Submission by

to the

Transport and Infrastructure Committee

on the

Civil Aviation Bill

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Civil Aviation Bill

SUMMARY:

1. NZTech thanks the Transport and Infrastructure Committee for the opportunity to submit on the proposed Civil Aviation Bill. This submission is in response to sections in respect to regulations and policy changes for remotely piloted or autonomous aircraft, and airport regulation.

2. In response to the proposed bill, NZTech are pleased that the Transport and Infrastructure Committee are considering to repeal and replace the Civil Aviation Act 1990, and the Airport Authorities Act 1966 with a single, modern statute. NZTech agree that the proposed bill sets out its intent to provide a platform for safety, security, and economic regulation of civil aviation.

3. NZTech is happy to engage further with the committee to discuss our submission in detail and provide further assistance.

BACKGROUND:

4. NZTech is a member funded, not-for-profit, non-governmental organisation that represents 20 tech associations with over 1600 members, who collectively employ more than 10 percent of the New Zealand workforce.

5. Our purpose is to help create a more sustainable, equitable and prosperous New Zealand underpinned by technology. We do this by helping our members work together to connect the tech ecosystem, promote the importance of technology for New Zealand and New Zealand technology for the world, and help advance the growth of the tech ecosystem and the New Zealand economy.

6. Our members include New Zealand tech exporters, local and multinational IT firms, startups, universities, government agencies, financial service providers and large corporate users of technology. Our members cover a very broad range of industries, including those most impacted by climate change (agriculture, energy and transport).

COMMENT:

7. NZTech support the Civil Aviation Bill proposed by the Transport and Infrastructure Committee.

8. This submission is in response to sections in respect to regulations and policy changes for remotely piloted or autonomous aircraft, and airport regulation.

Comments and suggestions regarding Remotely Piloted or Autonomous Aircraft:

9. NZTech support the inclusion of incorporating amendments that relate to emerging technologies, including remotely piloted or autonomous aircrafts. Both the 1966 and 1990 acts are out of date and need to recognise the advances in technology, as well as account for future emerging technologies.

10. However, the proposed bill does not provide sufficient understanding or real-use cases of remotely piloted and/or autonomous aircrafts, nor the advice or research that supports the proposed regulations. As there is an increased use of drones, used both within or beyond the restricted area of airports, further clarification is needed on the conditions surrounding their use.

11. Clarification is also needed with respect to the broader definition of remotely piloted or autonomous aircrafts. NZTech suggest that the definition should allow for legislation to capture current and emerging technology, to allow for innovation and development within this space. Not only will a broader definition allow for emerging technology, but it will allow businesses and airports to adapt to these changes to allow those operating the technology to comply with legislation.

12. As technology is evolving at a faster rate than legislation can adapt to, NZTech suggest an adaptive approach, based upon overall objectives to capture future emerging technologies. However, there is a trade-off that is necessary to ensure that the proposed rules around managing and enabling this technology are balanced with the need for controlling and mitigating potential safety risks.

13. Consultation with organisations such as NZTech, and the wider Tech Alliance, is encouraged to understand the future developments and innovations related to remotely piloted, autonomous aircraft and other technologies. To ensure New Zealand as a technological hub in future, it is imperative that we ensure legislation can enable innovation, while also ensuring the rules and regulations relating to such technologies are clear to the industry and users.

Comments and suggestions regarding Airport Regulation:

14. NZTech support the introduction of a modern registration regime for airports to include a requirement to consult with government agencies on spatial plans. NZTech

also support some airports to include a requirement of an enforceable regulatory undertaking; for government agencies to collaboratively agree their requirements for space and infrastructure, and for airports to present a binding plan to the Secretary for Transport as to how they will meet those requirements.

15. NZTech agree that airports, and the space relating to them, needs to be regulated. However, clarity is needed on what the requirements of an enforceable regulatory undertaking are. More consideration is needed on the impact of how private and local bodies operate; private and local body industries should be able to act within their own agency and remain, to an extent, self-regulating.

16. Further, there is concern in relation to spatial plans beyond airport jurisdiction. Increasingly, the land surrounding airports is being developed for uses that is not directly related to air travel, specifically commercial businesses including supermarkets, retail, and restaurants. More consideration is needed on the rules and conditions imposed on land and transport planning developments. This needs to consider the public interest and impact on travel to and from airports to ensure efficient journey times and to lower pressure on transport modes.

CONCLUSION:

17. Thank you for the opportunity to provide feedback. NZTech is happy to engage further to discuss our submission and provide any further assistance. If you have any further queries do not hesitate to contact me.

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