

## **AUSTRALIAN WARBIRDS ASSOCIATION LTD**

### **MINUTES OF ANNUAL GENERAL MEETING HELD AT CITADINES CONNECT HOTEL – SYDNEY AIRPORT – 121 BAXTER ROAD, MASCOT NSW**

Present:- Andrew Bishop (President), Mark Awad (CEO), Alex von Mengersen (Secretary), Doug Hamilton (Treasurer), Sean Trestrail, Allan Pickering, Peter Scott, Roger Hendry, Egon Mahr, Robyn Waller

Apologies:- Jethro Nelson (Vice President), Charlie Camilleri

Proxies for attendance: 44

Meeting opened at 10.13am

Chair:- Andrew Bishop

The Chair presented a proxy completed by Brian Candler to the Secretary which was declined by the Secretary as the AGM notice was clear on the proxy.

The Chair accepted the secretary's reasoning and moved on to the approval of the 2019 AGM minutes.

#### **1. Approval of Minutes**

The minutes of the AGM held 23<sup>rd</sup> November 2019 were read out to all in attendance by Robyn Waller.

The minutes were approved unanimously

Moved Mark Awad Seconded Alex von Mengersen

All in favour, no objections

#### **2. To receive the annual reports of the committee;**

##### **Presidents Report**

The President read his report (see below).

Australian Warbirds Association and its members are currently in a remarkable position. We have come so far from the days of a CASA issued 'Permit to fly' where each year owners of warbirds would front their local CASA office cap in hand for an inspection prior to issue or re-issue of a permit. The Permit to Fly would be very restrictive on who could fly the aircraft and for what purposes the idea of being able to fly friends and family for a \$100 hamburger on a nice Sunday was a mere dream. Yet here we are today being able to do just that. With the introduction of CASR Part 132 a couple of years ago operators of Limited category aircraft can now fly their aircraft for private recreational purposes, carryout cost-sharing flights, training for a rating or endorsement, flight tests or reviews all in a LIMITED category aircraft The regulatory environment operators of warbird's in Australia enjoy are the envy of the world. We need to show great respect and appreciation to CASA for the trust they have bestowed in AWAL. I would suggest that the association and the board is suffering from growing pains as we work to define who we are and what we stand for. Recent proposed amendments to our ESAM will tighten up aircraft eligibility criteria in response to CASA looking to loosening up their definition of Historic to a 40 year or older rolling age in response from industry pressure. What does this mean? In plain English for a

Warbird - if the aircraft served for an armed force, wearing a military registration and the particular aircraft's Make and Model was designed and manufactured specifically for and accepted for use by, an armed force it is eligible. In plain English for a Historic – unless the aircraft was built prior to 31st December 1965 and the type certificate is not supported or the aircraft is of historical significance to Australia it is not eligible. Aircraft operating on a Limited category special certificate of airworthiness do so in a very relaxed regulatory framework in comparison to their standard category counterparts. We want to ensure this continues and trust these amendments are not seen as pushing aircraft out of AWAL administration but rather safeguarding the future growth of the association to members that share our interest and passions not just a desire to enjoy our privileges. We have a lot to be proud of as Warbird enthusiasts in this country and the year ahead is set to see this continue. We hope to see six Spitfires Airworthy, SIX, that's more than we had flying in this country in the late 1940's! Another two Kittyhawk's rolling off the production line at Wangaratta, and for Australian owners, one being the RAAF, add to this the return to flight of the RAAF's EE Canberra and Australian Built DH Vampire. Add to this a Hunter getting very close to flying in Victoria, it is set to be a big year for Warbird Aviation in this country. The successful shaping of our current maintenance regulations for LIMITED category aircraft in a way which ensures the current high safety standards are preserved whilst being mindful of the need to reduce costs for operators would not have been possible without the constant help, knowledge and wisdom of Mick English in CASA. Mick Poole has also worked tirelessly within CASA in the best interests of pilots and airshow organisers. AWAL owe a tremendous amount to the two Micks and I thank them for their efforts. Thanks, is also extended to Mark, Pete and Robyn none of this would happen without you and I sincerely thank you for all that you do.

Sean Trestrail requested that the Definition of Warbird and historic be read again and a little further clarified.

Alex von Mengersen enquired about the recent proposed amendments to the ESAM and asked had the Board been given a copy of the draft ESAM amendments to review before going to CASA?

It appeared this had not taken place and will be followed up.

Moved Doug Hamilton Seconded Egon Mahr  
All in favour, No objections

### **DSA's report**

No report submitted

### **CEO's report**

Read by the CEO (see below)

At the beginning of the year as drought, repressive heat and bush fires raged I thought to myself "What could possibly happen now...? Well, we have all seen what could happen and I for one will not make any such prognostications again!

As the potential of the Covid crisis became apparent, smart businesses and organisations of all stripes worked to prepare themselves for the worst. Efforts on behalf of our association and members were no different, but as I progressed the difficulty of this task became apparent. The bane of effective planning is uncertainty and through the autumn months nothing was certain. We were dealing with unknowns

and unknown unknowns. Each day brought more news of lockdowns, stand-downs, and worst-case estimations. I became aware, as all of you did as well, of a growing number of members who saw their employment vanish virtually overnight. Speaking only for the association and not at all discounting the pain these redundancies caused those who have been directly affected, this presented us with all sorts of unpleasant scenarios.

Visions of warbirds being sold off en-masse in a plummeting buyer's market suddenly did not seem all that far fetched.

Thankfully, while some members have indeed had to make the painful decision to part with their aircraft, a large scale fire sale event has not occurred. Further to that, and while their funding has been eviscerated, CASA has maintained its support of AWAL and other Sport aviation organisations. This in combination with a prudent and cautious approach to Covid-related relief measures for our membership has meant the association has - thus far - weathered the crisis well (I would like to commend our board for a rational and considered discussion followed by a prudent approach on this).

Going forward, we - collectively- must continue to closely monitor and respond to the Covid crisis and related economic impacts as they develop. It is safe to hope the worst is behind us but even if the virus does not re-emerge on our shores, the economic impacts are real and will remain with us for some time to come. Crucially, uncertainty remains which will make our efforts to budget and manage effectively all the more challenging.

For this reason among others, it is vital that the association's board adhere to principles of governance and professionalism. For much of my 7+ years as CEO for AWAL, the board has been able to get by with an overly relaxed approach in this respect. Over the last couple of years however, the very real limits and consequences of this have become apparent. We are no longer a smallish club of like-minded individuals but are instead a mature body with very real responsibilities. The club mentality will not work and our board must be held to a higher standard.

Recently, several board members with my full support have stood up a governance committee with a mandate to review current practices, identify deficiencies and recommend remedial actions. Our board, as with any such board, is obligated to function in accordance with the Corporations Act 2001 and its own governing by-laws (in AWAL's case our Constitution and Code of Conduct). If it does not, the board - both in its entirety and for the individuals that make it up - is exposed to multiple levels of liability with ramifications that can affect them personally, the broader organisation, and all of our members.

This will be a priority going forward, as it must be! You our members deserve no less and in fact must expect no less of your elected representatives and the association's executive. If individuals serving in these positions must be up to the task - Full stop!

As many of you are no doubt aware, there is a push-pull dynamic that has manifest itself between those of us who recognise the need to broaden our appeal as an organisation and those of us who do not. I myself am a firm proponent of a friendly and dynamic warbird community. I believe AWAL will be a far better body through a warm and welcoming approach to others who might be interested in the warbird way.

We can do this through holding more member-focused events such as formation and tactical clinics, training exercises and fly-ins. We must look for ways to show the public our magnificent aircraft and friendly approach. If we do not, we risk irrelevance.

Other challenges we have seen in past years remain. Of particular note is continued tightness in the insurance market which means premiums have remained stubbornly high. We are hoping and advocating for more competition in this space but it remains an elusive goal at present.

Another area of perennial concern is with regards to checking and training requirements. We have been working for several years now to ensure properly-qualified instructors are approved by CASA to conduct training on the many turbine-powered fixed wing types operating under our administration. This is an ongoing effort with some wins and some setbacks. Hopefully the new year will herald some different approaches that may bear fruit. On a similar note, we continue to have reservations with regards to the adequacy of CASR Part 61.385 which stipulates competency on type. This works well enough, up until the point that it doesn't. It's a classic low probability but medium-to-high consequence risk factor that we continue to struggle with.

Looking ahead to 2021 - and noting my previously mentioned moratorium on prognosticating - I'm very hopeful for a reawakening of enthusiasm and activity in the Australian warbird movement. We will work to transition from a quasi-bunker mentality to one of revitalisation, growth and long-term stability.

Thank you!

Doug Hamilton asked if the growth push was the opinion of the Board. The CEO replied it was his opinion as noted in his comments.

Moved Doug Hamilton Seconded Sean Trestrail

### **Safety Officers report**

Read by The President/Chair in the Safety Officers absence –(as below)

I am pleased to report that over the last 12 months there haven't been any fatalities in Limited Category aircraft operations. During 2020 there were half a dozen incidents resulting in minor damage to aircraft, and thankfully, nil injuries. I can also state that over the course of the last year I have not received any reports from CASA for follow-up in regards to un-authorized low flying or deliberate non-compliance with regulations. This makes a refreshing change when compared to the last 5 years, and I commend our members for this positive change. I have been in contact with ATSB regarding the reports on the Yak-52 crash on Stradbroke Island on the 5th of June 2019, and also the UH-1H Huey crash off Newcastle on the 6th of September 2019. It is envisaged that these reports will be finalised early next year, and it is fair to say the investigations are reaching their final stages of inquiry. On the 26th of this month (two days ago) the ATSB released a safety advisory notice regarding Yak-52 elevator bell crank inspections – Number AO-2019-027-SAN-024. This safety advisory notice did come out of the investigation in to the Yak-52 crash on Stradbroke Island on the 5th of June 2019, but I have to be clear this was not a contributing factor in any way to this particular accident. The advisory notice details recommended inspection criteria for aluminium alloy bell cranks located in the elevator control circuit. This safety advisory notice is available to all members on the ATSB website and will be posted on the AWAL website. I advise as the Safety Officer that all Yak-52 operators, and maintainers, make themselves familiar with the document as a matter of priority. More may follow as a result of this notice and the potential for CASA Airworthiness Directive. I'd like to thank the members of our Association who have assisted me over the

course of the last 12 months with a number of my inquiries, and to the wider Association for their professionalism and dedication to the flying and maintaining of our unique aircraft. I wish everyone safe flying for the next 12 months.

Moved Allan Pickering Seconded Egon Mahr  
All in favour, no objections

### **3. To receive and consider the balance sheet and trading accounts**

#### **Treasurers report**

The Treasurer read his report as below. The financial report was made available to attendees in hard copy.

Without doubt 2020 has been a most challenging year for many, AWAL has fared amazingly well under the circumstances with little alteration to our bottom line.

Soon after Covid arrived in Australia and the effects started to show on our community the board met and decided to offer members the opportunity to ask to have all fees waived for 3 months, no questions asked , which was taken up by approximately 18 members.

Whilst we have slowed down on some fronts - merchandise sales, some aircraft dropping from adventure flight registered to private, and waiving of fees we have also lowered some expenses like our travel costs and meeting expenses plus like most businesses we have received the Government \$10,000 cash flow boost .

The financial statements for the year to 30 June 2020 show that we had a profit of \$24,169 and retained earnings of \$364,760, which was achieved even though we lowered membership fees at the start of this period.

I consider the association is in a sound financial position and all indications are that if the current trends keep going we are most likely to maintain that position through the current financial year (our bank balance two days ago was in the order of \$414,000 but that will obviously fluctuate as we pay accounts and receive funds)

The board has implemented "Airtable " which is a phone based app that is an effective way of tracking the time / cost that goes into all the different aspects of running AWAL by our 3 staff - with that information gathered over time we should be able to make informed decisions about what areas we need to focus on to cut costs which would put us in a position to hand on the benefits to our members.

I would like to thank Mark, Pete and Robyn for the work they put into the running of AWAL, and with my Treasurers hat on, especially Robyn – she does all the work and presents everything in a manner that makes being the Treasurer an easy task.

Given that I am up for re election and may not get the chance to say this again,I would like to thank every member of the current board for being Warbird enthusiasts, and bothering to be on the board, we do have differing views on topics which I think is healthy – but we are all , in our own ways wanting and managing to keep all these cool warbirds in the air for the enjoyment of many.

Treasurers report Moved Sean Trestrail Seconded Mark Awad

All in favour, no objections

Financial reports – moved Roger Hendry seconded Egon Mahr

**4. To excuse members of the Committee whose terms of service have expired**

**Other business**

**5. To elect members of the committee in accordance with the constitution**

Voting took place for members in attendance who had not voted online as well as proxy votes.

**6. Introduce and seat the newly elected members of the committee**

The Secretary announced after voting review by the President and CEO that the new Board of directors are Charlie Camilleri, Sean Trestrail, Matt Handley and Allan Pickering

The Secretary advised there had been:-

Online voting: 193 ballots cast

Voting in person 5 ballots cast

Proxies eligible for election ballot: 39

The President congratulated the newly elected members of the Board.

Moved Egon Mahr Seconded Roger Hendry

All in favour

No objections

**7. General Business of the Association**

There was no general business

**8. Conclude the meeting**

Meeting concluded at 11.46am

Moved Allan Pickering Seconded Doug Hamilton

All in favour

No objections