



Videoconference via Microsoft Teams

DATE: 18 November 2021, 10:00 – 14:00

MEETING NOTES

Item No	Item	
1. OPENING		
1.1	Briefing from the CASA DAS	
1.2	Discussion on recent ASAP Out of Session papers (Chair)	
2. REVIEW OF ACTION ITEMS		
<i>A review and status update of any open action items from previous meetings.</i>		
3. PRIORITY SAFETY MATTERS		
<i>Agenda items brought forward by CASA or members relating to safety issues where action is considered necessary.</i>		
3.1	Flight Operations suite transition – standing agenda item (CASA)	
4. STRATEGIC SAFETY INITIATIVES		
<i>Discussion of broader strategic safety initiatives to provide advice to the CEO/DAS on their prioritisation</i>		
4.1	Safety Innovation (Chair)	
4.2	Strategy for General Aviation maintenance licensing (Mr Thompson)	
5. EMERGING RISKS AND AREAS OF INTEREST		
<i>Aviation safety related emerging risks or areas of interest for discussion and/or notice.</i>		
5.1	Issues arising from shortages of skilled aviation personnel – standing agenda item (CASA)	
5.2	RPAS development and integration update – standing agenda item (Dr Clothier)	
6. POLICY PROPOSALS		
<i>Consultation/endorsement of a policy position.</i>		
6.1	Flight Examiner Rating Review – update on implementation progress (Chair/CASA)	
6.2	NVIS TWG report – advice for proposed MOS amendments for NVIS (Secretariat/Chair)	
6.3	Part 131 MOS TWG report – advice for proposed Part 131 MOS (Secretariat/Chair)	
7. PROJECT INITIATION		
<i>Proposals to commence activity on a significant piece of work (including Technical Working Groups, etc).</i>		
7.1	Regulatory Services & Surveillance Transformation – standing agenda item (CASA)	
7.2	Review of ASAP Terms of Reference (Chair)	
7.3	Proposal to establish a Future Airspace TWG (Mr Monahan)	
8. OTHER BUSINESS		
8.1	Flight Crew Licensing TWG update – standing agenda item (CASA)	
8.2	Part 66 TWG report (Chair)	
8.3	CASA Regulatory Performance Framework – <i>for ASAP information</i> (CASA)	
8.4	TWG status update (Secretariat)	

1. OPENING

The Chair welcomed all Aviation Safety Advisory Panel (ASAP) members to the fourth meeting of the Panel for 2021 which was held via videoconference.

Mr Chris Monahan and Mr Andreas Marcelja were welcomed onto the ASAP as CASA's representatives. The Panel members expressed their thanks to Mr Rob Walker and Mr Graeme Crawford for their efforts and contributions to the Panel.

Ms Naa Opoku and Mr Warwick Wearing were welcomed to the meeting as Observers from the Department of Infrastructure, Transport, Regional Development and Communications (DITRDC).

Apologies had been received from Mr Mark Awad.

The minutes of the previous meeting were approved by the Panel.

1.1 Briefing from the CASA DAS

The DAS briefed the Panel on CASA's current areas of focus. These included internal organisational changes and priorities, the implementation of the flight operations regulations, and the role of the ASAP.

The DAS advised that CASA has shifted to a flatter organisational structure with the removal of 'Aviation Group'. She also advised that a governance review was being conducted which intends to inform CASA on improving processes and governance for decision making within the organisation and how it utilises its Aviation Safety Committee (ASC). The DAS advised that Mr Rob Walker was appointed the Executive Manager for the Regulatory Oversight Division (ROD) and that CASA is committed to continue operating under the new national oversight model and will fine-tune where appropriate. She informed the Panel that a recent change was the shift of the Guidance Delivery Centre (GDC) to the Guidance, Transformation and Safety Systems (GTSS) Division (previously in ROD) to allow for more bandwidth to focus on the GDC and improve its capability to respond to queries. The DAS also advised that the CASA Board is focusing on a long-term strategy for CASA, such as consideration for emerging technologies and airspace. She also noted the development of the general aviation strategy which intends to clearly communicate what CASA is delivering for the sector.

The DAS acknowledged the nearing of the commencement date of the new flight operations regulations. She reassured the Panel that CASA is determined to engage with operators if they have any issues and will manage them on a case-by-case basis. She also acknowledged CASA's learnings from the development of the Part 103, Part 105, and Part 131 Manuals of Standards (MOSs).

The DAS acknowledged that the work of the ASAP has been focused on regulatory reform which was not the primary intent of the Panel which is to be of a broader aviation safety focus. She added that she would like to work with the Panel on how to move into this focus. The DAS informed the Panel that CASA is reviewing how it engages and consults with the industry to shift the emphasis on discussing policy outcomes as opposed to consulting on draft legislation. A Panel member also supported the desire to shift the focus of the ASAP to strategic and safety matters.

The DAS also informed the Panel about the commencement of the consultation on the requirements for Community Service Flights (CSF) and stated CASA welcomes the guidance of the Panel on the issue.

A Panel member queried whether there was a significant concern with CASA's relationship with the general aviation sector. The DAS stated that the concerns amongst the industry and government varies, however acknowledged that CASA needs to improve the way it demonstrates how it is supporting the sector noting that some policy matters are outside of CASA's remit. Another member commented that there is opportunity to consider the challenges in the general aviation sector and understand whether the concerns are from a lack of understanding about the

justification of specific changes and highlighted the importance of the use of data in explaining changes.

A third member cautioned that a lot of the communications currently being released by CASA may overwhelm the industry and suggested that CASA reviews the methods that it is communicating. The DAS acknowledged that the more effective method to communicate and engage will be through in-person interactions, particularly as COVID restrictions are alleviated.

The CASA DAS left the meeting at this point (10:25).

1.2 Discussion on recent ASAP Out of Session papers

The Chair discussed the provision of the Panel's advice to the DAS on the recommendations made by the Part 103 Manual of Standards (MOS) and Part 105 MOS TWGs. The advice supported the TWGs' recommendations and advised CASA to develop alternative regulatory solutions which would allow for the continuity of operations despite the deferral of the MOSs.

The Chair also raised the out of session paper tabled by CASA which requested the ASAP 'note' the determinations of the Part 135 seat-break issue. The Chair advised that it became apparent certain aspects of the policy were discussed with other parties outside of the TWG and ASAP consultative process which resulted in parallel communications with the parties and the TWG and ASAP. He added that consequently there was a misunderstanding on specific aspects of the policy. The Chair advised the Panel that he has raised the breakdown of the consultation process with CASA.

Mr Marcelja acknowledged the engagement process on the Part 135 seat-break determination was untidy. He advised the Panel that CASA is committed to review and enhance its internal and external engagement processes associated with policy development. He added that due to the expediency to announce the determination because of the commencement of the flight operations regulations, elements of the consultation and engagement processes were missed.

2. REVIEW OF ACTION ITEMS

Action items from the previous meeting were reviewed and are recorded at **Attachment 1** and, where appropriate, below.

2019-1/5 – In progress.

Mr Marcelja advised that there was no update on its discussions with ASQA, however reiterated that the DAS is determined to conduct stronger engagement with ASQA. The Chair added that the issue on the misalignment of the required VET education outcomes versus CASA licensing outcomes are increasingly becoming an issue for the industry in relation to skills shortages.

2020-3/1 – In-progress.

Dr Clothier advised that the National Policy on Emerging Aviation Technologies (NEAT) consultative committee is continuing its work in parallel of the RPAS and AAM Strategic Regulatory Roadmap TWG. Ms Opoku advised that the next meeting of the NEAT consultative committee will discuss policy initiatives, and that it is intended that the airspace policy statement will be signed and published in coming weeks.

2021-1/1 – In-progress

Mr Marcelja acknowledged the current challenge to accurately determine the number of inactive and active LAMEs. He advised that CASA intends to conduct research on its engagement with LAMEs and can be informed of the number of active LAMEs during this process. A Panel member suggested CASA connects with CAR 30 and Part 145 organisations as a means to retrieve the data and Mr Marcelja said he would look into this possibility.

2021-1/2 – In-progress

Mr Monahan stated that there is a challenge associated with not having standards as a framework

for operators to use as they submit alternate means of compliance, however added that this could be considered by the Flight Crew Licensing (FCL) TWG. Mr Marcelja acknowledged the halt of activity in the TWG but added that additional resources and post-commencement of the flight operations regulations will give CASA capacity to focus on the FCL project and TWG. The Chair advised that the Panel previously suggested CASA produce a policy paper about outcome-based regulations which stated that the industry is welcome to submit alternate means of compliance and outline the process in which they are assessed. The Panel recommended educational material and communications are directed to the general aviation sector to explain the concepts of alternate means of compliance.

2021-1/3 – In-progress

The Panel considered the use of seminars/workshops as an alternate means of compliance in relation to flight examiner and flight instructor renewals. The Chair added that COVID lockdowns necessitated alternate ways of thinking which resulted in interviews with examiners as opposed to flying with an examiner. Mr Monahan advised that CASA is open to the concept and is also open to trialling it with a focused view on an operator to determine the parameters which will provide the most impact in safety and economic outcomes.

2021-3/1 – Closed.

Mr Monahan advised that is a two-step process for industry enquiries. The first point of entry of an issue or query will be through CASA's Guidance Delivery Centre (GDC). The second step is for the more complex queries to be passed to a task force which meets as demand requires. The task force composes of individuals from relevant and appropriate areas within CASA and their objective is to quickly address complex issues, such as the interpretation of regulations.

2021-3/1 – In-progress.

Mr Monahan advised that in reviewing the risks associated with the transition to the new flight operations regulations, CASA conducted a call-around to every AOC holder to provide guidance and transition information to operators and to understand their willingness and acceptance of the regulations. He added that CASA has held deliberate discussions on risks.

2021-3/3 – Closed.

The ASAP have endorsed the proposed amendments to the ASAP Terms of Reference. Further discussion in Agenda Item 7.2.

2021-3/5 – Closed.

The Panel considered CASA's proposed risk profiling workshop and agreed that, given the size of the task, it should not proceed in such a form. The Panel recommended that CASA revisits the Sector Safety Risk Profiles (SSRPs) though TWGs with the focus not only on existing risks but also on emerging safety risks within the sectors, particularly in the context of COVID and the new flight operations regulations.

3. PRIORITY SAFETY MATTERS

3.1 Flight Operations Regulations Implementation

Mr Marcelja reiterated CASA's approach to the transition to the new flight operations regulations has been and will be different to other regulatory changes whereby the administrative burden on industry is relatively low and CASA has produced material to assist operators understand what is operationally different between the old and new rules.

Mr Monahan advised that CASA is expected to be involved in an increased number of discussions with industry after the 2 December commencement date.

He reiterated that CASA is expecting operators make their "best endeavours" to transition and this is the language being used to communicate with the industry. CASA is prepared to assist operators

with their transition.

4. STRATEGIC SAFETY INITIATIVES

4.1 Safety innovation

The Panel discussed the potential for CASA to consider a policy that formalises mechanisms to encourage innovative regulatory thinking and management of appropriate trials, such as through a “regulatory sandbox” concept. It was noted that the UK Civil Aviation Authority (CAA) has developed such a concept, where operators and the regulator work together in an open environment in developing a concept through feasibility studies to real-world trials. The Chair discussed that safety innovation may involve technical matters, such as the use of improving training using new simulation technology, as well as those of a philosophical nature, such as consideration of alternative training and checking philosophies and methodologies. Dr Clothier added that this level of lateral thinking occurs in the RPAS sector.

The Panel supported the paper and recommended that CASA develops and implements policy and associated mechanisms to encourage safety innovation. A formal letter of advice will be provided to the DAS.

Action / Recommendation	The ASAP: Recommends CASA develops and implements policy and associated mechanisms to encourage safety innovation.
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4.2 Strategy for General Aviation maintenance licensing

A Panel member discussed that there is an apparent lack of understanding within industry and CASA on how Civil Aviation Safety Regulation (CASR) Part 66 and associated MOS are intended to function. He added that CASR Part 66 is intended to function like the European Union Aviation Safety Agency’s (EASA’s) Part 66. He also noted that EASA addressed the issues associated with their maintenance personnel licensing regulations in general aviation with the introduction of the B3/B2L licence.

The Panel discussed the importance of effective education on the suite of regulations as the policy outcomes are difficult to achieve if key stakeholders do not comprehensively understand the intended functionality of the regulations. The Panel member added that a challenge is the view amongst some members of industry and the Part 66 TWG to return to the maintenance personnel licensing regulations that were in force prior to the commencement of CASR Part 66. The Panel supported the concept for an individual to have the ability to build on their licence as they progress with their career, adding that any simpler process to enter the industry would likely result in longer term engagement. The Panel supported the paper and recommended CASA prioritises the establishment of a Part 66 pathway towards a general aviation engineer licence and agreed to establish a sub-working group from the Part 66 TWG to focus on its development. The Panel acknowledged the linkages of the discussion with Agenda Item 8.2 – Part 66 TWG report. A formal letter of advice will be sent to the DAS in conjunction with the agreed advice in Agenda Item 8.2.

Based on the discussion, another Panel member suggested whether it was appropriate to elevate the issue to a more strategic item as it appears to be a larger issue for the broader industry as opposed to solely maintenance personnel licensing. The Panel requested this member develop a paper to further consider the concepts associated with a strategic approach to aviation personnel licensing.

Action / Recommendation	<p>The ASAP:</p> <p>Recommends CASA elevates the priority of the establishment of a Part 66 pathway towards a general aviation engineer licence.</p> <p>Agrees to establish a sub-working group from the existing Part 66 TWG to specifically focus on the development of a GA engineer licence.</p> <p>Requests a Panel member develop a paper that considers the idea of a strategic approach to aviation personnel licensing.</p>
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5. EMERGING RISKS AND AREAS OF INTEREST

5.1 Issues arising from shortages of skilled aviation personnel (Standing Agenda Item)

This agenda item was discussed in Agenda Item 2 – Review of Action Items, Action Item 2021-1/1.

5.2 RPAS development and integration update (Standing Agenda Item)

A Panel member discussed the significant benefits of the recently released standard scenarios which has assisted with alleviating the issues associated with the RPAS application backlog. He also acknowledged the benefits associated with the automated approval system for RPAS operations at certain aerodromes and noted the industry's desire and encouragement for CASA to expand this. He also noted CASA's recent approval of additional drone application providers and acknowledged the safety advantages associated with the use of the applications.

The member also raised concerns expressed by the RPA Registration TWG in relation to the proposed regulatory amendments to the RPA registration and accreditation scheme. In their report, the TWG informed the Panel that they are concerned about the cost of the registration fee for recreational drone users. The Panel shared the concerns of the TWG and cautioned that a high registration cost is likely to result in a low compliance uptake and inevitably impact safety. It was added that the setting of the fees will be critical to the success of the scheme and the associated safety benefits. Mr Monahan advised that CASA is aware of the concerns expressed by the TWG and the Panel and has expressed these concerns with the appropriate government departments, however noted that the issue is complex due to the varying requirements of the Government. He also advised that there will be a separate consultation on the registration levy. The Panel discussed its ability to provide aviation safety advice on the matter. It was requested that CASA provides a brief to the Panel on the policy decisions made by CASA and other government departments in relation to the scheme and levy to help inform their advice.

Action / Recommendation	<p>The ASAP:</p> <p>Requests CASA to brief the Panel on the policy decisions made by CASA and other government departments in relation to the RPA registration scheme and levy.</p>
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6. POLICY PROPOSALS

6.1 Flight Examiner Rating (FER) Review – update on implementation progress

Mr Monahan advised the ASAP that CASA had received the advice of the Panel and acknowledged that CASA was yet to meet with the TWG to work through some of the recommendations.

A Panel member, who was the Co-Chair of the TWG, reaffirmed that the TWG was unanimous with its advice on how to proceed with the FER review implementation and added that the intention is for different sectors to meet separately to look at specific items. He added that the TWG and the implementation needs energy and direction.

The Panel are conscious of industry expectations on previously communicated timelines and recommended CASA provide the TWG with an update on forward plans as soon as possible. A formal letter of advice will be provided to the DAS.

Action / Recommendation	<p>The ASAP:</p> <p>Recommends CASA provide the FER Review Implementation TWG with an update on forward plans as soon as possible.</p>
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6.2 NVIS TWG report – advice for the proposed MOS amendments for NVIS

The Panel considered the report provided by the Night Vision Imaging System (NVIS) TWG. The Panel supported the recommendation made by the TWG members to endorse the proposed MOS amendment instrument, noting the TWG will continue its engagement with CASA in 2022. A formal letter of advice will be provided to the DAS.

Action / Recommendation	<p>The ASAP:</p> <p>Supports the NVIS TWG’s recommendations.</p> <p>Supports CASA to make the proposed MOS amendment instrument.</p> <p>Recommends CASA to continue working with the TWG in early-2022 to discuss further policy matters and allow for opportunities to fine-tune the legislation.</p>
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6.3 Part 131 MOS TWG report – advice for proposed Part 131 MOS

The Panel considered the report provided by the Part 131 MOS TWG. The Panel supported the TWG’s recommendation to defer the MOS and advised CASA to defer the making of the Part 131 MOS and implement an alternate regulatory solution to ensure the continuity of operations from the 2 December. The Panel discussed the potential complexity associated with the deferral of the MOS for commercial balloon operators as they are AOC holders, however CASA advised that there are options that will allow for the MOS to be deferred. The ASAP strongly recommended that the solution is communicated with the TWG as soon as possible.

The Panel considered the TWG’s request to expand their remit to include the consideration of the Part 131 Civil Aviation Safety Regulation (CASR) which was made in December 2019. The Panel noted the request, however affirmed that the original tasking set by the ASAP is for the TWG to focus on the MOS. Should it be deemed appropriate and necessary, the Panel may expand the remit of the TWG in the future. A formal letter of advice will be provided to the DAS.

Action / Recommendation	<p>The ASAP:</p> <p>Supports the Part 131 MOS TWG’s recommendations to defer the Part 131 MOS.</p> <p>Recommends CASA to defer the making of the Part 131 MOS and develop an alternate regulatory solution to ensure the continuity of operations from 2 December.</p> <p>Strongly recommends CASA communicates the alternate regulatory solution with the Part 131 MOS TWG as soon as possible.</p>
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7. PROJECT INITIATION

7.1 Regulatory Services and Surveillance Transformation (RSST) (Standing Agenda Item)

Mr Marcelja advised the Panel that the new Executive Manager for CASA's Regulatory Oversight Division (ROD) is Mr Rob Walker. He added that CASA is committed to maintaining the national regulatory surveillance and services model, but noted CASA is reviewing areas that can be fine-tuned based on feedback received, such as ensuring there is point of contact at CASA for operators, and to ensure CASA officers can have deeper understanding and knowledge of an operator and their operations rather than solely focused on the transactional processes. The Chair discussed concerns raised by industry regarding the potential loss of corporate knowledge and understanding of operators' operations with the new national oversight model.

A Panel member cautioned over a potential watering down of the national model due to a few complaints on inevitable early implementation issues but supported fine-tuning the model where appropriate. He added that such a large functional and operational change can take a few years to settle.

7.2 Review of the Aviation Safety Advisory Panel (ASAP) Terms of Reference

The Chair commented that a desire of the Panel and the DAS is to utilise the Panel on aviation safety strategy and to inform CASA on policy and noted that the current Terms of Reference allows for this.

The Panel endorsed the proposed amendments to the ASAP Terms of Reference.

Action / Recommendation	The ASAP: Endorses to the proposed amendments to the ASAP Terms of Reference.
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7.3 Proposal to establish a Future Airspace TWG

Mr Monahan advised that CASA has been reviewing guidance from the government's draft Australian Airspace Policy Statement 2021 and seeking input from stakeholders in preparation to develop the Australian Future Airspace Framework (AFAF). To support the development, the ASAP supported the proposal to establish a TWG.

A Panel member enquired whether the scope of work of the TWG will including on-going engagement mechanisms with the broader industry. Mr Monahan answered that this is not planned for this TWG however acknowledged that further amendments to the tasking instructions is possible if the Panel deem necessary. Another member suggested that the composition of the TWG membership should include an individual with airworthiness experience. The Panel supported this suggestion and requested members to provide nominations for the TWG.

Action / Recommendation	The ASAP: Agrees to establish a Future Airspace TWG. Recommends including an airworthiness subject matter expert in the membership of the TWG. Requests members to provide nominations for the Future Airspace TWG.
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8. OTHER BUSINESS

8.1 Flight Crew Licensing TWG update (Standing Agenda Item)

As discussed in Agenda Item 2 – Review of Action Items, Action Item 2021-1/2, Mr Marcelja acknowledged the halt of activity in the TWG but added that additional resources and post-commencement of the flight operations regulations will give CASA capacity to focus on the FCL project and TWG.

Action / Recommendation	The ASAP: Strongly recommends CASA reinvigorates the TWG as soon as possible to discuss progress and on-going priorities.
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8.2 Part 66 TWG report

In an extension of the discussion in Agenda Item 4.2, the Panel considered the report provided by the Part 66 TWG. The Panel noted the report and agreed to appoint ASAP member Mr Mark Thompson as the Industry Co-Chair for the Part 66 TWG. A formal letter of advice will be provided to the DAS in conjunction with the agreed advice in Agenda Item 4.2 – Strategy for general aviation maintenance licensing.

Action / Recommendation	The ASAP: Noted the Part 66 TWG report. Agreed to appoint ASAP member Mr Mark Thompson as the Industry Co-Chair for the Part 66 TWG moving forward.
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8.3 CASA Regulator Performance Framework – for ASAP information

Mr Marcelja advised that CASA's Regulator Performance Framework (RPF) report was for the Panel's information only and added that this is the last year that the framework will be in place. The Panel reaffirmed their position from December 2020 that they do not wish validate CASA's self-assessment of the RPF and noted the paper and the report.

8.4 Technical Working Group (TWG) status update

The Secretariat updated the Panel on TWG activity since the last ASAP meeting and noted that throughout 2021 there were 50 videoconferences held with TWGs. The Panel discussed the availability of TWG meeting outcomes and requested all summaries be published on GovTEAMS and sent directly to ASAP members where further involvement of the Panel is required.

A Panel member queried the role the Panel wished to have in reviewing policy outcomes and recommendations of the RPAS and AAM Strategic Regulatory Roadmap TWG. The Panel discussed its role to provide strategic safety advice and requested to receive the outcomes of the TWG for their consideration. Another member added that the ASAP has historically been focused on providing advice in relation to CASA's regulatory reform and queried whether its purpose to provide strategic safety advice needs more focus. It was suggested the industry representatives of the Panel discuss how this can be done.

Patrick Murray
Chair
November 2021

CHAIR

Prof Patrick Murray

ATTENDING PANEL MEMBERS

Mr Stuart Aggs

Dr Reece Clothier

Mr Ray Cronin

Ms Adrienne Fleming

Mr John Gissing

Mr Andreas Marcelja

Mr Chris Monahan

Mr Malcolm Sharp

Mr Mark Thompson

APOLOGIES

Mr Mark Awad

OBSERVERS

Mr Matthew Di Toro	ASAP Secretariat Civil Aviation Safety Authority
Ms Naa Opoku	Assistant Secretary, Safety and Future Technology Branch, International Aviation Technology and Services Division, Department of Infrastructure, Transport, Regional Development and Communications
Mr Warwick Wearing	Policy Officer, Safety and Future Technology Department of Infrastructure, Transport, Regional Development and Communications

ATTACHMENT 1

Updated Action Register

ATTACHMENT 2

Meeting papers