

Mr Shane Carmody  
Acting Chief Executive Officer  
And Director of Aviation Safety  
Civil Aviation Safety Authority

20 April 2017

Dear Mr Carmody: **Your Ref: GI17/268 Senate Estimates 27 February 2017**

Thank you for your reply of 11 April to my letter of 20 March 2017.

We are aware of NASAG and of the fact that Queensland is the only jurisdiction in Australia which has implemented a PSZ which they identify as a PSA.

I note your response regarding runway 17 at Essendon and the fact that *inter alia* Mr Tiede based his answer on a hypothetical application of the Queensland PSA parameters in the absence of a Victorian PSZ.

I would appreciate a copy of the hypothetical working model used by Mr Tiede which allowed him to draw the conclusion that in the case of the Essendon aircraft accident in question at the Senate Estimates Hearing that "The aircraft did not enter what we would understand to be a public safety zone area".

Your comment that "CASA does not hold a land use planning mandate or authority to regulate third party risk in the concept of PSZ" is noted. Nonetheless I note that the *Civil Aviation Act 1988* S9(1)(c) states that CASA has responsibility for "developing and promulgating appropriate, clear and concise aviation safety standards" with "aviation safety standards" defined *inter alia* under the Act as: "(c) the planning, construction, establishment, operation and use of aerodromes".

While CASA may not hold a "land use planning mandate or authority to regulate third party risk in the concept of PSZ", a quite separate matter, the Act would seem to be very clear that you do have an overarching 'safety standards' obligation with regard to the planning, construction, establishment, operation and use of aerodromes in Australia.

In light of this responsibility what steps has CASA taken to provide advice about PSZs around Australian airfields to NASAG and the public, and what steps has CASA taken to provide, develop and promulgate clear and concise aviation safety standards with regard to PSZs around our airfields.

At present various authorities are, as you know, using AS2021, a noise nuisance measure, to define *de facto* public safety zones around our airfields when it is very clear from research from Europe and other locations that an ANEF is not an appropriate surrogate for public safety zones. The two are not related.

I do not agree with your comment that NASAG is an "appropriate" forum for consideration of public safety zones around our airfields when CASA has an obligation to set aviation safety standards with regard to them. While NASAG quibbles about land use amenity, property values, etc., a monumental delaying tactic to avoid finalisation of PSZs, public safety is being put at risk.

I also do not agree with the badly-flawed "affordable risk" model being used at the federal level with regard to aviation safety for reasons I will not elaborate here other than to note its use is a misinterpretation of the concept.

It is time to stop passing the buck to a 'do-nothing' NASAG and its developer-driven "sensitivities" and take steps to put in place appropriate aviation safety standards for PSZs for our airfields. I see no impediment to CASA taking the lead in setting appropriate standards.

I look forward to your response to my letter and to a copy of Mr Tiede's hypothetical application model.

Thank you.

Yours sincerely

Dr Richard Gates  
President  
Evans Head Memorial Aerodrome Committee Inc.