

Minutes of the 48th Joint Meeting of the Civil Aviation Authority and the Aviation Community Advisory Group

Date:	Tuesday 1 November 2022
Venue:	Virtual - Teams
Attending:	<u>ACAG:</u> Qwilton Biel, Frank Usmar, Lachlan Thurston, Steve Horne, Steve Kelly, Chris Jackson, Mark Blanchard, Rob George, Bruce Robertson, Don McCracken. <u>CAA:</u> Keith Manch, John Kay, Mike Hill, David Harrison, 9(2)(a) [REDACTED] [REDACTED] Steve Smyth <u>MoT:</u> Bronwyn Turley, Tom Forster

1. Welcome

John Kay opened the meeting at 2pm and welcomed everyone.

The CAA and ACAG welcomed Bronwyn Turley, DCE for System and Regulatory Design at Ministry of Transport to her first ACAG meeting.

2. Apologies

The following members provided their apologies: Kevin Ward, John Nicholson

3. Minutes of previous meeting

The minutes of the previous meeting were agreed with no amendments.

4. CAA update

Keith Manch led the CAA update, supported by John Kay, David Harrison and Mike Hill.

- Sector engagement: The key themes from the stakeholder research earlier in 2022 were that stakeholders feel safe operating in the NZ aviation system; there are gaps between regulatory frameworks and our ability to implement them in a timely way; we need to update the regulatory framework to support technology. We're currently reviewing the information and taking care to understand it. The report will be published online.
- Asteron: we expect to be back in our head office in the Asteron Centre mid-2023. We're looking at how to refit it to support us to work effectively as an organisation

under a hybrid model. We continue to be located across Aon and Greenman buildings.

- Resourcing: Like the sector, all parts of the Authority are under pressure. Although Government has been providing significant resource to top up reduced fees and levies, we have limited flexibility to shift and respond to issues, including many of the things we want to work on with ACAG and the sector. ACAG confirmed that the issues raised are similar to those raised by the sector. Both parties noted the importance of face-to-face meetings, communication and engagement.
- Funding review ^{9(2)(f)(iv)} [REDACTED]
- ICAO security audit: Following a thorough two-week audit, ICAO made a number of findings for CAA, Ministry of Transport and regulated parties. ^{9(2)(c)} [REDACTED] ICAO are encouraged by the immediate actions and will be returning to NZ in the first weekend of November to check the immediate response. There has been a high level of collaboration between key participants, airlines, airports and AvSec – and this shows what is possible when we all work together. ^{9(2)(c)} [REDACTED]
[REDACTED] The group agreed that AvKiwi was a great way to engage with the GA community to promote security culture.
- Emerging technology: It's challenging moving from the traditional aviation assurance processes to developing areas without existing standards. We're looking at more innovative processes, including separating the certification of the vehicle from the operation – recognising that these vehicles are experimental and sometimes single use. While the role of the ET Unit is to collaborate with the sector so everyone understands the process, the certification process needs to provide the independent review from the regulator. The group agreed with the need to move the narrative away from 'drones' and talk more widely and noted the frustrations of the industry with inconsistent policy, the challenges of recruiting specialised staff and the importance of good communications with the sector.
- ICAO Assembly: Two issues dominated Assembly – Ukraine and Russia, and the move to carbon zero by 2050. NZ's papers were well supported and will become part of ICAO's future work programme.
- International engagement: It's important that NZ can influence, but we need to be particular about where we choose to engage and influence given resourcing constraints. We're looking to work more closely with our Pacific neighbours as well

as re-engaging at the regional level through Bangkok. We're also working closely with the NAA partnership network of UK, Canada, Australia, USA and NZ – where we can work closely alongside states on areas of common interest and have greater exposure to issues coming up. The CAA plans to engage further with ACAG on key areas to focus our international engagement.

- ICAO safety audit: We're preparing for an ICAO safety audit in 2023/24. This will be much larger and more complex than the security audit. This will also have a significant impact on the sector, particularly Airways, Air New Zealand and airports. There is a risk that ICAO will not accept a risk-based approach to the standards, and we will need to review the differences filed. We're building these pressures into budget and funding processes.
- Policy projects update: The CAA is aware of the frustration at the slow progress, as we make tough choices on our priorities.

5. Ministry of Transport update

Bronwyn Turley provided an overview of the Civil Aviation Bill's progress through Parliament. The Bill is likely to reach its second reading over the next two months, but progress is dependent on Government priorities. There is a joint programme of work to implement the Bill. Key implementation requirements for the Ministry include:

- remaking the Civil Aviation Rules, regulations, orders and notices,
- implementing the new airport registration framework including the Regulatory Airport Spatial Undertakings, and
- setting up the independent review of Director decisions process.

There will be clear communications to the sector on the approaches the Ministry are planning to take, and what to expect and when.

John Kay provided a quick overview of the CAA's key implementation tasks, including the rules remake, setting up the Drug and Alcohol Management regime, drone response provisions and the removal of AvSec's certificate. John noted the CAA's need to support the independent review of the Director's decision with resource, but that it was very hard to estimate the amount of work involved, number of challenges and which parts of the sector would use it. John also noted the clear links to the funding review. The group agreed the importance to focus the DAMP regime on safety sensitive workers, noting the impact on small operators and the need for the rule design to provide flexibility.

Bronwyn gave a quick update on the Air Navigation Review and thanked ACAG members for engaging with the Review. The principles and objectives for the air navigation system are likely to be published in the next few months. The Review will then focus on options for strengthening the system.

6. ACAG Terms of Reference

9(2)(a) updated the group on the ToR. While we have a shared desire to move towards an electronic voting system in the future, the group recognise the practical challenges and that it will take some time and resource to move towards a more sophisticated voting platform. The amended ToR reflect the current voting process but signal our shared desire to move towards an electronic solution in the future.

The ACAG Chair signalled that ACAG were broadly happy with the amendments and would email some proposed changes following the meeting.

Action: Qwilton to send 9(2) ACAG feedback. 9(2) to revise ToR following ACAG's feedback and circulate for final review.

7. Matters raised by ACAG

The ACAG Chair led this item, with ACAG members providing further information or clarification.

Unleaded Avgas and FAA STC: ACAG are conscious that NZ are a recipient rather than a leader, but do have some concerns around messaging noting that some groups will push for immediate implementation.

- David Harrison confirmed that the STC was acceptable to the CAA, but that it is only applicable to the specific aircraft with a US engine type certified by the FAA. While there is no control over the availability or import of Unleaded Avgas, the CAA agrees that early communications and education is important. The FAA STC did not apply to aircraft/engines not covered by the FAA – EASA for example. The CAA first point of contact on this is Jason Ashworth (Certification manager – aircraft and product).

MBIE Aerospace Strategy and industry/Government engagement group: ACAG requested clarify on how this group sat alongside ACAG.

- John Kay confirmed that ACAG will continue to provide advice on the Civil Aviation Rules. MBIE's initiative is linked to the Space and High Altitude legislation, but noted the blurring of boundaries and the need to ensure that the regimes has a seamless interface.

Senior person interviews: ACAG sought clarification on how senior person interviews interacted with recertification, particularly in relation to their frequency and efficiency.

- David Harrison and Mike Hill gave an overview of CAA policy and expectations on CAA staff, along with the broader move to being more efficient, risk based and the training required to support staff. The CAA agreed the need to take a risk-based approach and tailor interviews to the circumstances of the renewal, and would not expect a full three-hour interview when there had recently been an interview.
- ACAG members provided some examples of senior person interviews that did not go very well, as well as some positive examples that did go well.

- **Action:** Mike Hill and Lachlan Thurston to discuss within the next few months following the ICAO Security Audit.

Safety occurrences relating to ground handling operations: ACAG raised safety concerns relating to ground handlers, and requested clarification on whether the CAA was receiving the incident reports from CASA.

- The group noted that this is a significant global issue, and there is currently an ICAO working group looking at a range of options.
- The CAA advised members to raise an incident report if they see a safety concern. The CAA confirmed that the responsibility sits with the airline that contracts the ground handlers, but there appears to be an issue with the flow of information from CASA to CAANZ for ANZA operators.
- **Action:** CAA to discuss with CASA colleagues.

8. Next Meeting

The next meeting is likely to be in March 2023.

Action: [redacted] and Qwilton to arrange the next meeting and engage with Steve Kelly over the use of Air New Zealand meeting room.