



**Australian Government**  
**Civil Aviation Safety Authority**

OFFICE OF THE CHIEF EXECUTIVE OFFICER

CASA Ref: G118/259

23 April 2018

Dr Jane Thomson  
Committee Secretary  
Senate Rural and Regional Affairs and Transport  
Legislation Committee  
PO Box 6100, Parliament House  
CANBERRA ACT 2600

Dear Dr Thomson

**Air Services Amendment Bill 2018**

Thank you for your letter of 3 April 2018 inviting the Civil Aviation Safety Authority (CASA) to make a submission to the Senate Rural and Regional Affairs and Transport Legislation Committee inquiry into the Air Services Amendment Bill (the bill).

CASA has several concerns regarding the provisions of this bill, in particular that its principles are inconsistent with current Federal legislation (*Airspace Act 2007* and *Airspace Regulations 2007*) and the Australian Airspace Policy Statement 2015.

The bill seems to be predicated on the idea that Airservices can design procedures and airspace that focus primarily on noise reduction, which is not consistent with current airspace legislation where safety is the primary consideration and protection of the environment, efficient use of airspace, equitable access to airspace and national security are taken into account.

The bill seeks to declare prohibited airspace for all airspace users below 2,000m (6,000ft). This restriction is inconsistent and incompatible with the Airspace Act and regulations where CASA is responsible for managing and administering all Australian airspace. The bill is also inconsistent with CASA's power to declare restricted airspace, whereby CASA must conduct a risk-based assessment to support any airspace restriction. Airservices has no powers to restrict aircraft flight outside controlled airspace and CASA has no powers to declare prohibited airspace unless such a declaration is compliant with the Airspace Regulations.

This bill would significantly impact flight operations for all airspace users at Melbourne, Essendon, Moorabbin and Point Cook because a number of flight procedures would be removed if aircraft must remain above 6,000ft within 5 nm of the Melbourne CBD. This provision would preclude aircraft using many approaches and departure paths at these airports. The proposed restrictions would add an estimated minimum of 20nm to each arrival and departure path, with a significant increase in carbon emissions and fuel burn, while also increasing aircraft arrivals and departures over other residential areas. Commercial operators such as helicopters, scenic flights, media and licensed remotely piloted aircraft would be also prevented from operating within 5nm of the Melbourne CBD.

The airspace aspects of this bill do not deliver the necessary outcomes required to support aviation (safety, efficiency and equitable access), and could generate significant environmental impacts. The bill would also have a major impact on the capacity and efficiency of airports around Melbourne, with likely significant economic impacts on both airspace users and passengers.

Yours sincerely

Shane Carmody  
Chief Executive Officer and  
Director of Aviation Safety