

Agenda of the 43rd Joint Meeting of the Civil Aviation Authority and the Aviation Community Advisory Group

Date:	Tuesday 7 th July 2020
Venue:	Level 15, Asteron Centre, 55 Featherston Street, Wellington
Attended:	<u>ACAG</u> : Bruce Robertson, Chris Jackson, Hugh Farris, Ian Andrews, John Cook, John Nicholson, Jonathan Shorer, Katie Bhreatnach, Lachlan Thurston, Ladi Ajayi, Paul Drake, Qwilton Biel, Rob George, Steve Kelly <u>CAA</u> : Dean Winter, Helen Robertson, John Kay, Mahanga Maru, Peter Mee, Shelley Turner, Mark von Motschelnitz <u>MoT</u> : Marion Hiriart

1. Welcome

The meeting opened at 1pm.

2. Apologies

Kirstie Hewlett, Tom Forster and Steve Horne.

3. Minutes of Previous Meetings

42nd Joint Meeting of CAA and ACAG held 10 March 2020.

ACAG noted the amendment to the date of the March meeting, and to include Shelley's introduction as one of the new DCEs under the Director's Update provided by Graeme.

Action: Margherita to provide the amended minutes.

Jonathan Shorer referred to page 2 of the previous minutes requesting an update on the Colmar Brunton report. Mahanga assured Jonathan this item would be spoken to as part of the agenda.

4. Matters Arising

ACAG requested an update in relation to Action 3: regarding the criteria to assess the priority of issue assessments. John Kay assured ACAG this would be addressed within today's agenda by Peter Mee.

5. Acting Director's Update – Shelley Turner

Shelley provided an update on changes in the Authority over the past few months. This includes: Graeme Harris' departure, her role change to Acting Chief Executive and Director, John Kay as Acting Deputy Chief Executive of Organisational Development & Support, Cathy Robinson as Acting Deputy Chief Executive of Performance Monitoring & Assurance, and Dean Winter as Acting Deputy Executive of Aviation Safety. Gordon Davis has been appointed as Chief Legal Counsel.

During this period, the Acting Director is addressing the following priorities:

- finalising Stage 2 of the organisational re-design process and implementing the new structure which was put in place on 1 July 2020;
- responding to the impacts of COVID-19, including a focus on ensuring the organisation is running efficiently;
- acting on the findings and recommendations of the Ministerial Culture Review;
- improving organisational leadership; and
- improving stakeholder engagement, both internally and externally.

Dean Winter to provide update on the impacts of COVID-19 on the sector, Authority, and future expectations

Dean spoke about the Aviation Safety Group and the significant changes that are being undertaken, including a focus on functionality and providing proof of effectiveness. The CAA is working on building data intelligence to drive risk-based monitoring. Education and sector engagement activity will allow us to build data and insights that will help drive this risk-based thinking. The CAA will also better utilise the learnings from investigations and prosecutions. The overall intention is to adopt a strategic approach to managing risk, where responses are proportional to risk.

Bruce raised a concern about this approach, stating that SMS may be a better tool to address these risks, rather than by conducting safety investigations. Dean noted that the aim is for the CAA to predict and look at where risks occur.

Lachlan mentioned he had not seen changes made within the CAA and he would appreciate any new announcements about the restructure to be published. Shelley confirmed the announcement will be published via the regular Director's briefing. Shelley noted that besides the many other tasks of late, settling the organisation and improving the organisational culture both internally and externally is priority.

Lachlan asked whether ACAG would be updated on the Aviation Security Service Review commissioned by the Director. Shelley advised that this report was yet to be received, that it would form part of the organisational changes underway, and that it was not intended to release the report publicly.

Jonathan spoke of issues which had yet to be investigated. Shelley noted his concerns explaining she is aware of unresolved issues, and that she is available to engage. Shelley also noted the need to improve communication within the industry.

John Cook spoke about how over the years, priorities seem to be based on higher profile items such as Performance-based Navigation (PBN) and New Southern Sky, but not airworthiness. John Kay noted that some of the projects on the rules programme reflect Government/Ministerial priorities and that these may, at times, take precedence over other issues. John Cook encouraged the CAA to work with the industry to come up with solutions. Dean noted that the CAA has been in contact with a number of participants for that purpose.

Rob expressed the importance of revisiting and proceeding with PPL Medical and Runway Condition Reporting rule projects. Helen noted that, with regard to the PPL Medical rule, the CAA are proposing a number of changes to the rules recently consulted on, but that these changes still need to be agreed by the CAA ELT and MoT.

ACAG's Terms of Reference

John Kay noted that ACAG discussed potential changes to the ACAG Terms of Reference (ToR) in the March 2020 meeting, and it was agreed at that meeting that the current ToR were generally fine. However, in light of the significant changes to the aviation sector since March, it may be worth considering them again. Feedback from ACAG should be provided to Peter Mee, and Qwilton noted that he would provide his comments soon. Ian mentioned how the election is also on the list of things to be completed.

6. Update from Ministry of Transport – Marion Hiriart

Drone project update

Marion spoke in-depth about the progress of the drone project and how it has had some delays due to COVID-19 but is now progressing well. The Ministry is looking at rule updates, registration, and the testing of pilots. The new target date for consultation will be to proceed after the upcoming election.

Jonathan Shorer said there is an opportunity to consider what the other States, such as the UK and the US are doing in relation to new regulation, and to learn from the issues those countries had encountered. Marion responded that the Ministry is considering what other countries are doing, with each approach having its own benefits and costs. Marion also explained how the Ministry must consider the impacts of any future regulations on the wider aviation industry.

Chris Jackson queried what specific problem the Ministry was trying to solve. Marion responded that there are safety and privacy issues to consider, compliance, proportionality, and issues around the longer-term goal of drone integration. John Kay noted the importance of a well-considered approach when building any new regulatory framework.

Marion pointed out how there have also been benefits within the drone sector as far as the impact of COVID is considered. Drone technology has been beneficial to support health and economic outcomes. John Kay agreed and stated managing the growth in drones is a balancing act of benefits and risk.

Jonathan Shorer requested the information in the Colmar Brunton research to be provided to him. Marion explained the report is still being finalised. The CAA will look to engage with Jonathan prior to publication if possible.

7. Update from Peter Mee

Issue Assessment criteria

Peter circulated a printout detailing the criteria for prioritising issue assessments. Peter explained how safety and security are the main concern when prioritising. The CAA also considers a wider range of issues, such as whether the issue deals with a critical ICAO alignment, a Ministerial or CAA priority area, whether it is time critical, the direction provided from the Issue Assessment panel (including ACAG's feedback), whether it enables innovation, and other matters.

ACAG spoke about the timeframes in which issue assessments are completed and how this should be more efficient. John Kay explained how there is no such thing as a quick fix to determine what should come in and in what order. Mark noted how the work programme of the International & Regulatory Strategy team is very broad, with other considerable obligations such as government support and international

relationships, which can impact our ability to act at speed. Issue assessments are only, roughly, 30 per cent of the team's workload.

Action: CAA to organise an additional meeting with ACAG to prioritise issue assessments.

8. Policy Project Update – Peter Mee

Updates were provided on the following policy projects:

- Helicopter flight data recorder systems
- Hire or Reward Operations Project: Definition of crew member
- New Southern Sky: ADS-B below flight level 245
- Performance Based Navigation Regulatory Framework
- Assorted Issues 2019/20
- Runway Condition Reporting
- Private Pilot Licence Medical Review

ACAG asked about how the grant scheme for ADS-B is progressing. Peter noted that regular engagement with the sector should lead to ongoing ADS-B uptake. Currently the CAA is awaiting information from Airways.

In relation to the PBN policy update, John Nicholson asked what the process for a RIS (Regulatory Impact Statement) is, whether case studies would be used, and a number of other questions related to how a RIS (now a Regulatory Impact Assessment or RIA) is developed. John Kay noted that case studies need to be used with care, as they need to be sufficiently representative of the sector; and the selection of case studies is highly dependent on what the overall objective of a proposed Rule is. Ian and Steve suggested that the CAA should adopt a risk-based approach.

There was discussion on the PPL Licence. Ian felt that the CAA has lost sight of the objective to have a PPL by medical limited by aircraft weight and speed. Qwilton asked if the end of the year is a realistic deadline. Helen responded how it will depend on the election and when a government is formed.

Action: Margherita to resend updated Policy Project update report.

9. General Business

Issue assessment in regard to PPL B from the Balloon Association

John Kay noted that this issue would impact only 50-100 pilots and, given other priorities, it may be challenging to complete this policy work in a timely way. The primary risk appears to relate to commercial operators, which is already covered by Part 115. Jonathan Shorer asked if there is another way to prioritise this. John Kay noted the genuine concern of Mr Cursons (the submitter). A Part 149 organisation may be a more appropriate licensing body. Ian asked if the CAA had provided feedback to Scott Cursons on the Part 149 option. This was considered in the policy work. Previous advice from the Balloon Association was that this was not a financially viable option for the sector due to its small size. There was discussion about whether the Balloon Association could be included in another Part 149 organisation's exposition.

The meeting ended with John Kay acknowledging Jonathan Shorer's contribution to ACAG and the CAA, as Jonathan's tenure on ACAG is ending with this meeting. The group wished him well for the future.

10. Next Meeting – Tuesday 10th November 2020

Meeting closed at 3:15pm

Matters arising from the 7^h July 2020 meeting:

- **Action 1:** *Margherita to provide the amended minutes from the previous meeting, including date amendment and the introduction of Shelley.
Minutes from the March 10th ACAG meeting resent on the 28th July.*
- **Action 2:** *CAA to organise an additional meeting with ACAG to prioritise issue assessments.*
- **Action 3:** *Action: Margherita to resend updated Policy Project update report.
Policy project report re-sent on 7th July to ACAG and the CAA attendees.*