between the townships.

- The requirement to issue Visitor Cards creates an additional workload, especially at Burnie Airport with a wide range of businesses, such as an aero club, maintenance facilities, agricultural leases, freight depots, etc. All these businesses generate "visitors", who are not always "intending passengers", especially at weekends. While BAC may be able to authorise some businesses to issue Visitor Cards (eg. the aero club) it would be reluctant to do so on the basis that some tenants may not meet the criteria for authorisation.

- BAC may, in the interests of providing an adequate level of service to its customers, need to provide a resource that is available seven days per week, or the business activities of the customers may be restricted.

  - BAC could also be placed in an invidious position if an ASIC was refused for a long term employee of one of its tenants, based solely on the applicant's Police Record. This could lead to the applicant, and his/her family, relocating to another town in an area where employment is scarce, and BAC unable to obtain a replacement in a specialised industry. There may be the potential to generate anger in persons with very high technical skills, who may prove to be an actual threat to aviation. *It could be argued that the only change at an airport is the introduction of this legislation, because the security risk at regional airports has not changed.*

  - Requirements of the Act and the Regulations have not been applied fairly and equitably across all airports. It is noted that the rigidity of the regulations does not allow for variations between airports and regions, depending on the assessed risk. For example, as the regulations have been drafted and applied there is little or no security risk at, or from, Bankstown (no requirement for ASICs) whereas the West Coast of Tasmania is a threat to the security of aviation in Australia (ASICs required at Strahan). This is an absurd situation.

  - Furthermore, Melbourne secondary airports have an arrangement with DOTARS to create two airports (GA and RPT) on the one facility. A blue painted line separates the restricted areas. When asked (verbally) for the same consideration for Burnie Airport the request fell on deaf ears. It would appear that if an airport, or group of airports is loud enough, a practical solution to a resourcing problem can be created but there is selectivity in the application of solutions. Should a similar application of the Regulations be applied at Burnie the number of ASICs required to be issued by BAC would reduce from approximately 130 cards to 6 cards, with an associated significant cost saving. I do not believe that this reduction in the number of ASICs would be unique to Burnie.

- Some airports are under resourced. Some have no resources outside of serviceability inspections. They risk a $22,000 fine for non-compliance with the Act if unable to comply with issuing and policing requirements. Some airports might manage the requirements with novel and creative solutions.

- The final issue regarding ASICs is that airports referred to in this submission have been rated with a "Low" Security Risk Assessment. Therefore, the imposition of an ASIC programme and enforcement regime does not appear to add any value to the safeguarding of Australian aviation against acts of unlawful Interference, as required by our partnership in the Chicago Convention. These requirements have been defined by the International Civil Aviation Organisation, Annex 17 (April 2002) to the Convention on International Civil Aviation, and in the ICAO Security Manual for Safeguarding Civil Aviation Against Acts of Unlawful Interference (2002, Doc. 8973).

It is interesting to read the Regulatory Impact Statement prepared for this suite of legislation. The RIS did not consider the impact on smaller airports, given that the smallest airport consulted was Tamworth. It also underestimated the ongoing cost of implementing the legislation as indicated by statements such as "The costs of subsequent refresher and new-recruit courses should not be attributed to the Regulations as similar courses would have been necessary anyway" and "Costs in subsequent years for replacement of worn or lost cards, cards and background checks for new recruits, and updates of background checks for existing staff, would have occurred anyway under the current regime." These statements are blatantly wrong because under the current regime (pre 10 March 2005) these costs would not "… have occurred anyway…" at the majority of airports and are new annual costs that have been conveniently ignored.

Burnie Airport Corporation thanks the Committee for this opportunity to present its views. Should the Committee wish to interview a representative/s it would be pleased to comply.

Allan Leeson
Chief Executive Officer
Burnie Airport Corporation Pty Ltd
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