



# THE ROYAL FEDERATION OF AERO CLUBS OF AUSTRALIA

A.B.N. 27 008 634 044  
(Incorporated in the A.C.T.)

P.O. Box 731  
Taree NSW 2430  
Phone: 02 6553 8934 Fax: 02 6553  
8935  
Email: [rfaca@ozemail.com.au](mailto:rfaca@ozemail.com.au)  
Website: [www.rfaca.com](http://www.rfaca.com)

---

18<sup>th</sup> January, 2007

Dear Secretary

Thank you for the opportunity to make submissions in respect of the bills relating to airspace and airports currently being considered.

The RFACA is a national body of Aero Clubs and other aviation associations. The prime objectives of the Federation are to foster aviation in Australia, to ensure adequate flying training is available to all pilots and to encourage national and local competitions, air races and other aviation events. Therefore being the principal representative of flying training in Australia we certainly have some views on these bills.

## **AIRSPACE BILL 2006**

RFACA considers that the principal thrust of the bill, to transfer the design of airspace from Air Services Australia (AA) to CASA, is unnecessary, though we recognise that there is an apparent conflict of interest in having the body that will actually operate the airspace, design the airspace. On the other hand, the people who actually work the system are more likely to be in touch with the problems and the solutions and new technology, and so must be part of the design process.

As to the provisions of the Bill, we also have some issues.

Section 3 – Objects. There needs to be added to the end of the section the words “and to promote the use of Australian administered airspace.”

If the only objects are the safe and efficient use of the airspace, those objects can be achieved by reducing the use of the airspace. Air travel in Australia is safer than road or rail or sea transport and, in the interests of public safety, government should be promoting air travel. The inclusion of a principal object of promoting the use of airspace will help ensure that airspace design and administration does not discourage use of the airspace. This will reduce the number of casualties, injuries as well as deaths, from transportation accidents in Australia and reduce the enormous cost of those casualties.

Section 9 – consultation. The section needs to be amended to require the Minister to consult with the Aviation Industry before formulating the Airspace policy Statement. As the industry is the sector that will have to work in the airspace, its views must be ascertained and taken into account. Lack of consultation, or consultation with noisy but unrepresentative sections of the industry lead only to bad policy that will not be accepted and will not work. A legislative direction for consultation will help to ensure that effective consultation takes place. An airspace policy statement that properly takes into account the views of the users of that airspace will be supported by those users.

Section 11. We are not happy with section 11(1), (2) & (3). Its heading is misleading, giving the impression that CASA will be administering airspace. We understand the intention is the CASA will design the airspace, but the day to day operation of the airspace will remain with Air Services Australia (AA). The section needs to be amended to make it clear that CASA will not be operating Air Traffic Control, but will be designing the airspace and ensuring that ATC etc complies with the rules. The effect of subsection (3) heightens our concern.

Sections 11(5) (6) & (7) cause us concern. The effect of these sub sections will be to permit CASA to charge the industry for its design work. Airspace design is a safety matter for the benefit of the public generally and should therefore be paid for by the general through consolidated revenue, not by imposing charges on those who are forced to operate in the system. As far as General Aviation is concerned, we would prefer to have no airspace regulation. The function of ATC and airspace designations is to prevent collisions between airliners and between airliners and other aircraft. Over the vast majority of Australia general aviation operates without ATC and we don't collide with each other. Certainly Regular Public Transport operations into busy airports need ATC, but the beneficiaries of that ATC are the general public. The cost of CASA designing etc the airspace should be paid for from consolidated revenue, not by way of charges to the industry. We already pay, by way of Air Navigation charges, for using the airspace.

#### General Matters

We could not find in the Bill any definition of "Minister" or "Department". As this is not an amending Act, but an Act that will stand alone should there not be a clause specifying which Minister is the Minister and which Department is the Department.

We have some concern as to the entire thrust of the Act as AA has proved to be a more responsive organisation to deal with than CASA. It is also of concern that CASA does not have an object of promoting aviation in Australia. This results in CASA tending to overkill on safety issues without any regard for the economic consequences of the measures imposed. It sometimes appears to us that there are some in CASA who take the view that CASA's object is to make aviation safe and that the only way to guarantee aviation safety is to stop aeroplanes flying. If there is no aviation taking place in Australia, then aviation will have a perfect safety record – nil accidents nil deaths nil injuries – and CASA will have achieved its goal. The FAA in USA does have as an object the promotion of aviation and the USA's aviation safety records are slightly better than ours, despite much higher mountains, worse weather and much more traffic.

Yours faithfully  
Graham King  
Vice-President