



CASA Canberra Office,
Aviation House, L3 Boardroom
16 Furzer St Phillip

Date: 22 Nov 2018, 10:00am – 4:00pm

MINUTES

| Item No | Item | |
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| 1. OPENING | | |
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| 2. REVIEW OF ACTION ITEMS | | |
| | <i>A review and status update of any open action items from previous meetings.</i> | |
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| 3. PRIORITY SAFETY MATTERS | | |
| | <i>Agenda items brought forward by CASA or members relating to safety issues where action is considered necessary.</i> | |
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| 4. POLICY PROPOSALS | | |
| | <i>Consultation/endorsement of a policy position.</i> | |
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| 5. PROJECT INITIATION | | |
| | <i>Proposals to commence activity on a significant piece of work (including Technical Working Groups, etc).</i> | |
| 5.1 | Flight Operations suite transition – proposal for ASAP standing agenda item (discussion led by CASA) | |
| 5.2 | Pilot Proficiency | |
| 5.3 | Proposal to establish TWG for Runway Safety | |
| 5.4 | Cabin Crew Fatigue – proposal to establish TWG | |
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| 6. OTHER BUSINESS | | |
| 6.1 | Discussion on Safety versus Cost (discussion led by Chair) | |
| 6.2 | Technical Working Group update | |
| 6.3 | Proposed NAPAC TWG | |
| 6.4 | Update on Part 66 and its associated TWG (Mr Davis) | |
| 6.5 | CAR 217 – Flight crew licensing requirements (Mr Russell) | |
| 6.6 | Sector Risk Profiles (Mr Davis) | |
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1. WELCOME/INTRODUCTION

The Chair welcomed members and observers to the meeting and thanked panel members for the recent teleconference to determine the ASAP advice on the flight operation regulations. Apologies had been received from Rob Sharp and Michael Monck. It was also noted by Mr Walker that Mr Carmody had wished to meet panel members however he was unable due to conflicting commitments.

It was noted that the ASAP had now been in existence for more than a year and that the Chair had provided the CASA Director of Aviation Safety/CEO with the ASAP Annual Report, as committed at the meeting in July 2018.

In his opening address, the Chair noted the focus of the ASAP being on regulation and consultation over the past 12-18 months however he looked forward to focusing on other safety related matters the following year.

The minutes from the meeting in July 2018 were noted and agreed by all panel members in attendance.

The Secretariat noted that minutes from the meeting in July 2018 were yet to be published on the

2. REVIEW OF AGENDA ITEMS

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

2017-1/1 – Completed

Mr Walker provided an update on this action informing the panel members that a new DAS Directive has been drafted, incorporating ASAP member feedback which related to a re-ordering, incorporating Sector Risk Profiles and the State Safety Program. The panel members were advised that the DAS/CEO is comfortable with the draft however the DAS/CEO wishes to await the outcome of the proposal to amend the *Civil Aviation Act 1988* and Ministerial Statement of Intent (SOI). Ms Pip Spence will seek advice from those within the Department of Infrastructure and Transport (the Department) and provide advice to the DAS/CEO.

2017-2/2 – In progress

Mr Crawford provided an update from CASA on this matter. (*Also see agenda item 6.5*). Mr Walker also noted that the DAS/CEO is seeking to undertake a review into Part 61 during 2019 and will seek ASAP advice and assistance for areas of priority.

2018-1/1 – In progress

The ASAP discussed matters relating to shortages of skilled aviation personnel. It was agreed that there is a shortage of training capacity rather than interest and talented applicants. Large operators recognise the role they need to play to ensure instructor capacity remains in place. It was also agreed that whilst the standards remain unchanged, this matter isn't affecting safety. ASAP to keep a watching brief on this matter.

2018-1/2 – Completed

The meeting was informed by Ms Pip Spence that the Deputy Prime Minister had written to the DAS seeking an MOU between CASA and ASQA. This may provide opportunities to increase funding levels for students. CASA advised the meeting that discussions would occur between CASA and ASQA prior to Christmas.

With regards to the Final Report of the Expert Panel, Mr Russell noted that engineering skills are possibly affected to a greater extent than pilots. Ms Wilkie noted that the paper did not address other areas of the industry such as Aerodrome Reporting Officers (ARO) and that this was of concern given the age profile of many within these roles.

2018-2/2 – Completed

The panel members noted the Annual Report had been sent to DAS/CEO. The Chair is awaiting a response. Once received the Secretariat will published on the ASAP website.

2018-2/3 – In progress

CASA asked the panel to note that the Regulatory Posture chart continues to be developed and will be discussed at the December CASA Board meeting. CASA to provide update at 2019-1 meeting.

2018-2/4 – In progress

Mr Davis informed panel members that he would present a paper at the next ASAP meeting with the RAAA classification of operations philosophy for consideration.

3. PRIORITY SAFETY MATTERS AND EMERGING RISKS

Whilst it was noted there were no agenda items relating to priority safety matters, general discussion occurred around the focus of the ASAP over the past 12 months being on regulation development. It is recognised that as the regulations are implemented, the ASAP will need to adapt its focus and priorities accordingly. Mr Russell highlighted the necessity for regulations to be acceptable for industry and sought guidance from CASA on its future focus. Mr Gissing agreed that the ASAP has little to no visibility on what CASA and its Board see as industry risks and therefore the ASAP is limited in its ability to offer advice. This was noted by Mr Crawford and will be raised with the DAS/CEO.

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| Action | Mr Crawford seek advice from DAS/CEO regarding what he and the Board saw as the gaps and emerging risks in order to guide future ASAP discussion and advice on priority safety matters. |
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4. POLICY PROPOSALS

NIL

5. PROJECT INITIATION

5.1 Flight Operations suite transition – proposal for ASAP standing agenda item (discussion led by CASA)

Noting that the ASAP had recently provided advice to the DAS/CEO regarding the flight operation regulations, discussion on this agenda item focused on the assurances ASAP requires from CASA that implementation will proceed as previously outlined to the ASAP.

Mr Crawford advised that readiness will be determined 18 months prior to implementation (Mar 2021) and that priority is currently being afforded to complete the MOS for Parts 121 & 138.

Mr Walker provided an update on the Part 91 Plain English Guide, which was an outcome of the Part 91 TWG seeking simple language regulation drafting.

The ASAP now awaits a formal response and assurance regarding the advice provided to the DAS/CEO relating to the flight operation regulations. Further to this, Mr Crawford advised the ASAP that CASA’s intention is to have an independent review conducted on the 9 – 13 passenger seat break for Part 135. This is a firm commitment from CASA to adhere to the advice from ASAP.

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| Action / Recommendation | <p>The ASAP:</p> <ul style="list-style-type: none"> (1) Seeks a formal response from the DAS/CEO regarding ASAP advice provided for the flight operation regulations. (2) Noted CASA’s prioritising of the MOS of Parts 121 and 138. (3) Noted CASA’s commitment to adhere to ASAP advice and that CASA would have an independent review of the 9-13 passenger seat break for Part 135. (4) Seeks Flight operation regulation implementation to remain as a standing agenda item for future ASAP meetings. |
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5.2 Pilot Proficiency

Mr Walker presented a proposal to establish a TWG to investigate potential safety challenges relating to pilot shortages. There was a discussion regarding the need for a TWG as it was viewed that this was not just isolated to pilots. Additionally, the larger organisations such as Qantas, REX, and Virgin are already dealing with these matters and therefore the regulator and industry could take learnings away from what these organisations have already identified.

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| Action / Recommendation | <p>The ASAP:</p> <ul style="list-style-type: none"> (1) Did not approve the establishment of a TWG as outlined in the discussion paper. (2) Seeks that CASA rescope this discussion paper to propose a mechanism to learn from larger operators that are already dealing with these matters. |
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5.3 Proposal to establish TWG for Runway Safety

Mr Walker presented a discussion paper seeking to establish a standing TWG to examine and improve runway safety. Whilst noting this is one of ICAO's priorities, it was agreed that the ASAP Terms of Reference did not allow for standing Technical Working Groups. Be it the case, the ASAP recommends to CASA that they establish a standing body to examine runway safety.

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| Action / Recommendation | The ASAP: (1) Did not approve the establishment of a TWG as outlined in the discussion paper. (2) Recommends that CASA establish a standing body to examine runway safety. |
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5.4 Cabin Crew Fatigue – proposal to establish TWG

Mr Walker presented a discussion paper proposing to establish a TWG for cabin crew fatigue. Mr Davis noted that in the last three years there have only been 10 reports from cabin crew relating to fatigue. Discussion continued relating to the complexity of introducing fatigue rules for those without licenses or medical requirements such as cabin crew. Mr Crawford noted that Australia is currently non-compliant with ICAO and that anecdotally there would be no impact for larger operators however this may be different for smaller operators. Mr Gissing informed the ASAP that this would only have a commercial impact and not improve safety outcomes and therefore he held great concerns.

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| Action / Recommendation | The ASAP: (1) Did not approve the establishment of a TWG as outlined in the discussion paper. (1) Noted that CASA may address cabin crew fatigue in the fullness of time. |
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6. OTHER BUSINESS

6.1 Discussion on Safety versus Cost (discussion led by Chair)

The Chair sought advice from CASA on how cost/benefit is equated for in determining impact on safety and reducing accidents. Mr Walker advised that there had been no recent changes to CASA's methodology and that the Regulatory Impact Statement (RIS) was where this was recorded. The Chair sought involvement from industry in the development of RISs. Mr Crawford outlined the process for developing the RIS and agreed that for transparency, industry does have a role to play in the building of a RIS.

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| Action / Recommendation | The ASAP: (2) Recommends greater industry involvement in the development of regulatory impact statements (RIS) to improve accuracy and transparency. |
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6.2 Technical Working Group update

The ASAP Secretariat provided a detailed update on all recent TWG activity and noted the considerable effort from industry to play an integral role on the development of these regulations.

The Chair and ASAP members passed on their thanks to Matthew Bouttell and Matthew DiToro from the ASAP Secretariat for the considerable support they have provided industry and ASAP in the running of Technical Working Groups.

Part 139 (Aerodromes) – it was noted by panel members that there was reference to Part 121 within the Part 139 TWG report however further detail was sought. The Chair advised that he would make contact with one or more of the TWG members to seek further clarification. It was noted that should this be inconsequential, the ASAP supported the making of Part 139 CASR and MOS.

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| Action / Recommendation | The ASAP: (1) Seeks greater understanding of references to Part 121 within the Part 139 TWG report. (2) Should the Chair be satisfied that the Part 121 reference by inconsequential for Part 139, the ASAP supports the making of CASR Part 139 and MOS. |
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CAO 48.1 (Fatigue) – Discussion regarding the fatigue rules resulted in the need for further investigation by the Chair regarding progress of this TWG. There had been concerns expressed by one or more TWG members that the TWG process had not been appropriate and therefore the ASAP strongly recommend to CASA that public consultation not proceed until these matters are understood.

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| Action / Recommendation | The ASAP: (1) Strongly recommends that CASA does not yet progress to public consultation on CAO 48.1 until the Chair is satisfied that concerns regarding TWG processes are satisfactorily addressed. |
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6.3 Proposed NAPAC TWG

Mr Walker presented a discussion paper and outlined the history and importance of RAPAC, particularly for more operational matters. Ms Wilkie suggested there may be additional benefit to include others into this forum as well including Defence, Airservices and BoM. Mr Russell suggested that this proposal, along with the proposal to establish a standing working group for Runway Safety under the auspice of ASAP, were the catalyst for an investigation to expand the role of the ASAP. The Chair noted the ASAP may be constrained by its own Terms of Reference. Whilst the case, it must be acknowledged that other portfolio forums continue to exist outside of the ASAP such as ASTRA.

During this discussion Mr Russell informed the panel members that he was standing down as the Chair of TAAAF on 12 December.

It was agreed that the Chair and Mr Walker would investigate further the role of the ASAP with a focus on scope and membership. Advice will be sought from the DAS/CEO prior to socialising with the ASAP.

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| Action / Recommendation | The Chair and Mr Walker to investigate further the role of the ASAP with a focus on scope and membership. Advice will be sought from the DAS/CEO prior to socialising with the ASAP at 2019-1. |
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6.4 Update on Part 66 and its associated TWG (Mr Davis)

Mr Davis led a discussion regarding the focus of the Part 66 post-implementation review and held concerns that it was not harmonising with EASA. Mr Crawford took on notice to investigate the harmonisation issue with the relevant area within CASA.

The ASAP agreed to include Mr Mike Higgins as a member of the Part 66 TWG.

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| Action / Recommendation | The ASAP: (1) Agreed for Mr Mike Higgins to become a member of the Part 66 TWG. |
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6.5 CAR 217 – Flight Crew licensing requirements

Having received advice from the ABAA CEO Mr David Bell, Mr Russell discussed concerns regarding the need for pilots to undergo line checks and proficiency checks as described in CAR 217 and 219. There is significant cost associated with this and industry held concerns that RPT philosophies were unnecessarily being applied to smaller operators. Mr Walker advised that CASA was aware of these concerns and that legal interpretation had been sought with further work being undertaken internally with SMEs. CASA noted the concerns regarding consistent application of the rules and that he would report back to the ASAP out of session on any update.

Mr Crawford informed the meeting that CASA was still considering issues relating to international recognition of flight training organisations and noted it was a complex matter. He noted that it is a capacity issue for CASA at present due to the large amount of work ongoing in other areas. Mr Gissing highlighted that CASA needed to take a risk-based approach to this matter and that the Qantas Group can assist if need be.

Mr Davis advised that similar constraints are affecting industry in the maintenance space, particularly Part 145 maintenance organisations and sought CASA prioritise its investigations into international mutual recognition.

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| Action / Recommendation | The ASAP: (1) Noted the issues raised by industry regarding the need for clarity regarding flight crew line checks and proficiency checks. (2) Noted that CASA is continuing to investigate the legal interpretation of CAR 217 requirements and that CASA will inform the ASAP when updates are available. (3) Strongly Recommends CASA to progress mutual international recognition for flight training and maintenance training. |
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6.6 Sector Risk Profiles

Mr Davis suggested that the ASAP review the Sector Risk Profiles (SRP) through the establishment of a TWG, noting TWGs would need to be specific to the sector. Mr Crawford, whilst acknowledging that industry responds well to SRPs, informed the panel members that CASA is currently focused on developing specific actions relating to SRPs. Mr Walker suggested that a presentation to the ASAP at a future meeting be provided by relevant CASA subject matter experts.

General Discussion

Mr Gissing sought advice on when the Part 92 (Dangerous Goods) PIR TWG would be proposed by CASA. The Secretariat advised that he had held discussions with the Project Lead within CASA and that in Q1 2019 it was expected that CASA will seek a TWG be established.

The Chair raised the possibility of a post-implementation review on Part 61 / 141 & 142 with a focus on what was the original intent and whether this had been achieved.

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| Action / Recommendation | The ASAP: (1) Recommend that CASA consider a PIR on Parts 66 / 141 & 142 and that a TWG be formed at the development of the project to ensure industry input to the focus of the PIRs. |
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It was agreed that due to the growth of activity associated with ASAP that the meeting schedule be increased from 3 to 4 meetings per annum.

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| Action / Recommendation | The ASAP: (1) Agree to increase the ASAP meeting schedule from three to four meetings per annum. |
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Professor Patrick Murray
Chair
January 2019

CHAIR

Prof Patrick Murray

ATTENDING PANEL MEMBERS

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| Mr Jim Davis | Chairman Regional Aviation Association of Australia and TAAAF member |
| Mr John Gissing | Group Executive Qantas Group |
| Mr Greg Russell | Honorary Chair The Australian Aviation Associations Forum (TAAAF) |
| Ms Caroline Wilkie | Chief Executive Officer Australian Airports Association |
| Mr Graeme Crawford | Group Manager, Aviation Group Civil Aviation Safety Authority |
| Mr Rob Walker | Group Manager, Stakeholder Engagement Group Civil Aviation Safety Authority |

APOLOGIES

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| Mr Michael Monck | Chairman Recreational Aviation Australia and TAAAF member |
| Mr Rob Sharp | Group Executive Virgin Australia |

OBSERVERS

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| Mr Matthew Bouttell | Industry Relations Manager and ASAP Secretariat Civil Aviation Safety Authority |
| Ms Pip Spence | Deputy Secretary Transport Department of Infrastructure, Regional Development and Cities |
| Mr Jim Wolfe | General Manager Air Traffic Policy Department of Infrastructure, Regional Development and Cities |

ATTACHMENT 1

Updated Action Register.

ATTACHMENT 2

Meeting papers

| Reference | Action/Recommendation | Responsible | Status |
|-----------|--|-------------|---|
| 2017-2/2 | <p>CASA to provide further advice on issues raised by panel members:</p> <ul style="list-style-type: none"> - Multiple flight testing requirements for flight examiner ratings - Recognition of foreign simulator training | CASA | <p>Flight Examiners: Completed. Additional information about the structured approach to obtaining flight examiner qualifications provided through TAAAF to interested parties. With forward planning, flight test requirements can be streamlined and on many occasions, proficiency checks or flight tests for examiners may just involve a CASA officer seated in a non-control seat observing an actual flight test.</p> <p>Foreign Training: In progress. Policy to streamline recognition of specific pilot training conducted overseas by organisations holding foreign training approval is close to finalisation. In addition, a policy is close to being finalised that will streamline the issue of Australian CASR Part 142 approval to foreign training organisations that apply for recognition. In both cases, the streamlined arrangements will be implemented for training conducted by holders of EASA and/or FAA Part 142 approval and from a state where the national aviation authority is recognised by CASA.</p> <p>2018-2 update: Advice from the ASAP to DAS to be provided out of session by the ASAP Chair seeking that CASA prioritise work associated with international recognition of training schools, simulators and maintenance organisations. CASA to provide ASAP with a progress update, including timelines, by the next ASAP meeting.</p> <p>2018-3 update: CASA advised that work continues with regards to international recognition. Noting complexities associated with this matter, CASA will consider prioritising this taking into account capacity constraints. ASAP strongly encourages CASA to progress mutual international recognition in flight training and maintenance training. CASA to provide update at 2019-1.</p> |
| 2018-1/1 | <p>ASAP to maintain a watching brief on potential issues arising from shortages of skilled aviation personnel.</p> | ASAP | <p>2018-2 update: ASAP Chair, whilst noting is a broad description, required continued visibility of the ASAP and is to remain open. This action also led to the establishment of action 2018-2/1.</p> <p>2018-3 update: ASAP seek to maintain watching brief on this matter whilst agreeing this is a training capacity matter rather than safety matter at this time.</p> |

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| 2018-2/1 | Review the Final Report of the Expert Panel on Aviation Skills & Training in Australia (Attachment 4) and provide advice to the DAS on those issues that the ASAP believe CASA plays a crucial role so that the requisite priority can be considered by CASA. | Chair | Completed. 2018-3 update: CASA is seeking to engage with ASQA to establish an MOU and to look at opportunities to increase student funding. |
| 2018-2/2 | Report on the first year of ASAP activities to the DAS, in the form of an abbreviated 'annual report', highlighting achievements, issues and challenges. | Chair | Complete: Chair has completed the report in preparation for sending to the DAS. It has been circulated to members with the 2018-3 meeting agenda. 2018-3 update: Upon ASAP receiving response from DAS/CEO, report to be published on webpage. |
| 2018-2/3 | ASAP requests CASA to operationalise the Regulatory Posture chart at the earliest opportunity. | CASA | 2018-3 update: CASA continues to develop this tool and will discuss with CASA Board at the December Board meeting. CASA to provide update at 2019-1 meeting. |
| 2018-2/4 | ASAP request TAAAF and RAAA to distribute their classification of operations chart be circulated to ASAP members for review and comment. | Mr Davis | 2018-3 update: Mr Davis to provide a paper to outline RAAA position on classification of operations at 2019-1 meeting. |
| 2018-3/1 | Mr Crawford seek advice from DAS/CEO regarding what he and the Board saw as the gaps and emerging risks in order to guide future ASAP discussion and advice on priority safety matters. | Mr Crawford | Update to be provided at 2019-1 meeting. |
| 2018-3/2 | Chair to engage with one or more Part 139 TWG members to further understand references to Part 121 in the Part 139 final report. | Chair | Closed. Chair received advice from TWG member that matters were captured in Part 139 TWG to ensure the ASAP were aware of the need to align Part 121 with some technical requirements. Chair was satisfied with response and has provided DAS appropriate ASAP advice on 30 November 2018. |
| 2018-3/3 | Examine opportunities to expand the role of the ASAP with a particular focus on standing working groups. | Chair / Mr Walker | Update to be provided at 2019-1 meeting. |