

Submission to the Rural and Regional Affairs and Transport References Committee

**Senate Inquiry**

**The provision of rescue, firefighting and emergency response at Australian airports.**

Thank you very much for the opportunity to provide a submission into this inquiry. My name is Kiegan Rice, and I currently hold the rank of Station Officer at Hamilton Island Aviation Rescue Fire Fighting Service. I have worked at Airservices Australia for 11 years and have also been stationed at Broome, Melbourne (Tullamarine) and Gladstone. I could talk at length about the history and I feel I could make reference to all of your requested items, but I would just like to take this opportunity to pass on my own thoughts regarding Australia's commitments to the International Civil Aviation Organisation (ICAO).

*A decision on adherence*

More than likely it was a very cold Chicago day in December 1944 when 52 countries from around the world penned their signatures on a document that would cement their commitments to civil aviation worldwide. Arthur was there for the Government of the Commonwealth of Australia and he confirmed Australia's commitment to work with the world to develop a general consensus and implement international standards and recommended practices on civil aviation.

*Change of commitment?*

A lot of time has gone past between Chicago and now, although reading through pages of legislation one would believe Australia's commitment is still as solid as 1944. The Airservices Act 1995 (1) is very specific. "Airservices Australia must perform its functions in a manner consistent with Australia's obligations under the Chicago Convention". The Civil Aviation Safety Regulations (2) oozes the intent for that cold Chicago gathering. "As a signatory to the Chicago Convention, Australia is obliged to require, as part of its domestic law, that certain classes of airport provide rescue and firefighting services of an adequate standard." The very first thing you read in subpart 139.H.

*The commitment stops*

From the regulations we drop down to the Civil Aviation Safety Authority (CASA) developed Manual of Standards Part 139H (MOS139H). Chapter 1: "Where there is a difference between a standard prescribed in SARPs and a standard prescribed in the Manual of Standards (MOS), the MOS standard prevails". It's been 14 years since the MOS139H has been updated. It has been under a post implementation review since October 2007 and remains so. 44 million domestic passengers were carried on 529,970 trips in Australia in 2005. An additional 20 million domestic passengers on 150,000 flights are now being flown throughout Australia with no changes to those standards. In that time ICAO Annex 14 Volume 1 has been updated 11 times, the largest ever civil aircraft graces the Australian skies, Australian airports have grown to bursting point requiring additional runways and terminal extensions. The regulator currently doesn't seem to be assisting Australia in its convention commitments, but I can't find how that inhibits Airservices Australia from carrying out their functions under the Airservices Act 1995. My personal opinion is that decision makers within the ARFFS believe that ICAO SARPS is split between the standards: certain standards that *must* be adhered to, and recommended practices which are *nice* to adhere to. After years of research I am still not convinced. Australian civil aviation strives for world best practice - shouldn't we be aiming to adhere to all recommended practices?

*A finger is pointed*

Under another of Australia's ICAO commitments Airservices Australia publish within the Aeronautical Information Package (AIP) Australia's differences from the ICAO Standards, Recommended Practices and Procedures (3). ARFFS sit under Aerodromes Volume 1 - currently there

are 41 pages of differences in that section. Every time that Australia is unable to meet the ARFFS requirements of Annex 14 chapter 9, the AIP states that Australian legislation is the cause. Again, just because the MOS is less protective than the ICAO SARP's why isn't Airservices Australia's commitment continued under the act?

#### *The fix*

Under the senate submission recommendations, the committee requires ideas on how these issues can be addressed. Again, these are just my own thoughts. CASA needs to finish the review and update the MOS Part 139H without input from the ARFFS provider. The Minister and the Airservices Australia board members need to be reminded of their Chicago Convention ARFFS commitments as per the Airservices Act 1995. ARFFS Regulatory Performance team along with the Operational Standards team need to be advised the MOS is required to be read in conjunction with ICAO publications - Annex 14 Chapter 9 and the Airport Services Manual Volume 1 to ensure they meet their functions as set out in the Airservices Act 1995. I can see a major resistance to meeting commitments due to financial reasons.

#### *Prepare for the worst, expect the best*

ARFFS have over 900 professional men and women willing and able to overcome adversity to combat an aviation incident like Australia has never seen. When you are walking through our terminals or rolling down our runways, just know that we will be there to help however and whenever - we just hope our management support us in our commitment to the Australian travelling public. I am available at any time to answer any questions the committee has. Thank you again for the opportunity to express my thoughts.

Kiegan Rice

#### Reference:

ICAO Annex 14 Chapter 9

ICAO Airport Services Manual Volume 1

1 - Airservices Act 1995

<https://www.legislation.gov.au/Details/C2016C00769>

2 - Civil Aviation Safety Regulations Volume 4 Subpart 139.H

[https://www.legislation.gov.au/Details/F2017C00470/Html/Volume\\_4#\\_Toc485983220](https://www.legislation.gov.au/Details/F2017C00470/Html/Volume_4#_Toc485983220)

3 – Manual of Standards Part 139H

<https://www.legislation.gov.au/Details/F2008C00128>

4 - Airservices Australia AIP – Differences from the ICAO Standards, Recommended Practices and Procedures

[http://www.airservicesaustralia.com/aip/current/sup/h4418generatedsupplements/Annex\\_14\\_Vol\\_1.pdf](http://www.airservicesaustralia.com/aip/current/sup/h4418generatedsupplements/Annex_14_Vol_1.pdf)