

Rural & Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2014

Infrastructure and Regional Development

Question no.: 258

Program: ATSB

Division/Agency: Australian Transport Safety Bureau

Topic: Documents provided to TSB

Proof Hansard Page: 137 (26 May 2014)

Senator Xenophon, Nick asked:

Senator XENOPHON: Was this committee's report into the Pel-Air incident provided to the TSB? Is that one of the documents that the TSB is looking at?

Mr Dolan: Yes.

Senator XENOPHON: I take it, Chair, we have not been contacted by the TSB. No, we have not. Was any view proffered as to whether the Senate committee should be contacted in respect of their report and in respect of the incident?

Mr Dolan: We provided the report to the TSB and left it to them.

Senator XENOPHON: Are you able to provide the committee on notice a list of the material, documents and any correspondence in respect to the matters that the committee was considering?

Mr Dolan: Yes. I can give you a list of all material that was provided by us to the TSB.

Answer:

The Transportation Safety Board of Canada (TSB) of its own initiative obtained a copy of the committee's report. The Australian Transport Safety Bureau (ATSB) provided the following material to the TSB:

- ATSB Safety Investigation Quality System Manual;
- ATSB Safety Investigation Policy and Procedures Manual;
- ATSB Safety Investigation Guidelines Manual;
- ATSB Safety Investigations Tools Manual;
- ATSB Safety Investigation Information Management System access;
- ATSB organisation chart;
- Final Report of the Safety Oversight Audit of the Civil Aviation System of Australia (February 2008);
- Summary of ATSB actions in response to the International Civil Aviation Organization Universal Safety Oversight Audit Program 2008 Audit Findings;
- Civil Aviation Safety Authority's Post-occurrence Special Audit of PelAir;
- Memorandum of Understanding between the Australian Transport Safety Bureau and the Civil Aviation Safety Authority (February 2010);
- International Civil Aviation Organization Annex 13 – Electronic Filing of Differences (July 2010);
- The Chambers Report: Oversight Deficiencies – PelAir and Beyond (August 2010);
- Memorandum of Understanding between the ATSB and the Department of Defence Directorate of Defence Aviation and Air Force Safety for Cooperation relating to Transport Safety Investigation (February 2013); and
- Government Response to the Report into Aviation Accident Investigations (March 2014).

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Program: ATSB

Division/Agency: Australian Transport Safety Bureau

Topic: Resolving Issues with Airservices Australia

Proof Hansard Page: 137 (26 May 2014)

Senator Xenophon, Nick asked:

Senator XENOPHON: Okay. The ATSB has now identified a significant number of similar events and presumably has seen CASA's audit of Airservices.

Mr Dolan: Yes.

Senator XENOPHON: Can you answer on notice what the ATSB is doing to ensure these serious issues are addressed. They are being addressed, I take it, from your point of view?

Mr Dolan: To the extent that we are not satisfied that they are being addressed we are continuing to follow them up.

Senator XENOPHON: Can you give any further details in respect of that, how they are being followed up, what is being followed up and the like.

Mr Dolan: Yes, Senator.

Answer:

The ATSB is aware of the findings of the CASA audit of Airservices Australia and has had regard to them in its own investigations and analysis. Airservices Australia's response to the findings of CASA's audit are a regulatory matter between CASA and Airservices.

The ATSB seeks to have safety issues which are identified during its investigations appropriately actioned and addressed by the relevant organisation. That includes, where necessary, the issuing of safety recommendations. ATSB recommendations are not enforceable: the ATSB does not have any power to ensure any particular safety issue is addressed. In the 12 months to 17 June 2014, the ATSB had identified 14 safety issues relating to Airservices Australia. Airservices took proactive action with respect to 10 of those issues that the ATSB considered adequately addressed the issues. The ATSB was not satisfied that the action taken with respect to the remaining four issues was adequate and the ATSB issued safety recommendations to Airservices on those issues. Airservices has subsequently advised the ATSB of additional safety actions taken with respect to those recommendations and the ATSB has assessed three of them to be adequately addressed.

With respect to the fourth recommendation, Airservices advised the ATSB that it had undertaken an analysis of the matter and that 'Airservices does not agree with the safety issue and the associated ATSB safety recommendation'. The ATSB has classified the issue as 'no action taken'. The ATSB will monitor future occurrences where this issue may be relevant.

Full details of all safety issues, safety actions and/or recommendations, and their associated status are available on the ATSB website at <http://www.atsb.gov.au/publications/recommendations.aspx?mode=Aviation>

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Question no.: 260

Program: ATSB

Division/Agency: Australian Transport Safety Bureau

Topic: INTAS

Proof Hansard Page: 138 (26 May 2014)

Senator Xenophon, Nick asked:

Senator XENOPHON: Finally, has the ATSB looked at the operation of the integrated tower automation suite software versions, the INTAS versions, that have been installed at Rockhampton, Broome, Adelaide and Melbourne towers respectively? Have you had any issues or complaints in respect of that?

Mr Dolan: I would have to take that on notice. I am not personally familiar with any problems with that software but we will check our records to see if anything has been brought to our attention.

Senator XENOPHON: But if there were issues with the software, that would obviously affect issues of aviation safety, so it is the sort of thing that would be brought to your attention.

Mr Dolan: If there were problems that either constituted an occurrence in terms of the mandatory notification system or were a matter of safety concern to an individual who wished to raise it with us by way of our confidential reporting system, it would have come to our attention. What I have said is that I am not personally familiar with anything in that area.

Senator XENOPHON: Could you take it on notice in respect of INTAS.

Answer:

The ATSB received 18 mandatory incident reports relating to INTAS in 2012, 21 in 2013 and 10 in the period to 27 June 2014. None of these were assessed as warranting investigation by the ATSB.

The ATSB received one report under its confidential reporting scheme (REPCON) relating to INTAS in 2012 and two in 2013. Details of the 2013 reports are available on the ATSB's website (<http://www.atsb.gov.au/repcon/2013/ar201300089.aspx> and <http://www.atsb.gov.au/repcon/2013/ar201300081.aspx>).

The ATSB only commenced publishing REPCON reports on its website from the time new REPCON regulations were introduced on 20 January 2013.

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Program: ATSB

Division/Agency: Australian Transport Safety Bureau

Topic: UAV Operations

Proof Hansard Page: 139 (26 May 2014)

Senator Fawcett, David asked:

Senator FAWCETT: ... Early this year just north of Perth a Dash 8 had a very near miss with a reasonable-sized UAV. I understand ATSB has made comment on that incident. But, more broadly, the question I am interested in is how many incidents are being reported to you through the various reporting mechanisms that you have, whether it is micro or larger UAVs. Secondly, what input, if any, are you having into the current NPRM that CASA has on the streets around looking at new rules for UAV operations?

Mr Dolan: The first half of your question I think we would have to take on notice, unless someone has the material in front of them. But we are tending to look at all significant events involving UAVs, just because it is one of those growing territories, at least to some establish-the-facts sort of level. I would have to consult with my colleagues to establish what we have been doing with CASA on the specific question of their new rule suite.

Senator FAWCETT: I am happy for you to take that on notice. I would also like you to take on notice ATSB's position, with the breakdown of incidents that have occurred—just from what I have seen in the media, the majority appear to be the smaller UAVs that your amateur can buy from whatever kind of shop—on the concept that anything less than two kilograms essentially does not present a risk and therefore should be unregulated, and whether in the light of incidents that have occurred you are comfortable with that approach.

Mr Dolan: I am happy to give you a response on notice.

...

CHAIR: Then will you come back to the committee—or through the secretary or through the department or through the minister—and explain to the Australian public and this committee what their protection is from the growing plethora of unmanned vehicles in the air?

Answer:

The ATSB has received 19 reports relating to UAVs over the last 3 years (although two may have been model aircraft). Twelve of these were medium (2 to 150 kg), one was small (150g to 2 kg) and six are unknown (likely to be either small or medium).

The ATSB received a briefing on the NPRM at the last ATSB/CASA Bi-annual meeting on 4 June 2014. The ATSB did not consider it necessary to make a submission on the NPRM.

The types of incidents reflect manned aircraft incidents (apart from i & vi):

- i. 5 datalink/communication failures
- ii. 5 engine failures
- iii. 1 airframe failure
- iv. 1 birdstrike
- v. 3 near collisions with aircraft (two of these may have been model aircraft)
- vi. 1 collision with a person resulting in minor injuries
- vii. 2 UAV operating in a CTAF without making calls and/or in circuit area
- viii. 1 UAV operating near a controlled aerodrome outside VMC

Refer to SEQoN 236.

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Question no.: 262

Program: ATSB

Division/Agency: Australian Transport Safety Bureau

Topic: Resourcing

Proof Hansard Page: Written

Senator Sterle, Glenn asked:

1. Am I right in thinking that at 30 June in 2013, the aviation team was continuing to investigate 65 complex aviation occurrences?
2. How many complex aviation investigations are currently ongoing?
3. In the Portfolio Budget Statement there is a table on page 169 that sets out the performance measures for your agency. I refer to the performance measure that says that the ATSB aims to have to have at least 90% of complex investigations published within 12 months and at least 90% of short investigations published within two months.
Have I got that right?
4. How is the ATSB tracking against those two performance targets?
5. What is the median time for a major investigation to be completed?
6. What is the longest ongoing investigation currently being undertaken and how long has that particular investigation been going for?
7. Does this Budget provide you with any additional resourcing for the investigation of major aviation investigations? Putting aside the search for Malaysian Airlines MH370?
8. Would you say that the agency is adequately resourced to for the current number of investigations being undertaken?
9. I refer to page 165 of the Portfolio Budget Statement and to statement regarding ATSB expenses.

“The increase in planned expenses for 2014-15 is mainly due to funding provided in the budget measure related to the search for Malaysia Airlines Flight MH370. If the effect of this measure was removed, there would be a decrease in planned expenses for 2014-15, reflecting reduced Employee Benefit expenditure following the implementation of the ATSB’s significant workforce downsizing programme that was designed to enable the ATSB to operate on a financial sustainable footing from 2014-15.”

- Could you explain the reference to the ATSB’s significant workforce downsizing programme?
10. Does ATSB have a view on how the cuts will impact on its ability to meet targets and complete investigations?

Answer:

1. Yes.
2. As of 22 August 2014 there were 67 ongoing complex investigations.
3. Yes.
4. These are new performance indicators for FY 2014-15 and beyond. However, when applied to FY 2013-14 up to 19 Jun 2014, 50% of complex investigations and 56% of short investigations were completed within 365 days and 60 days respectively, with the median completion time for complex investigations 367 days and the median completion time for short investigations 49 days.
5. See answer to 4.
6. As of 22 August 2014 the longest ongoing aviation investigation was AO-2012-072, a collision with terrain involving a Cessna 172, registered VH-WLF, 10 km south of Wentworth airfield NSW on 28 May 2012.
7. No

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8. The current number of aviation investigation on hand is in excess of the PBS figure; a matter that the ATSB is managing over time.
9. To establish a financially sustainable position going into the next financial year, 2014-15, the ATSB needed to undertake a redundancy program with our staff. As a result of that, by the start of the FY14-15 we will have reduced our staff by 12 from 110 to 98.
10. The ATSB remains confident that it will meet the targets and performance standards set out in the 2014-15 Portfolio Budget Statements.