



# Australian Airspace Policy Statement 2018<sup>1</sup>

## *Airspace Act 2007*

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I, MICHAEL McCORMACK, Minister for Infrastructure, Transport and Regional Development, make this Statement under section 8 of the *Airspace Act 2007*.

Dated 25 September 2018

**MICHAEL McCORMACK**

Minister for Infrastructure, Transport and Regional Development

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**1 Name of Statement**

This Statement is the *Australian Airspace Policy Statement 2018*.

**2 Commencement**

This Statement commences on 5 October 2018.

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**Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislation kept under the *Legislation Act 2003*. See <https://www.legislation.gov.au/>

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## Australian Airspace Policy Statement

### Name of Instrument

- 1 This instrument is the Australian Airspace Policy Statement (AAPS) 2018.

### Commencement

- 2 This version of the AAPS commences on 5 October 2018 and repeals the previous AAPS, which commenced on 13 July 2015.

### Definitions and Reference Documents

- 3 Expressions used in the AAPS are defined in the Glossary of Terms. Documents referenced in the AAPS, and details on how to access them, are listed at the end of the AAPS.

### Purpose

- 4 The AAPS is made pursuant to Part 2 of the *Airspace Act 2007*. The AAPS provides guidance to the Civil Aviation Safety Authority (CASA), as the airspace regulator, on the administration of airspace as a national resource. The AAPS is also intended to provide guidance for the aviation industry and other aviation agencies.

### The Office of Airspace Regulation

- 5 CASA will exercise its airspace authority on the advice of an Office of Airspace Regulation (OAR), which will be a distinct operational unit of CASA. Under the *Civil Aviation Act 1988*, CASA must regard the safety of air navigation as the most important consideration and the OAR must approach the development of its advice on airspace regulation on the same basis.
- 6 The legislation and regulations which govern airspace administration require a broad range of activities to be undertaken by CASA. While the AAPS focuses on priorities and processes for a selection of those activities, all roles, functions and responsibilities under the *Airspace Act 2007* and the *Airspace Regulations 2007* must be fulfilled by CASA and the statement does not alter the primacy of the relevant legislative provisions.
- 7 Consistent with the Government's policy of a harmonised national civil and military air traffic management (ATM) system, better coordination of national civil and military airspace requirements will be facilitated by the placement of Defence officers, holding delegated powers under the *Airspace Regulations 2007*, within the OAR as OAR officers.

## Airspace Administration

- 8 The administration of Australian-administered airspace, including the application of the guidance provided by this AAPS:
- shall be in the best interests of Australia;
  - shall consider the current and future needs of the Australian aviation industry, which includes civil and military aviation;
  - shall consider cost implications for all airspace users;
  - shall consider adopting proven international best practice airspace systems adapted to benefit Australia's aviation environment; and
  - shall take advantage of advances in technology wherever practicable.

## Airspace Classes used in Australian-administered Airspace

- 9 Airspace administration in Australia is generally aligned with the International Civil Aviation Organization (ICAO) prescribed airspace classes and associated levels of service as set out in Annex 11 to the Convention on International Civil Aviation (1944) (Chicago Convention). Differences to the ICAO classes of airspace in Australia are notified to ICAO and listed in the Australian Aeronautical Information Publication (AIP).

- 10 The airspace classification system to be used in Australia is specified below:

**Class A:** IFR (instrument flight rules) flights only are permitted. All flights are provided with an Air Traffic Control (ATC) service and are separated from each other.

**Class B:** IFR and VFR (visual flight rules) flights are permitted; all flights are provided with ATC service and are separated from each other.

**Class C:** IFR and VFR flights are permitted. IFR flights are provided with an ATC service and are separated from both IFR and VFR flights. VFR flights are provided with an ATC service for separation from IFR flights and traffic information on other VFR flights.

**Class D:** IFR and VFR flights are permitted and all flights are provided with an ATC service. IFR flights are separated from other IFR flights and Special VFR (SVFR) flights, and are provided with traffic information on all VFR flights. VFR flights are provided with traffic information on all other flights. VFR receives traffic information on all other aircraft, but are not provided with a separation service by ATC. SVFR are separated from SVFR when visibility is less than visual meteorological conditions. All flights are separated during take-off and landing.

**Class E:** IFR and VFR flights are permitted. IFR flights are provided with an ATC service and are separated from other IFR flights and receive traffic information on VFR flights as far as is practicable. VFR flights are provided with a flight information service, which includes traffic information, as far as is practicable.

**Class F:** IFR and VFR flights are permitted. All participating IFR flights receive an air traffic advisory service and all flights receive a flight information service if requested.

**Class G:** IFR and VFR flights are permitted. IFR and VFR flights receive a flight information service. North of 65°S this flight information service includes directed traffic information to IFR flights on other IFR flights and known VFR flights.

- 11 Under the *Airspace Act 2007*, CASA is responsible for determining when and how these classifications are to be deployed in Australian-administered airspace. CASA is to publish any changes to the classification of a volume of airspace and corresponding information through the Federal Register of Legislation (FRL) and then through the Australian AIP in a timely and accurate manner.
- 12 Pursuant to regulations made under section 11 of the *Airspace Act 2007*, CASA is responsible for the classification and designation of all Australian-administered airspace.
- 13 CASA has sole responsibility for the regulation of the design of all Australian-administered airspace.
- 14 CASA shall ensure that design principles and guidance material for airspace architecture are maintained and available to a proponent of an airspace change.

### **Prohibited, Restricted and Danger Areas**

- 15 Australia has adopted the ICAO designations described in Annex 15, Chapter 2, of the Chicago Convention for accommodating activities that may be incompatible with routine flying operations, i.e. Prohibited, Restricted and Danger Areas. These areas and the circumstances in which they can be declared are described at Regulation 6 of the Airspace Regulations 2007. This is consistent with the relevant ICAO documentation.
- 16 The declaration of these areas and the circumstances in which they can be declared are as follows:
 

Prohibited Area – An area of Australian territory of defined dimensions (which may extend to a volume of airspace) over which the flight of aircraft is prohibited. CASA must not declare an area to be a Prohibited Area unless, in the opinion of CASA, it is necessary for reasons of military necessity to prohibit the flight of aircraft over the area.

Restricted Area – An area of Australian territory of defined dimensions (which may extend to a volume of airspace) over which the flight of aircraft is restricted in accordance with certain specified conditions. CASA must not declare an area to be a Restricted Area unless, in the opinion of CASA, it is necessary to restrict the flight of aircraft over the area to aircraft flown in accordance with specified conditions in the interests of any of the following:

  - (a) public safety, including the safety of aircraft in flight;
  - (b) the protection of the environment;
  - (c) security.

**Danger Area** – An area of Australian territory of defined dimensions (which may extend to a volume of airspace) within or over which activities dangerous to the flight of aircraft may exist at specified times. CASA must not declare an area to be a Danger Area unless, in the opinion of CASA, there exists within or over the area an activity that is a potential danger to aircraft flying over the area.

### Process for Changing the Classification of a Volume of Airspace at an Aerodrome

- 17 To help determine when changes to airspace classification may be required in the airspace immediately around an aerodrome, (referred to as the control zone at a controlled aerodrome) the following criteria will be used: annual passenger transport operations (PTO) aircraft movements, the annual number of passengers and total annual aircraft movements (see Table 1).
- 18 These criteria do not preclude CASA examining the requirement for airspace changes at other aerodrome locations should CASA consider such examination is required, for example, on risk or safety grounds.

**Table 1. Airspace Review Criteria Thresholds**

	<b>Class B</b>	<b>Class C</b>	<b>Class D</b>
<b>Service provided</b>	ATC	ATC	ATC
<b>Total annual aircraft movements</b>	750,000	400,000	80,000
<b>Total annual PTO aircraft movements</b>	250,000	30,000	15,000
<b>Total annual PTO passengers</b>	25 million	1 million	350,000

### Process for Applying the Criteria

- 19 When annual traffic levels at an aerodrome meet a threshold of any one of the criteria CASA should complete an aeronautical risk review in consultation with the public, industry and other government agencies.
- 20 CASA will then make a determination to change the class of airspace if necessary.
- 21 If annual traffic levels at an aerodrome fall below all three thresholds for its current classification, CASA should complete a risk review to determine whether a lower classification of airspace is appropriate.
- 22 If CASA has completed an aeronautical risk review in the previous year then it may choose to update that existing review if an aerodrome were to meet or fall below the threshold levels in the following year.
- 23 While the criteria provide a good indicator of likely airspace classification, CASA will be able to consider public, industry and government agency comments, forecast future traffic levels and any significant risk mitigators already in place or planned at the location, before finalising an airspace determination.

- 24 This process will be undertaken by CASA in close consultation with Airservices, and Defence where relevant, given the responsibilities of these agencies for the introduction of new or changed air traffic services and facilities arising from such CASA determinations.

### **Process for Changing the Class or Designation of a Volume of Airspace**

- 25 CASA's risk review process should be consistent with published Australian standards for risk management, as updated.
- 26 The process for change will commence with CASA or a proponent identifying the volumes of airspace to be reviewed in accordance with Section 13 of the *Airspace Act 2007*; and be accompanied by comprehensive supporting evidence for the proposed change.
- 27 The review process will then lead to the completion of a risk assessment of the particular volume of airspace under review.
- 28 The risk assessment should take into account the types of aircraft involved, the density of air traffic, the meteorological conditions, topography and such other factors as may be relevant.
- 29 On completion of the risk assessment process, CASA shall outline its proposals on the overall safety requirement for a particular airspace classification or designation.
- 30 These proposals will be to (a) change the classification or designation of airspace, (b) not change a classification or designation, but make other proposals to improve airspace arrangements, or (c) recommend a continuation of current airspace arrangements without any other proposals.
- 31 CASA will provide these proposals for public comment and, after considering these comments, make a determination to be implemented as directed by CASA, by the relevant parties.
- 32 Following a decision to change the class of a volume of airspace (a determination), that change must be formalised as a legislative instrument, endorsed by the airspace delegate, and published on FRL. After a determination of an airspace change has been registered on FRL, it can then take effect on, or after, the day on which the determination is published in the AIP or when notified by a Notice to Airmen (NOTAM). Designations of Prohibited, Restricted and Danger Areas may be published in the AIP or notified by a NOTAM subject to the requirements of the *Airspace Regulations 2007*.
- 33 There may be times when urgent decisions are required to meet a safety imperative and it may not be practicable to comply with parts of this process.

### **Government Policy Objectives**

- 34 The Government considers the safety of passenger transport services as the first priority in airspace administration and CASA should respond quickly to emerging changes in risk levels for passenger transport operations. Airspace administration should also seek to deliver good safety outcomes to all aviation participants.

- 35 The Government expects that CASA will continue to review Australia's airspace as required and continue to move towards closer alignment with the ICAO system and adoption of proven international best practice.
- 36 The Government also expects CASA, in continuing to develop safe, efficient and appropriate airspace arrangements, in consultation with industry stakeholders, to also consider the operation of remotely piloted aircraft systems and very high altitude aircraft.
- 37 The Government has also identified three specific airspace policy objectives in relation to the administration and use of Australian-administered airspace, which are detailed in paragraphs 38 to 42 and outlined below:
- support for ICAO's Global Aviation Safety Plan and Global Air Navigation Plan and use of ICAO airspace classifications;
  - the appropriate level of ATM services at regional aerodromes regularly served by passenger transport services, as determined by CASA; and
  - effective cooperation between CASA and Australia's air navigation service providers, including Airservices and Defence.

#### **Support for ICAO's Global Aviation Safety Plan and Global Air Navigation Plan; and Use of ICAO Airspace Classifications**

- 38 Australia's airspace administration will be consistent with the objectives and priorities identified in the ICAO Global Aviation Safety Plan (GASP) and ICAO Global Air Navigation Plan (GANP). The GASP is a high level policy document which assists States and regions identify and implement their near, mid and long-term aviation safety policy objectives while the GANP provides States and regions with a comprehensive planning tool supporting a harmonised global air navigation system.
- 39 The Government fully supports the use of the internationally-recognised ICAO airspace classification system (Class A to G airspace) in airspace administration, including the designation of Prohibited, Restricted and Danger areas.

#### **Regional Aerodromes**

- 40 The Government is committed to ensuring that appropriate levels of airspace classification and air traffic services are used to protect regional aerodromes served by passenger transport services, with airspace classification and services reflecting the final outcomes of the risk reviews identified in paragraph 19. Of course, consideration may be given to the implementation of additional risk mitigation measures by Airservices or the aviation industry.

#### **Cooperation with Australia's Air Navigation Service Providers**

- 41 The Government is committed to the continuing development of a seamless, harmonised national civil and military ATM system. The classification and designation of airspace is seen as an essential component of that system.

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- 42 CASA is to work closely with Australia's air navigation service providers to ensure that the needs of all airspace users are properly considered; the provision of ATM services is properly coordinated; and the administration of Australia's airspace is both safe and efficient.

### **Airspace Strategy**

- 43 The Government requires CASA to carry out its responsibilities as the airspace regulator in accordance with the *Airspace Act 2007* and the Airspace Regulations 2007.
- 44 This legislative framework enables CASA to examine and determine future Australian airspace requirements and has established that safety of air navigation is the most important consideration.
- 45 The Government's airspace strategy will be risk-based, engendering evidence-based decision making, and supported by robust data collection and analysis, in determining Australia's future airspace needs.
- 46 The strategy requires the ongoing identification of risks to aviation safety using both quantitative and qualitative analysis, and ultimately the safety judgment of CASA as the airspace regulator.
- 47 The Government expects CASA to adopt international best practice in airspace administration. This includes adopting proven international systems that meet our airspace requirements. The Government's airspace strategy recognises that international airspace systems include a range of characteristics to be considered, and implemented as appropriate.
- 48 ICAO standards and recommended practices (SARPs) also provide an important basis for airspace administration. The airspace strategy requires any deviations from ICAO SARPs to be well justified, documented, and formally notified to ICAO as a difference.
- 49 The airspace strategy requires transparency so that the aviation industry has clear insight into the way in which airspace administrative decisions will be developed, taken and implemented, including industry and agency consultation. The strategy does however recognise there will be times when urgent decisions are required to meet a safety imperative.
- 50 The airspace strategy is a proactive one and consistent with the review requirements of the *Airspace Act 2007* and Airspace Regulations 2007.
- 51 The strategy does not pre-determine the adoption of a particular class of airspace before airspace risk reviews are completed, but rather requires that the determination of the class of airspace reflects the most appropriate safety outcome as determined by CASA after completion of these reviews and consistent with the Government's policy objectives.



## **Airspace Reporting**

- 52      CASA will provide advice on the major initiatives and priorities of the OAR in their corporate plan including those covering the Government's policy objectives outlined in Paragraphs 34 to 42.

## Glossary of Terms

AAPS	Australian Airspace Policy Statement – Instrument that provides guidance on the administration of Australian airspace.
AIP	Aeronautical Information Publication – Published by Airservices Australia, containing aeronautical information of a lasting character essential to air navigation.
Airservices	Airservices Australia – Australia’s civilian air navigation service provider.
ATC	Air Traffic Control – Service provided by ground-based controllers to maintain a safe distance between aircraft and obstacles, within a confined airspace and on the airport surface.
ATM	Air Traffic Management – Includes ATC, airspace management and air traffic flow management.
Australian-administered airspace	Australian-administered airspace is made up of the following components: <ul style="list-style-type: none"> <li>- the airspace over Australian territory; and</li> <li>- airspace that has been allocated by ICAO and for which Australia has accepted responsibility.</li> </ul>
CASA	Civil Aviation Safety Authority – Australia’s civil aviation safety regulator.
Chicago Convention	Convention on International Civil Aviation (1944).
Defence	Department of Defence – Australian Defence Force airspace interests are not limited to the Royal Australian Air Force but Defence airspace interests are usually represented by the Chief of Air Force.
FRL	Federal Register of Legislation – An electronic repository and authoritative source of Commonwealth legislative instruments, explanatory statements and compilations.
ICAO	International Civil Aviation Organization – United Nations agency which oversees international air navigation.
IFR	Instrument Flight Rules – A set of flight rules that assume the visibility conditions are such that instruments must be used to assist with flying.
NOTAM	Notice to Airmen – A notice distributed by means of telecommunication containing information concerning the establishment, condition or change in any airspace, aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations.
OAR	Office of Airspace Regulation – Operational unit within CASA that regulates and administers airspace.
Remotely piloted aircraft system	Remotely piloted aircraft system (RPAS) - A remotely piloted aircraft, its associated remote pilot station(s), the required command and control links and any other components as specified in the type design.
SARPs	Standards and Recommended Practices (ICAO).
SVFR	Special VFR flight - A VFR flight cleared by air traffic control to operate within a control zone in meteorological conditions below the visual meteorological conditions (VMC).
VFR	Visual Flight Rules – A set of flight rules that assume visibility is good enough to fly with visual reference to the ground.

## Referenced Documents

This section provides information on the documents referred to in the AAPS and information on how to access the documents.

### Convention on International Civil Aviation

Australia ratified the Convention on International Aviation (1944) (the Chicago Convention) in 1947. The authorised text can be accessed in a number of ways:

- The Chicago Convention is incorporated as Schedule 1 to the *Air Navigation Act 1920* – <https://www.legislation.gov.au/Details/C2016C00936>
- The Chicago Convention can be downloaded from the ICAO website – <http://www.icao.int/publications/Pages/doc7300.aspx>

Article 37 of the Chicago Convention empowers ICAO to adopt Standards and Recommended Practices (SARPs) in relation to a range of aviation safety issues and other matters concerned with the safety, regularity, and efficiency of air navigation as may from time to time appear appropriate.

The SARPs are promulgated by ICAO in Annexes to the Chicago Convention. Article 38 requires Contracting States that do not comply with the SARPs to notify a difference to ICAO. Articles 37 and 38 can be viewed at the links above.

### Annexes to the Chicago Convention

An overview of the Annexes to the Chicago Convention is available here – [http://www.icao.int/safety/airnavigation/NationalityMarks/annexes\\_booklet\\_en.pdf](http://www.icao.int/safety/airnavigation/NationalityMarks/annexes_booklet_en.pdf)

Copies of the Annexes to the Chicago Convention can be obtained:

- from the ICAO website – <https://store.icao.int/annexes.html>; or
- from most public libraries.

### Federal Register of Legislation

Commonwealth Acts and legislative instruments are registered on the Federal Register of Legislation <https://www.legislation.gov.au/Browse/ByTitle/LegislativeInstruments/InForce/0/0/Principal>

- *Airspace Act 2007*  
<https://www.legislation.gov.au/Details/C2016C00178>
- *Airspace Regulations 2007*  
<https://www.legislation.gov.au/Details/F2016C00341>
- *Civil Aviation Act 1988*  
<https://www.legislation.gov.au/Details/C2016C01097>

### Aeronautical Information Publication (AIP)

The Australian AIP, and related documents, is available by subscription from Airservices Australia – <http://www.airservicesaustralia.com/aip/aip.asp?pg=10>