

Rural & Regional Affairs and Transport Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Supplementary Budget Estimates
Infrastructure and Regional Development

Question no.: 240

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Mutual Recognition in relation to Aircraft Airworthiness Engineering and
Airworthiness Approvals

Proof Hansard Page/s: 18

Senator Conroy, Stephen asked:

Senator CONROY: Can I ask which additional countries also are now recognised by Australia for the purpose of mutual recognition in relation to aircraft airworthiness engineering and airworthiness approvals? I am referring to answer 74 from 25 September.

Ms Spencer: I would need to take that on notice, or alternatively through Civil Aviation Safety Authority.

Senator CONROY: For those members of the committee who are not familiar with this, this is about aircraft airworthiness in general. Could you just outline what you have done?

Ms Spencer: This relates to clarifying a document issued by the European Aviation Safety Agency, which is taken to be a document issued by the national aviation authority of a recognised country, to remove any doubt that CASR can recognise approvals and certificates issued by CASR.

Senator CONROY: Are you able to access, just in the course of the morning, a list of the countries that are now mutually recognised?

Ms Spencer: We may be able to. We will certainly try.

Answer:

Refer to Page 91 of the Rural and Regional Affairs and Transport Legislation Committee Hansard (Proof), Monday 20 October 2014.

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Question no.: 241

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Student Pilot Licence and Pilot Proficiency Checks

Proof Hansard Page/s: 19

Senator Conroy, Stephen asked:

Senator CONROY: ...Could I ask about removing the requirement for a student pilot licence and pilot proficiency checks in certain circumstances, part 61? What is the change there that you have identified?

...

Ms Spencer: Sorry, there are 160 to go through. Are there any other questions that you wanted to ask whilst I am looking for that particular one?

Senator CONROY: What are the savings? What is the change? Has a risk assessment been undertaken for this measure?

Mr Mrdak: The part 61 measures were the subject of many years of consultation and study in terms of the future changes. We will come back to you on notice with some advice from Civil Aviation Safety Authority, if you do not mind, on that one.

Answer:

Refer to Pages 150-151 of the Rural and Regional Affairs and Transport Legislation Committee Hansard (Proof), Monday 20 October 2014.

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Question no.: 242

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Clarification for Number of Medicals Requiring a CAD Test and Subsequent Results

Proof Hansard Page/s: 153

Senator Fawcett, David asked:

Senator FAWCETT: Mr Farquharson, can you tell me how many pilots who have a colour vision deficiency have lost privileges of their licence as a result of having to sit the CAD test, since the last estimates?

Mr Farquharson: I cannot directly inform you of that.

Senator FAWCETT: I am happy for you to take that on notice. Could you also find out how many initial applicants for an aircrew medical have been required to sit the CAD test as the third level of testing and have subsequently failed and been denied an aircrew medical.

Answer:

- Two candidates have fail results. The applicants have been notified of the intent to issue licences with the restriction “Day Visual Flight Rules (VFR) flying only”. One certificate has been issued with applicant agreement. One certificate is pending applicant response.
- No initial applicants for an aircrew medical have been required to sit the Colour Assessment and Diagnosis (CAD) test.

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Question no.: 243

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Consultation on CAO 48.1 and Part 61 Regulation with Helicopter Mustering Sector

Proof Hansard Page/s: 153

Senator Canavan, Matthew asked:

Senator CANAVAN: You will probably have to take this on notice, but can you provide a list of the individuals or commercial operators that have direct interest in helicopter mustering that were consulted prior to the regulatory changes in 48.1 and/or part 61?

Mr Ward: I can take that on notice.

Answer:

CAO 48.1

No one in the helicopter mustering industry nominated to be involved prior to the regulatory change. There were no responses to the Notice of Proposed Rule Making that could be identified as being from the helicopter mustering industry.

Part 61

Up until the rule was made, the only time a member of the helicopter mustering industry (aerial mustering) could be identified during the consultation process was from a response to the consultation draft of the regulations that was released on 17 November 2011. However, since the rule was made, some helicopter mustering industry members have continued to be involved in the development of Appendix 5 of CAO 48.1.

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Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: \$12 Million Savings to Industry

Proof Hansard Page: Written

Senator Sterle asked:

I refer to CASA's input to Estimates written answer 74 from May 2014 Estimates.

1. There are eight different points outlining savings listed. For each, can you please indicate:
 - a. the dollar saving,
 - b. if it is one-off or ongoing,
 - c. what class of stakeholder will benefit from the savings, and
 - d. how these will not adversely impact on safety for employees or the travelling public.
2. What additional savings are identified? Please list these.
3. In respect of those listed in 2 above, can you please indicate:
 - a. the dollar saving,
 - b. if it is one-off or ongoing,
 - c. what class of stakeholder will benefit from the savings, and
 - d. how these will not adversely impact on safety for employees or the travelling public.
4. What is the combined estimated savings from these?
5. Could I put to you that the actual driver for these initiatives is that call for \$12M in savings rather than implementing world's best aviation practice?
6. Would these changes be implemented by CASA if it wasn't required to find \$12M in savings to industry?

Answer:

1. See **244 – Attachment A.**
2. See **244 – Attachment B.**
3. See **244 – Attachment B.**
4. CASA has reported savings of \$13.19m to date.
5. CASA's priority is aviation safety. CASA considers cost savings measures with any regulatory change and will implement those as long as safety is not compromised
6. CASA began many of the indicated costs savings prior to the Government's announcement to cut red tape.

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Question no.: 245

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Regulatory Savings

Proof Hansard Page: Written

Senator Sterle asked:

1. One change you refer to is changes to permit CASR Part 42 and 145 organisations to manage and maintain public transport aircraft - can you indicate if this will permit, for the first time, unlicensed personnel to certify the airworthiness of their tasks?
2. Is that consistent with making changes that don't potentially compromise safety?
3. Would you have proposed this change if you weren't required to find \$12 million in savings for industry in your agency's areas of responsibility?

Answer:

1. No. The changes in Parts 42 and 145 of the Civil Aviation Safety Regulations 1998 removed the counter signature requirement for the maintenance. However, the Licenced Aircraft Maintenance Engineer (LAME) must still provide the aircraft maintenance release.
2. Yes. The change was made considering the International Civil Aviation Organization Annex 6 Standards and Recommended Practices.
3. The change was proposed prior to the introduction of the Government's red tape reduction targets.

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Question no.: 246

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Drivers Licence Medical (Aviation) Exemption

Proof Hansard Page: Written

Senator Sterle asked:

1. Can you explain what this is, and what changed on 1 September?
2. I gather persons in the middle of applying for the old exemption had their processes discontinued and were required to complete an entirely new process requiring a new GP visit – is that correct?
3. Would it not have been possible to manage a transition rather than force a restart to the process?

Answer:

1. Prior to 1 September 2014, Part 5 of the Civil Aviation Regulations 1988 contained the provision for an exemption to the drivers licence medical (aviation) for a person to conduct a private flight as pilot in command. The Part 5 provision for a drivers licence medical certificate ceased from 1 September 2014 and was incorporated into Part 61 of the Civil Aviation Safety Regulations 1998 and was retitled as the Recreational Aviation Medical Practitioner's Certificate.
2. A Driver's Licence Medical (Aviation) issued prior to 1 September 2014 is still valid until its expiry date. Then the holder will need to apply for a Recreational Aviation Medical Practitioner's Certificate. For those who supplied the incorrect information after 1 September, they were asked to have their General Practitioner (GP) complete the current certificate.
3. As the medical and assessment criteria are essentially identical to those prior to 1 September 2014, there was no need to restart the process.

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Question no.: 247

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Definition of Airworthiness

Proof Hansard Page: Written

Senator Heffernan asked:

What is CASA's definition of airworthiness?

Answer:

The civil aviation legislation does not specifically define 'airworthiness'. However, Part 42 of the Civil Aviation Safety Regulations 1998 states "*An aircraft is **airworthy** if it is in a state that conforms with its approved design and is in a condition for safe operation*".

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Question no.: 248

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Maintenance

Proof Hansard Page: Written

Senator Fawcett asked:

1. How many Licenced Aircraft Maintenance Engineers (LAME) are employed by CASA?
2. How many engineers qualified and experienced in the maintenance, operation and continued assurance of airworthiness of turbine engines does CASA employ or otherwise retain?
3. How many turbine engines are in Australia's aviation fleet?
4. How many engineers qualified and experienced in the maintenance, operation and continued assurance of airworthiness of piston engines does CASA employ or otherwise retain?
5. How many piston engines are in Australia's aviation fleet?
6. Does CASA have adequate numbers of qualified and experienced engineers to fulfil its obligation to Government and the public to be assured of the continuing airworthiness of piston engines, including writing regulatory material?

Answer:

1. CASA does not employ officers as Licenced Aircraft Maintenance Engineers, however, Airworthiness Inspectors are required to hold or to have held an Australian Aircraft Maintenance Engineer's Licence (or equivalent) for a period of at least 8 years on entry to CASA.
- 2 & 4. CASA does not currently capture this information and it would be too resource intensive to determine.
3. 3808 as at 2 November 2014.
Please note these numbers do not include aircraft registered with Recreational Aviation Australia.
5. 12783 as at 2 November 2014.
Please note these numbers do not include aircraft registered with Recreational Aviation Australia.
6. CASA undertakes regular workforce assessments to ensure it maintains the appropriate level of inspectors to undertake its regulatory obligations to the Government and the Australian public. CASA has actively managed its staffing levels to ensure the majority of CASA employees are focused on aviation industry facing roles such as operational inspectors. At present this ratio is a 70:30 split between the industry facing positions and supporting positions. CASA continues to explore more effective ways to attract the most suitable candidates into these roles.

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Question no.: 249

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Personnel

Proof Hansard Page: Written

Senator Fawcett asked:

1. In 2010 CASA identified a need for additional funding which was provided for by an increase in the excise on aviation fuel. Part of this funding was for 97 personnel. Taking into consideration that 50 of the 97 positions identified in 2010 were already filled, have all the qualified personnel now been recruited to fill the 97 positions identified in 2010?
2. Since July 2010, as at 30 June 2014, CASA has recruited 153 new employees. Why has an additional 106 employees above the 47 identified in 2010 (a 226% increase from that identified in 2010) been recruited by CASA?
3. Of the additional 153 employees recruited by CASA since July 2010 at least 91 (59%) of these appear to be in support roles associated to Corporate Services. Why has Corporate Services increased while operational staff has decreased?
4. In 2010 CASA indicated that specialists in certain specific areas are difficult to recruit. Is CASA still having problems attracting experienced personnel and if so, for what roles?
5. In the Portfolio Budget Statements provided in May 2014 CASA indicated that they are forecasting a \$9.6m loss for the 2013/14 financial year (a net change of 9.8m). On cross referencing the 2014/15 Portfolio Budget Statements with the 2013/14 Portfolio Budget Statements it shows that Employee Benefits have increased by \$7m from that anticipated or 75% of the net \$9.8m change. Why has there been an increase of \$7m for employee benefits to that anticipated last year?
6. The 2012/13 annual report for CASA shows that they made a profit last year of \$12m. With the changes now forecast by CASA this will provide a \$21.6m turnaround into the red. Most of this turnaround appears to be due to a \$17.2m increase (80% of the net turnaround) in employee benefits. Taking into consideration that the number of personnel employed by CASA only increased by 5 over the financial year why is there such a significant increase in employee benefits since 30 June 2013?

Answer:

1. Yes.
2. Recruitment of staff has enabled CASA to meet its essential operational service demands and to meet the workload of the regulatory reform programme.
3. Of the reported 153 employees recruited to CASA since July 2010, 118 (77%) assist in the delivery of essential CASA operational services, some of which are employed within the 'Corporate Services' classification stream but do not work within the Corporate Services Division. The remaining 35 (23%) employees were engaged within the Corporate Services Division, the majority relating to the insourcing of the previously outsourced contracted services for IT service desk and IT infrastructure support. Also included in the 35 are six graduates who will be deployed across CASA divisions following completion of their graduate year.
4. Yes; difficult roles to fill include:
 - Flying Operations Inspector – (Fixed Wing)
 - Flying Operations Inspector – (Rotary Wing)
 - Airworthiness Inspector – (Rotary Wing)
 - Standards Officer – Air Traffic Management Systems (Aerodromes and Heliports)
 - Standards Officer – Balloons

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- Standards Officer – Flight Crew Licensing (Rotorcraft)
- Standards Officer – Small Aeroplanes
- Medical Officer
- Aeronautical Information Management and Air Traffic Service Specialist.

5. The planned \$7.0m increase in employee benefits is comprised as follows:

Superannuation contributions arising from an increase in the number of staff and increase in the contributions for the defined benefits schemes (CSS and PSS)	\$1.6m
Recruitment of technical personnel at a higher than average salary cost	\$0.7m
Estimated additional endorsement (i.e. qualification which allows additional payment) payable	\$1.0m
Estimated redundancy costs	\$3.7m
Total	\$7.0m

6. The Annual Report provides actual staffing numbers whereas the Portfolio Budget Statements (PBS) provides an Average Staffing Level (ASL) so they are not equally comparable.

The 2014-15 Portfolio Budget Statements included an estimated ASL for 2013-14 of 855 whereas the 2012-13 ASL was 797, an increase of 58 staff.

The additional \$17.2m in employee benefits between the 2012-13 Annual Report and the estimated outcome for 2013-14 (in the 2014-15 PBS), is comprised as follows:

3.0% increase in 2012-13 employee benefits expense due to Enterprise Agreement salary increases	\$2.8m
58 additional ASL between 2012-13 Annual Report and 2013-14 estimate in the 2014-15 Portfolio Budget Statements	\$7.4m
Superannuation contributions arising from an increase in contribution rates advised by ComSuper	\$1.6m
Recruitment of technical personnel at a higher than average salary cost	\$0.7m
Estimated additional endorsement payable	\$1.0m
Estimated redundancy costs	\$3.7m
Total	\$17.2m

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Question no.: 250

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Medicals

Proof Hansard Page: Written

Senator Fawcett asked:

1. What is CASA's policy on retention of pilots' medical documents? How long are these retained, are any retained for auditing purposes and what is the policy for disposal? Please make particular mention in regard to 162A forms.
2. What is CASA's policy for timely responses to correspondence from aviation personnel? Does this policy vary for letters, emails, phone calls?
3. Does CASA at times require specialists' reports to support an aviation medical? How many reports does CASA usually require? Does CASA assist in the cost of obtaining these reports?
4. Does CASA at times require specialists' reports to support an aviation medical? How many reports does CASA usually require? Does CASA assist in the cost of obtaining these reports?

Answer:

1. In accordance with the *Archives Act 1983*, pilot medical records are retained for 10 years if the application was refused. Records are retained for 100 years after the date of birth of the applicant if the medical was issued. When a record retention period is reached, the responsible area is contacted to confirm disposal. Form 162A *Payment Advice – Medical Certificates* is retained in hardcopy for seven years.
2. CASA has general guidance that calls for responses to correspondence, or acknowledgement of responses, to be provided within 15 days. However, CASA endeavours to respond to all types of communication as soon as practicable. CASA does not specify different timelines for responses to aviation personnel.
- 3&4 Yes. CASA publishes a 'Specialist Reports and Tests' chart on its website and can request other specific reports related to an applicant's medical condition. Guidance for required reports is also available in CASA's Clinical Practice Guidelines on the CASA website. The number of report requests varies from case to case. CASA does not assist with the cost of obtaining requested reports.

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Question no.: 251

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Defect Deferrals

Proof Hansard Page: Written

Senator Sterle asked:

In relation to the defect deferrals that were previously required to have a CASA approval; can CASA provide the following information:

1. How many approvals were sought for deferral of these defects per year over the last 3 years prior to the change to Part 21?
2. How many of these deferral approvals were issued [approved] by CASA without change to the request being required by CASA?
3. How many approvals were issued after CASA required the initial request to be amended?
4. How many defect deferral requests were rejected by CASA?
5. On average, how much did each previous CASA deferred defect approval cost the industry?

Answer:

1. Under Regulation 37 of the Civil Aviation Regulations 1988 (CAR), and before the changes to Part 21 of the Civil Aviation Safety Regulations 1998 (CASR) were introduced in 2014, CASA received 683 applications over the preceding three years broken down as follows: 2011-12: 253, 2012-13: 209 and 2013-14: 221.
- 2 - 4 To attempt to provide the level of detail required in the questions would involve an unreasonable diversion of agency resources.
5. CASA estimates an average time to process an approval under CAR 37 would be 2.5 hours at either \$160 per hour (other applicants) or \$190 per hour (high capacity Air Operator Certificate holder). CASA is unable to provide the detailed approval costs to industry as this would involve an unreasonable diversion of agency resources.

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Question no.: 252

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Misleading and False Information

Proof Hansard Page: Written

Senator Sterle asked:

If CASA became aware that an Approved Maintenance Organisation has provided misleading and false information to them during an investigation what actions would CASA take?

Answer:

CASA would firstly consider whether information provided to it was false or misleading. Secondly, it would determine if the organisation intentionally provided false or misleading information.

CASA would also consider the nature of the false or misleading information, that is, the gravity or nature of the information and any safety consequences of the information being false or misleading.

In appropriate cases, CASA would consider taking action against the organisation, which could range from involving a counselling notice or referring the matter to the Commonwealth Director of Public Prosecutions (CDPP) for prosecution. In some cases, the most appropriate action would be to refer the matter to the Australian Federal Police (AFP) for investigation.

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Question no.: 253

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Director of Aviation Safety

Proof Hansard Page: Written

Senator Xenophon asked:

It has been some time now since Mr McCormick left CASA. Can you update the Committee on what progress has been made in selecting a new Director of Aviation Safety, particularly given the very long lead time from the announcement of Mr McCormick's departure date, and when the Minister may be likely to announce the successful candidate?

Answer:

The Chairman of the CASA Board announced the appointment of the new Director of Aviation Safety on 30 October 2014.

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Question no.: 254

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Aviation Safety Regulation Review

Proof Hansard Page: Written

Senator Xenophon asked:

1. Has CASA formulated a response to the Government's Aviation Safety Regulation Review? Will this be made public?
2. The findings of the review were very critical of CASA and its relationship with industry, describing it as 'adversarial'. Does CASA agree with this description, and how will it go about regaining trust from the industry?
3. Recommendation 11 relates to redrafting the MoU between CASA and the ATSB. As CASA would recall, this issue was raised as part of the committee inquiry into the Pel-Air ditching. How will CASA respond to this recommendation?
4. Recommendation 19 states that the ATSB should transfer information from Mandatory Occurrence Reports to CASA, without redaction or de-identification. As CASA would be aware, this has caused significant concerns that this information could be used to target individuals making or involved in the reports. In turn, there are concerns that this will reduce the rate of reporting, because individuals will be concerned about possible impacts on themselves – including identification to their employer or repercussions from CASA. How will CASA address these concerns?

Answer:

1. – 4. The response to the Aviation Safety Regulation Review Report is a matter for the Government. CASA looks forward to working with the Government and industry in the implementation of the response.

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Question no.: 255

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Community Service Flights

Proof Hansard Page: Written

Senator Xenophon asked:

I understand that CASA has put forward a discussion paper in relation to community service flights, which cover organisations like Angel Flight and so on.

1. What prompted the issuing of this paper?
2. What concerns have been raised in relation to the safety of these flights?
3. How many community service flights have been involved in incidents in the last 12 months?
4. Does CASA have a view on whether people choosing to use community service flights have a full understanding of the safety regulations such flights are required to meet?
5. Depending on the outcome of the discussion paper, is it likely to have an impact on the regulation of medical charter flights?

Answer:

1. The growth in the number of community service flights prompted CASA to take a proactive approach to examining future options for the appropriate level of regulatory oversight for these flights.
2. CASA determined a number of significant potential risk factors needed to be considered; including pilots with varying experience and qualification levels and the variable types of aircraft potentially involved and their maintenance standards.
3. None reported.
4. The discussion paper has appropriately raised the importance of the Australian public having a good understanding of the safety regulation of community service flights.
5. Medical charter flights are regulated separately from community service flights. The Discussion Paper did not seek to examine medical charter flights.

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Question no.: 256

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: INTAS

Proof Hansard Page: Written

Senator Xenophon asked:

1. What experience in the use of fully computerized Tower Air Traffic Control Systems such as INTAS did CASA officers responsible for surveillance of Airservices have when they satisfied themselves that Airservices Safety Management System was adequately dealing with the transition risks of INTAS commissioning at Broome, Rockhampton, Adelaide & Melbourne?
2. Did CASA officers undertake any formal training in the operation of INTAS prior to (or after) its commissioning in Broome, Rockhampton, Adelaide or Melbourne?
3. Can CASA provide copies of general audit and/or specific-to-INTAS reports generated as part of its surveillance activities of Broome, Rockhampton, Adelaide and Melbourne Towers since the beginning of 2011?

Answer:

1. Although CASA's Air Traffic Services inspectors are not required to be currently endorsed controllers, they are all highly experienced civil Air Traffic Controllers which includes the use of computerised air traffic control systems.
2. Airservices Australia provided Integrated Tower Automation Suite (INTAS) training to CASA officers as part of the system description and gave inspectors location specific technical familiarisation on the equipment prior to commissioning.
3. These reports are not public documents.

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Question no.: 257

Program: n/a

Division/Agency: Civil Aviation Safety Authority

Topic: Airservices Melbourne Surface Movement Control Review

Proof Hansard Page: Written

Senator Xenophon asked:

1. When did CASA receive the Airservices Melbourne Surface Movement Control Review it recommended be conducted in its response to REPCON AR201300089?
2. Was CASA satisfied with the Review? If not, why not?

Answer:

1. CASA is aware Airservices Australia conducted a Post Implementation Review (PIR) of the Melbourne Tower Integrated Tower Automation Suite (INTAS) and was not specifically required to provide it to CASA.
2. CASA is satisfied that the PIR conducted by Airservices Australia covers the intent of CASA's recommendation for a review as stated in REPCON AR201300089.