

20 July 2018

AAPS Consultation  
Attention: Mr Jim Wolfe  
General Manager, Air Traffic Policy  
Aviation and Airports Division  
Department of Infrastructure, Regional Development and Cities  
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Dear Mr Wolfe

## **AusALPA SUBMISSION ON DRAFT 2018 AUSTRALIAN AIRSPACE POLICY STATEMENT (AAPS)**

The Australian Airline Pilots' Association (AusALPA) represents more than 6,500 professional pilots within Australia on safety and technical matters. We are the Member Association for Australia and a key member of the International Federation of Airline Pilot Associations (IFALPA) which represents over 100,000 pilots in 100 countries. Our membership places a very strong expectation of rational, risk and evidence-based safety behaviour on our government agencies and processes and we regard our participation in the work of the Australia's safety-related agencies as essential to ensuring that our policy makers get the best of independent safety and technical advice.

While we recognise that the guidance provided in the AAPS to CASA is at a high level, there are a number of developments in the increasingly diverse mix of airspace users that have not been acknowledged in the consultation draft.

Our most immediate concern is in regard to the integration of RPAS operations with manned aircraft activities. Our other concern, while longer term, is in regard to the Government's policy on the seamless administration of our sovereign airspace from the upper limit of Class A controlled airspace to the lower limit of the Australian Space Agency jurisdiction of 100km above mean sea level.

### **Integration of RPAS Operations with Manned Aircraft Activities**

The number of Australian remotely piloted operator certificate holders has risen exponentially in the last 3 years, from only a few hundred to over 1,300 as at July 2018. We now have close to 6,000 remote pilot license holders in Australia. Significantly, since the amendments to CASR Part 101 in September 2016, several largely untrained and otherwise inexperienced operators have opted to operate commercially in the "excluded category" which provides little to no checks and balances on the safety standards and motives of operators.

The increase in risk has become obvious: the number of close calls/near-misses between RPAS and manned aviation has increased commensurate with the increase in the number of operators (including certified, excluded category and recreational operators).

The latest ATSB data has not yet captured the rise in incidents, with the most recent published report coming out only in early 2017. However, that report did note, concurring, that most occurrences involving near encounters with manned aircraft were at capital cities, particularly Sydney, and at altitudes over 1,000 feet above mean sea level (AMSL). Noting that typically both registered commercial operators (unless subject to specific approvals) and certainly recreational and excluded category operators are limited to flight 400 feet above ground level (AGL), it is clear that the present prohibitive regulations have not reduced the relative *risks* of collision.

In the last 3 years, the risks related to excluded category operators, the rise in numbers of all operators, and the increased attention the technology has raised have led to a CASA review of the RPAS industry, prompted by the previous Minister of Infrastructure, Regional Development and Cities and a Senate Inquiry into regulatory requirements that impact on the safe use of RPAS.

Notwithstanding the outcomes of the Senate Inquiry (due to report by 31 July 2018), CASA has already identified in its review published in May 2018, that it should:

deliver a RPAS roadmap to articulate how to safely integrate RPAs into the Australian airspace system, including content on unmanned traffic management systems.<sup>1</sup>

AusALPA believes that the draft “Government Policy Objectives” in the AAPS needs to reflect the safe integration of RPAS operations with manned aircraft activities, which is a focus also at ICAO level,<sup>2</sup> and also to relevantly reflect the recommendations by the Senate Committee and the subsequent Government Response.

In our firm view, to do otherwise would render the AAPS meaningless as a future pathway document.

## **The Administration of Very High Altitude Airspace**

The creation of the Australian Space Agency and the proposed changes to the *Space Activities Act 1998* have highlighted an apparent policy gap in administering Australia’s sovereign airspace between the upper limit of Class A controlled airspace and the lower limit of the Australian Space Agency jurisdiction of 100km above mean sea level.

AusALPA is of the view that Australian airspace policy should be seamless. While civil aircraft operations are unlikely to exceed an altitude of Flight Level 600 in the immediate future, there are both defence and emerging civil technologies that will either primarily utilise or transit this very high altitude airspace. In each of these cases, collision risks arise both within and below that airspace.

AusALPA consequently believes that, although Defence may well be the most appropriate agency to administer that very high altitude airspace for many years to come, the AAPS should reflect both the agency to administer that airspace and the necessary coordination and administrative arrangements, including accident investigation, that are required to ensure safety is maintained.

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<sup>1</sup> CASA Drone Safety Review Report, p 23.

<sup>2</sup> paragraph 1.2.1 of ICAO Doc 10019 *Manual on Remotely Piloted Aircraft Systems (RPAS)*

## Conclusions

There is a need to advance plan for future demands and uses of airspace in the civil sector which is presently not addressed, including the prioritisation of the “roadmap” or national framework/policy for RPAS and unmanned traffic management as well as very high altitude airspace administration.

This needs to be set out in the AAPS in a way that reflects that CASA should not only carry out its responsibilities as a regulator in line with the *Airspace Act 2007* and cooperate with Australia’s air navigation service providers, but that (pursuant to paragraph 41) the provision of ATM or other administrative arrangements are properly coordinated and future proofed through proper reflection, consultation and planning with relevant agencies and stakeholders outside CASA, including those responsible for the environment, infrastructure planning, national security, space activities, insurance and liability, and other international obligations of Australia as a party to the *Chicago Convention 1944*.

## Recommendations

AusALPA recommends that the draft “Government Policy Objectives” in the AAPS be amended to make specific reference to RPAS integration and very high altitude airspace administration.

Yours sincerely,

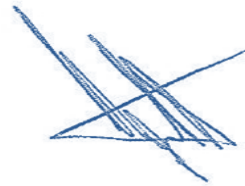


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