Senator Glenn Sterle asked:

1. Is it correct that any engineering/maintenance organisation that wants to conduct any maintenance on the aircraft conducting high capacity regular public passenger services needs an approval issued by CASA under Civil Aviation Safety Regulation (CASR) 145?

2. What are the steps involved in assessing and approving Part 145 approvals? Where are these published?

3. What is the normal practice for reviewing Part 145 applications to conduct onsite inspections of overseas operators and facilities who are seeking Part 145 approvals?

4. In the last 2 years, how many physical site inspections have been conducted as part of 145 approvals within Australia?

5. In the last 2 years, how many physical site inspections have been conducted as part of 145 approvals overseas?

6. What are the risks posed by organisations not being properly scrutinised in the Part 145 approval process?

7. Were CASA regulations followed in the assessment and approval of EFW’s Part 145?

Answer:

1. Yes.


3. CASA takes a risk-based approach to making this decision, taking into consideration several issues including, but not limited to:
   - Current approvals issued by recognised National Aviation Authorities (NAAs), e.g. EU Aviation Safety Agency, US Federal Aviation Administration, Civil Aviation Agency of NZ, UK Civil Aviation Authority, and Transport Canada.
   - Applicant’s history and experience with the maintenance performed e.g. significant experience in the conduct of the maintenance activity for which approval is requested.
   - Availability of third-party audits to inform assessment e.g. Australian operators, recognised NAAs.
   - Provision of evidence supporting regulatory requirements, e.g. approved data, licensed personnel, tooling lists.
   - Opportunity for an onsite audit when an Australian registered aircraft is undergoing maintenance to enable a focused audit of the operator’s safety compliance in relation to the actual activity.
CASA can also conduct its own onsite assessment of an organisation before issuing an approval if this is determined to be appropriate.

4. 71.

5. 18.

6. The risk is that the organisations won’t be suitably qualified or equipped to undertake the task. CASA scrutinises organisations under its Part 145 approvals process to satisfy itself that risks have been appropriately minimised.

7. Yes.
Rural & Regional Affairs and Transport Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Supplementary Budget Estimates 2019 - 2020
Infrastructure, Transport, Cities and Regional Development

Committee Question Number: 392
Departmental Question Number: SQ19-000396

Program: n/a
Division/Agency: Civil Aviation Safety Authority
Topic: Drone security and maintenance approvals
Proof Hansard Page: Written (8 November 2019)

Senator Glenn Sterle asked:

1. The Australian reported on the 2nd September 2019 that Australian airports are at serious risk of a Gatwick style shutdown because laws are too weak to rein in rogue operators of drones. The article continues to say that despite the number of drones in Australia now exceeding 350,000, legislation is still not in place to tackle the threat of an airspace breach at a major airport.
   a. Does CASA agree with this? What has CASA done or what is CASA doing to ensure that a Gatwick style shutdown does not happen at airports in Australia?
   b. Has the Government consulted CASA on the need to strengthen legislation to ensure that this does not happen at Australian airports?

2. On the 25th of August 2019, Blake Foden wrote an article in The Canberra Times titled “Air Travellers ‘at risk’, safety authority blasted over maintenance approvals”. The article begins by saying that “The Civil Aviation Safety Authority has been accused of putting air travellers at risk after it approved three overseas facilities to carry out maintenance work on Australian aircraft without its airworthiness inspectors every laying eyes on the facilities”. The article reported that these maintenance facilities are located in South Korea, Fiji and Germany.
   a. Why couldn’t the aircraft maintenance facilities be located in Australia?
   b. How did CASA decide on the facilities in South Korea, Fiji and Germany?
   c. Was there a tender process?
   d. Does CASA or the Australian Government provide funding to assist with the operation of these facilities? If so, how much?
   e. Did CASA inspect these facilities before they became operational to carry out safety checks? If not, why not?

Does CASA plan on auditing these facilities? If so, when?

Answer:

1. As well as actions being taken by other agencies, as the aviation safety regulator, CASA continues to seek to prevent aviation accidents and has been working across government to lower the risk that drone use presents to conventionally piloted aviation through the implementation of drone detection technologies.
   CASA is presently working with other government agencies on strategies that would make it more likely that drone operations near airports would be detected, and that action could be taken by the relevant authority to stop these operations.
   CASA participates in whole-of-government activities which examine the growing use of drones in Australia. CASA’s current regulations clearly limit drone activity within 5.5kms of a controlled airport. Offenders may be liable for a $10,500 fine or up to two years imprisonment in certain cases.
2. 

a. The decision on which approved maintenance facility to use is a commercial decision for Australian aircraft operators. Any maintenance facility, whether in Australia or overseas, can apply to CASA for permission to undertake maintenance work.

b. CASA received Part 145 applications from the maintenance facilities located in South Korea, Fiji and Germany. These facilities had been contracted to carry out maintenance by Australian aircraft operators. CASA assessed and approved these applications in accordance with our internal processes and procedures.

c. The engagement of aircraft maintenance facilities is a commercial arrangement between aircraft operators and the maintenance facility. CASA is not involved in this process.

d. No.

e. Previously CASA carried out onsite surveillance activities on all entry control assessments and ongoing oversight via safety audits at regular intervals. This practice did not provide CASA with the optimal safety assurance it considered necessary. This was due to no Australian aircraft being maintained at these facilities at the time.

CASA has modified its approach to, where possible, conducting desk top entry control assessment and issuing a CASR Part 145 approval. CASA then conducts a verification audit once the Approved Maintenance Organisation (AMO) has an Australian registered aircraft in maintenance. This approach allows CASA to assess the AMO arrangements, its facilities and staff while they are actually conducting maintenance on an Australian operated aircraft.

The CASA National Surveillance Selection Process (NSSP) schedules audits for all maintenance facilities taking into consideration the planning of Australian aircraft maintenance inputs. An onsite audit of the German facility was completed whilst a Qantas Airlines A380 was undergoing maintenance. Onsite surveillance events for Fiji and South Korea are planned to be conducted during the current NSSP cycle (2019/20).
Committee Question Number: 393  
Departmental Question Number: SQ19-000590

Program: n/a  
Division/Agency: Civil Aviation Safety Authority  
Topic: Noise and environmental impact of drones  
Proof Hansard Page: Written (11 November 2019)

Senator Janet Rice asked:

In developing frameworks for drone registration and commercial operation (in particular commercial delivery such as Wing), what consideration has been given to:

- Noise impacts, including on residents, workers in commercial areas, and other impacted individuals?
- Environmental impacts, including bird populations?

Answer:

The Department of Infrastructure, Transport, Cities and Regional Development is responsible for the Air Navigation (Aircraft Noise) Regulations 2018 and current requirements related to Wing’s operations are on the Department’s website at www.infrastructure.gov.au.

CASA only considered the environment with respect to the relevant provisions in the Civil Aviation Act 1988.
Senator Nick McKim asked:

1. CASA was aware of the proposed flight of a balloon over Parliament House on 15 October 2019 a fortnight ahead of the event. Why did they suddenly issue a no-fly zone, at odds with their advice that there are no restrictions on flights above APH?

2. What role did the Speaker/Senate President have in convincing/forcing CASA to issue the no-fly zone?
   a. Has this political/parliamentary intervention ever been used before?

3. Given the prolific use of balloons in Canberra at events like the Balloon Spectacular, will this be an ongoing restriction?

4. Given that this no fly zone is freshly issued, if it isn’t made a permanent fixture why was it used in this instance?
   a. What genuine safety risk was posed by the balloon.

Answer:

1. CASA received a general enquiry regarding balloon operations over Parliament House on 2 October 2019, however this was not identified to be in relation to the intended operation on 15 October 2019. On 11 October 2019 CASA received an application for a Temporary Restricted Area (TRA) for security purposes to the airspace over Parliament House by the Department of Parliamentary Services on behalf of the Speaker of the House and the Senate President. CASA assessed the application and issued a TRA in accordance with the *Airspace Act 2007* and associated regulations.

2. None.
   a. No.

3. The TRA was only issued for a temporary period and is no longer in force.

4. CASA received an application from an appropriately authorised person or agency for a TRA over Parliament House and considered the application in accordance with the *Airspace Act 2007*.
   a. The application met the criteria for a TRA as set out in regulation 6(3) of the Airspace Regulations 2007. Safety is only one of the criteria considered in a TRA.