



Investigation into complaints about the  
introduction of new flight paths in Hobart  
*April 2018*

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## ***Table of Contents***

<b>1 Executive Summary .....</b>	<b>1</b>
<b>2 Introduction .....</b>	<b>3</b>
Context.....	3
Purpose.....	4
Methodology.....	4
<b>3 Why did Airservices make the changes? .....</b>	<b>5</b>
<b>4 Flight path design and noise impact assessment.....</b>	<b>7</b>
What is Airservices' stated policy on noise impacts when designing flight paths? .....	7
What is Airservices' framework for assessing the potential environmental impacts of a change? .....	8
How did Airservices determine the potential noise impacts of the Hobart flight paths? .	9
Discussion and recommendations.....	18
<b>5 Consultation .....</b>	<b>20</b>
What is Airservices' stated policy in relation to community consultation? .....	20
What was Airservices' community consultation strategy for the Hobart flight path changes? .....	24
What consultation did Airservices undertake? .....	29
What incorrect information did Airservices provide about its community consultation about the Hobart flight path changes? .....	47
How has Airservices responded to criticisms of its Hobart actions? .....	48
Discussion and recommendations.....	50
<b>6 Complaint management.....</b>	<b>52</b>
What was the spike in Hobart complaints? .....	52
How did Airservices respond to complaints? .....	54
How were insights from complaints used?.....	55
Discussion and recommendations.....	56
<b>7 Conclusion and next steps.....</b>	<b>57</b>
<b>Attachment 1 Summary of Recommendations.....</b>	<b>58</b>

# 1 Executive Summary

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In September 2017 Airservices Australia implemented changes to flight paths for aircraft arriving and departing Hobart Airport. The changes included a Standard Instrument Departure (SID) and a Standard Arrival Route (STAR) for each end of the main runway. The changes altered many residents' experience of aircraft noise in the broader Hobart area. The effects of the changes, and their impacts on residents, continue to unfold as seasonal variations in Hobart make for different concentrations of runway use and therefore different concentrations of aircraft noise.

Residents immediately affected were quick to react to the changes and it became apparent that they had received no warning of the implementation of the SIDs and STARs. The usually dormant Hobart aircraft noise complaints landscape quickly became active, with some 50 complaints being made in the six weeks following the implementation of the changed flight paths. Compared to the total of three complaints received in the previous year, this was a very significant expression of community concern. It appeared that this response was unexpected by Airservices.

More complaints followed as Airservices attempted to engage with residents and address the community's response to the changes. The complaints reflected the community's concerns about quality and effectiveness of community consultation, the quality of information provided to the public, the handling of their complaints and action taken by Airservices in response to community concerns.

Having acknowledged its failure to adequately engage with the community in relation to these flight path changes, Airservices sought to remedy this through a process intended to obtain feedback on a set of alternatives to one of the changed flight paths. It reported on this feedback and announced both a short term change to the flight path along with a longer term review of all of the Hobart SIDs and STARs. The short term change was implemented on 1 March 2018. The Terms of Reference for the longer term review were placed on the Airservices website on 31 January 2018, without announcement or advice to residents.

We commenced to investigate the implementation of the Hobart SIDs and STARs in October 2017, shortly after we had received more than 10 requests to review Airservices' response to complaints. We have since received more. Our review had the objectives of examining Airservices' consideration of potential aircraft noise impacts in the original design of the changed flight paths; its community consultation and public information prior to the changes being made; the quality of Airservices' responses to complaints received and action taken by Airservices in response to the aircraft noise issues caused by the changes.

Our review culminates in 13 recommendations for action by Airservices to:

- incorporate consideration of potential noise impacts from the commencement of flight path design and integrate that consideration throughout the design process;
- broaden the purpose of environmental assessment, widen the range of potential impacts to be considered, review the criteria on which assessments are based and bring to bear a critically analytical perspective on the assessment of the potential impact on the community of proposed flight paths;

- enhance complaint management by advising complainants at an early stage of efforts being made, including investigation, to address concerns; and
- develop and support a sophisticated approach to community consultation in line with and informed by modern standards of community engagement by:
  - obtaining and supporting subject matter expertise in the practice of community consultation;
  - reviewing concentration on Community Aviation Consultation Groups as the primary site of community consultation;
  - prioritising transparency towards and knowledge of communities impacted by aircraft noise;
  - turning a critically analytical perspective to its consultations; and
  - bringing these matters to bear on Airservices' current Review of Hobart SIDS and STARS.

We submit this report to the Board intent on facilitating and supporting Airservices' preparedness to meet the challenges ahead.

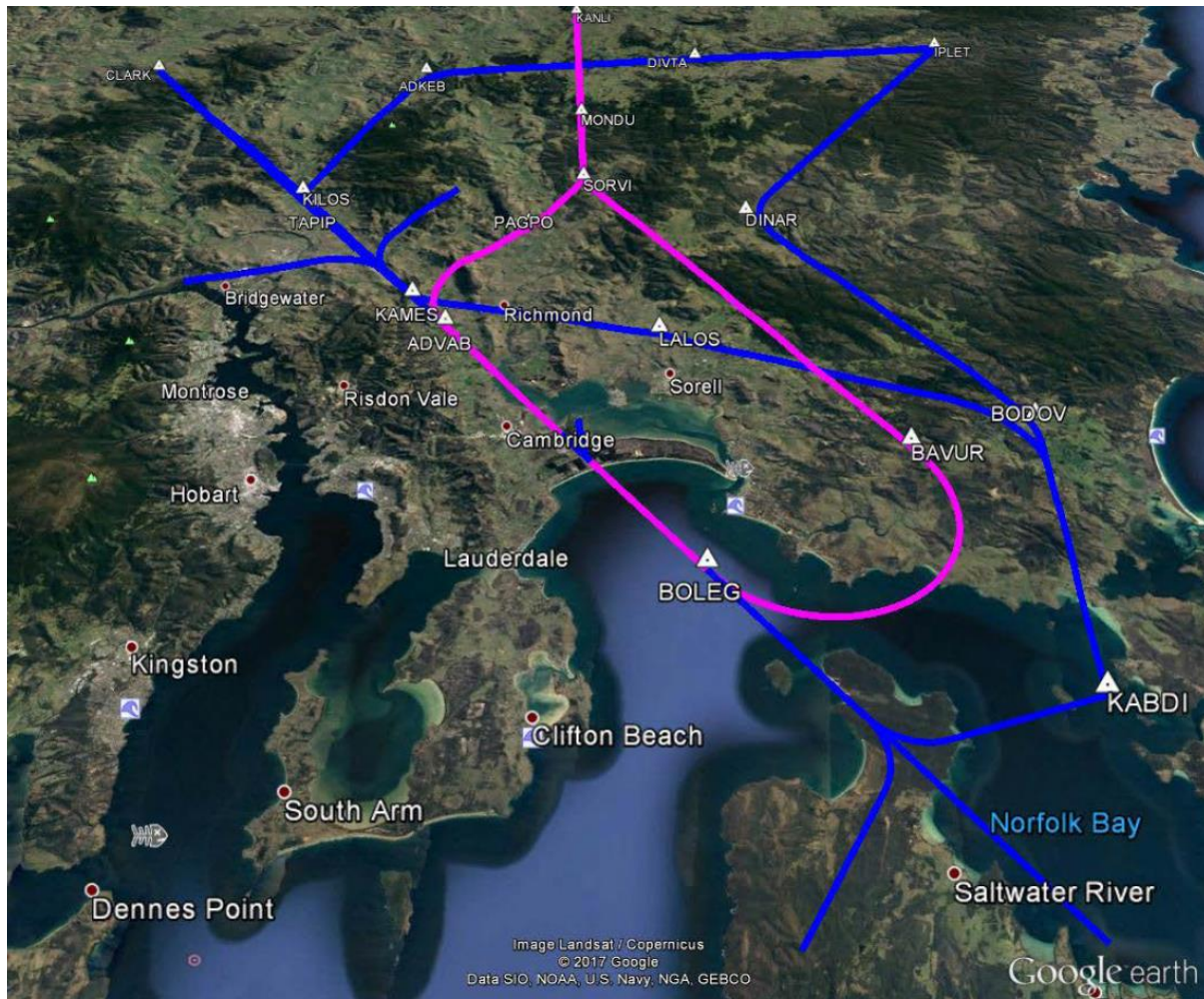


Narelle Bell  
Aircraft Noise Ombudsman  
9 April 2018

## 2 Introduction

### Context

- 2.1 On 14 September 2017, Airservices Australia (Airservices) introduced new flight paths for aircraft arriving and departing Hobart Airport. The changes included a Standard Instrument Departure (SID) and a Standard Arrival Route (STAR) for each end of the main runway. The changes are shown in the following aerial map (pink = SIDs, blue = STARs):



- 2.2 For residents across Hobart and surrounds the changes increased the frequency of flights over some or produced new overflights for residents not previously overflown. Residents in some areas experienced the impact of the changes immediately. Residents in other areas affected by the flight path changes have also reported impacts, though in lower numbers. The changes introduced in September were followed by an extended period of runway 30 operations as a result of the prevailing weather conditions at that time. This meant that initially, for residents impacted by runway 12 operations, the extent of the impacts were delayed and sufficiently intermittent so as not to generate high levels of concern. It may be that the full impact on the broader community of the flight path changes is yet to be fully revealed, with the new flight path arrangements still to be experienced during winter months.



- 2.3 The Aircraft Noise Ombudsman decided to conduct a formal review of Airservices' introduction of new flight paths in Hobart in response to significant community concern about the changes and the apparent lack of consultation with affected residents and business owners. These concerns were expressed in the form of complaints to our office, petitions to government, and through various media and social media channels.
- 2.4 Concerns fall into the main categories of:
- quality and effectiveness of community consultation and information provided to the public;
  - handling of complaints; and
  - action taken in relation to community reactions to the changed flight paths.
- 2.5 A number of the concerns and issues raised by the Hobart flight path changes are similar to issues raised in previous reviews by the Aircraft Noise Ombudsman. Later sections of this Report show that many of the issues that arose in Airservices' introduction of the flight path changes in Hobart are the same issues that arose in Airservices' introduction of flight changes in Perth in 2015. It appears that, while Airservices may have taken steps to address the 2015 Perth flight path change issues, those steps were not effective.

## Purpose

- 2.6 The purpose of this review is to consider:
- the appropriateness or otherwise of consideration given by Airservices, in the original design of the flight paths, to potential noise impacts;
  - Airservices' community consultation prior to the changes being made and, if any, its quality and effectiveness;
  - the information provided by Airservices prior to the changes being made and following them, and, if any, its quality and effectiveness;
  - the quality and effectiveness of Airservices' response to complaints raised with them about the changes; and
  - any action Airservices has taken or plans to take in response to the aircraft noise issues caused by the recent changes.
- 2.7 This report documents our investigation and sets out our conclusions and recommendations (set out at **Attachment 1**) together with our reasons.

## Methodology

- 2.8 We reviewed all of the material Airservices made available to the community. We also requested specific information and answers to questions arising from complaints or from review of Airservices' material. We met with affected residents, councillors, airport management and various staff of Airservices, observed community aviation consultation group meetings, routinely checked the Airservices and other websites and sought additional information as appropriate to enable an independent assessment of how Airservices had pursued the changes and how it undertook remedial action.

### 3 Why did Airservices make the changes?

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- 3.1 In June 2015, the Civil Aviation Safety Authority completed a routine surveillance audit at Hobart Tower. The audit noted the following finding:

*There has been a significant traffic increase in air traffic at Hobart including increased RPT [Regular Public Transport] jet operations; increased training flights at Cambridge and increased helicopter training operations. The complexity of the current procedural approach control system coupled with staffing arrangements in the tower is adversely impacting on ATC complexity and workload.*

- 3.2 In view of this finding, CASA made the following recommendation to Airservices:

*It is recommended that Airservices conducts a review of Hobart Tower operations. The review should consider, but not limited to, the following topics:*

- *Airspace/Route structure*
- *Procedures and a Traffic Management Plan*
- *Operational Staffing and coverage*

- 3.3 The 2015 audit report by CASA went on to say that Airservices should:

*Devise an integrated traffic management plan taking into account modern aircraft equipment capabilities, revised SIDS/STARS where able, with better structured management and integration of AWK [air work] and training flights.*

- 3.4 At the same time as the CASA audit in 2015, Airservices was in the process of rolling out a traffic management program known as ‘smart tracking’ or RNP [Required Navigation Performance], which involved designing new flight procedures for airports across Australia to enable suitably equipped aircraft to fly using modern satellite assisted navigation technology. This is consistent with international recommendations for the adoption of satellite-based technology, which Australia has agreed to implement as a member state of the International Civil Aviation Organisation<sup>1</sup>. Smart tracking was first introduced into Brisbane in 2012 and is progressively being rolled out across Australia. In some locations this includes establishing new or variations to existing standard arrival and departure routes. Additionally, CASA’s *Aeronautical Study of Hobart – February 2017*<sup>2</sup> recommended:

*To improve efficiencies and predictability, taking into account PBN requirements Airservices should continue redesign work for flight routes into and out of Hobart, make improvements to existing Terminal Instrument Flight Procedures (TIFPs) and introduce STARS into Hobart.*

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<sup>1</sup> “ICAO has recommended to member States the implementation of Performance Based Navigation (PBN), the regulatory framework for Area Navigation and Approach Procedures with Vertical guidance (APV) for all instrument runway ends, either as the primary approach or as a back-up for precision approaches, by 2016. Australia has agreed to these recommendations.” Civil Aviation Safety Authority, PBN Implementation Plan Australia, Version 1 March 2010. Accessed from <https://www.icao.int/safety/pbn/PBNStatePlans/Australia%20PBN%20plan.pdf>.

<sup>2</sup> Accessed from: <https://www.casa.gov.au/files/aeronauticalstudyofhobart2017pdf>.



- 3.5 Airservices has cited the findings of the CASA audits as well as the CASA program for adopting satellite based navigation in Australia as drivers for the introduction of SIDs and STARs in Hobart, as implemented in September 2017. The primary goal of SIDs and STARs is to keep air traffic safely separated by the use of specific flight paths, levels, speed restrictions and check points without the requirement for manual intervention by air traffic control. The primary safety goal is predictability and repeatability of aircraft operations during the highest workload phase of a flight for both the air traffic controller and the pilot.
- 3.6 Airservices recently advised that the safety benefits of SIDs and STARs include:
- *Aircraft fly predictably and consistently within defined 'tunnel' in the sky, with arrival and departure routes separated without human intervention (with vertical separation at cross over (inbound and outbound) points)*
  - *Increased situational awareness and predictability for both pilots and air traffic controllers (ie pilots and air traffic controllers know where the aircraft are at all times).*
  - *Reduced pilot and air traffic controller workload during the highest workload phase of flight, pilots are able to concentrate on managing the flight's overall performance.*
  - *Safely guides aircraft even during periods of low cloud and bad weather (also a period of high air traffic controller workload).*
  - *Automation allows flight crew and controllers to be alerted at the first sign of any deviation from the aircraft's precisely planned path.*
  - *These benefits become increasingly important over time as air traffic continues to grow.*
  - *They are also particularly important during single pilot IFR operations, where there is no co-pilot to monitor flight path compliance or to detect and warn the pilot of any possible deviations.*
- 3.7 Airservices also advised that its plan to introduce SIDs and STARs at a number of regional airports, including Hobart, is consistent with the Minister's Statement of Expectations that Airservices should enhance safety at regional airports, and also with CASA's Performance Based Navigation Implementation Plan for Australia.
- 3.8 Hobart Airport's project to extend the southern end of the runway was also a consideration in Airservices' decision about the timing for the change to satellite-based procedures. The runway extension required relocation of the main ground-based navigation aid (the VOR/DME [VHF Omni-Directional Range/Distance Measuring Equipment]) and therefore new or revised procedures were required to accommodate the relocation.
- 3.9 The changed flight paths and the timing of their implementation were therefore the result of a combination of factors including CASA safety recommendations, the ICAO mandated implementation of 'smart tracking' and changes required as a result of the runway extension.

## 4 Flight path design and noise impact assessment

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### What is Airservices' stated policy on noise impacts when designing flight paths?

- 4.1 Airservices' *Environment Strategy 2014-2019* states that it will:  
*Identify, investigate and (where feasible) implement changes to aircraft flight procedures that reduce the impact of aircraft noise.*
- 4.2 The current Airservices' manual *Departure, Arrival and Air Route Management Design Rules (ATS-MAN-0010)* does not include specific reference to aircraft noise. More broadly, the document states that:  
*...flight paths should be designed to take account of... environmental considerations and constraints.*
- 4.3 Airservices' *Procedures Design Manual (ATS-PROC-0082)* states that, for designing instrument flight paths:  
*The key to delivering a successful outcome is consultation with stakeholders. For this reason it can be expected that consultation may be required at every step on the way to completion.*
- 4.4 The Procedures Design Manual lists 'Environment' (meaning the environment branch within Airservices) as one of the key stakeholders to be engaged throughout any instrument flight path design process.
- 4.5 Step 4 in the design process outlined in this Manual is "Environmental Assessment" and lists the material a Procedure Designer should make available to facilitate an efficient environmental assessment process for procedure designs. The requirements for environmental impact assessment are set out in a National Operating Standard titled *Environmental Management of Changes to Aircraft Operations (AA-NOS-ENV-2.100)*, Version 9 of which was current at the time of the Hobart flight path changes<sup>3</sup>. The National Operating Standard identifies a three stage process:
1. Initial environmental screening – against a defined 'Initial ANS Screening Criteria'. The outcomes to be achieved include determining an initial change risk level, accepting the initial risk level in the corporate risk tracking system, and determining whether the change can be implemented or if further environmental assessment and management is required (according to the defined screening criteria methodology).
  2. Targeted environmental impact assessment – to be undertaken when the Stage 1 process has triggered any of the Initial ANS Screening Criteria. The outcomes, requirements and accountabilities of which are defined within the National Operating Standard.
  3. Referral and formal assessment under the Environment Protection and Biodiversity Act 1999 (EPBC Act) – dependent on the outcome of Stage 2 finding that the proposed change has met the criteria for 'potential significance' and a business decision to proceed with the proposal.

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<sup>3</sup> This document has since been revised twice, with the current version effective 1 February 2018.

- 4.6 The *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) is Commonwealth legislation to protect and manage important flora, fauna, ecological communities and heritage places defined in the EPBC Act as matters of national environmental significance. The proponent of a change must determine if any proposed action (called a 'proposal' or 'project') has the potential to have a significant impact on a matter of national environmental significance. If it might, the proponent must seek to have the action assessed under the EPBC Act by referring the project to the federal Department for the Environment. This referral is then released to the public, as well as to the relevant State, Territory and Commonwealth Ministers, for comment on whether the project is likely to have a significant impact on matters of national environmental significance. The Commonwealth Minister for the Environment will then decide whether the likely environmental impacts of the project are such that it should be assessed under the EPBC Act. Any relevant public comments are taken into consideration in making that decision. Once a project has been assessed by the Department, the Department makes a recommendation to the Minister about whether the project should be approved. In addition to considering potential impacts on matters of national environmental significance, the Minister also considers the social and economic impact of the project.
- 4.7 Only at Stage 3 in Airservices' environmental assessment process is there consideration of varying the initial flight path/procedure design to take account of environmental impacts. This arises when the proposed design triggers a need for referral and formal assessment under the EPBC Act, and it seems the aim of changing the design is to avoid a need to refer, rather than to deliberately seek the best achievable environmental outcomes.

### **What is Airservices' framework for assessing the potential environmental impacts of a change?**

- 4.8 In accordance with its procedural requirements, Airservices undertakes an environmental assessment for major flight path changes.<sup>4</sup>
- 4.9 Initial environmental assessment screening is used to determine whether a targeted environmental impact assessment is required. The process for this is set out in the National Operating Standard, with the stated purpose being to identify and assess potential impacts on the environment (including noise, emissions, wildlife, cultural heritage and impacts to humans) and to inform the accountable Airservices manager about levels of environmental risk associated with the proposal, as a basis for the manager's decision making.
- 4.10 The National Operating Standard states that the Targeted Environmental Impact assessment shall [among other requirements]:
- *Include an assessment of 'significant impact' as defined under the EPBC Act;*
  - *Include a risk assessment and determination of associated environmental risk level which considers all potential business impacts (in accordance with Airservices Risk Standard AA-NOS-RISK-0001).*

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<sup>4</sup> The Hobart assessment is available at [http://www.airservicesaustralia.com/wp-content/uploads/YMHB\\_NewSIDS-STARs\\_EnvAssessment\\_28Jun17\\_webpage.pdf](http://www.airservicesaustralia.com/wp-content/uploads/YMHB_NewSIDS-STARs_EnvAssessment_28Jun17_webpage.pdf).

- 4.11 The National Operating Standard later describes the process for developing a Stakeholder Engagement Strategy “which reflects the findings of the environmental impact assessment and other considerations relating to impacts to the community”.
- 4.12 In essence, Airservices’ environmental assessment process has two functions – first, to ensure legislative compliance (identifying the potential for significant impacts within the meaning of the EPBC Act) and second, to make a business risk assessment (identifying potential business risks arising from potential environmental impacts). The environmental assessment is relied on by decision makers and informs the organisation’s Stakeholder Engagement Strategy. We consider there is also a need for the Environmental Assessment process to include the additional function of critically analysing the design from a noise (and environmental) perspective to ensure the best design is delivered.

### **How did Airservices determine the potential noise impacts of the Hobart flight paths?**

- 4.13 Airservices completed an *Environment Assessment of Hobart Airport – Proposed SIDs & STARs (Effective 28 June 2017)* in line with the National Operating Standard requirements for a Targeted Environmental Impact assessment. Airservices published this Environmental Assessment report on its website on 19 October. Airservices advised the ANO in March 2018 that:
- It is important to recognise the EA report was not produced with the intent of being a public document that would be subject to critical review by a reader not close to Airservices analysis. Thus, every step and detail of the assessment was not included.*
- 4.14 Airservices also advised:
- ...it is Airservices’ practice not to capture and address all possibilities relating to National Environmental Significance in the EA report.*
- 4.15 We had been under the mistaken impression, in the absence of any other information, that the Environmental Assessment report was a record and explanation of the assessment conducted. We were not corrected in this view until shortly before the finalisation of this report. Additional information about the assessment undertaken in relation to Matters of Environmental Significance and how assessment criteria are applied generally was offered to us by Airservices and we requested that information. However, in relation to the former, the information provided did not enlighten us except to show that Airservices accessed information on the Protected Matters Search Tool and to explain the output of that tool was considered in relation to flights at a certain height and distance from the runway. We accept that our request was made on an urgent basis and provided little time for a comprehensive gathering of records. In relation to the latter, Airservices advised that it did not have a readily accessible document and is currently reviewing its National Operating Standard to include a description of the assessment criteria and their application to determining environmental significance.

4.16 It follows that we are not in a position to properly review the full range of considerations in Airservices' assessment of environmental issues in this case. However, in order to illustrate the difficulties that arise from the production and use of Environmental Assessment reports that do not comprehensively record and explain the assessment conducted, we raise some examples of apparent inconsistencies and gaps in the report (as opposed to the actual assessment) in the following paragraphs. We stress that we make no inference as to the assessment that was actually conducted or in relation to the conclusions of the assessment in relation to significant environmental impact within the meaning of the EPBC Act.

4.17 Airservices' Environmental Assessment report concluded that:

*The proposed new STARs and SIDs at Hobart Airport are not likely to result in any significant environmental impact within the meaning of the Environment Protection and Biodiversity Conservation Act, 1999 (Cth).*

*The proposed changes may result in a visual change to aircraft tracking and /or noise levels. It is recommended that there be consideration given to establishing a stakeholder engagement strategy to manage any risks associated with the proposed change. Particular note of the changes implemented over Campania and Connellys Marsh should be taken.*

*There are no impacts expected on areas of Natural Environmental Significance, or on sites of cultural and heritage value as a direct result of implementing the proposed flight paths.*

4.18 The conclusion in the report that the changes are not likely to result in any significant environmental impact within the meaning of the EPBC Act is supported in part by the Environmental Assessment report findings that "There is no likely environmental impact on identified threatened species and ecological communities [or] ... areas of indigenous heritage and cultural significance as a direct result of implementing the proposed new flight paths, due to the area being exposed to existing overflights". These findings, as documented in the Environmental Assessment report indicate reliance on the areas of the new flight paths having already been exposed to existing overflights. This appears inconsistent with the determination in other parts of the report, which identified that some areas will be newly overflown. Airservices advised:

*This analysis considers the impact on ecological communities, threatened species etc. It is not an analysis of a noise impact. The conclusion of this analysis, conducted using the PMST [Commonwealth Protected Matters Search Tool] ... was that there was no impact on these communities and species examined, and this conclusion was in part based on the fact that the area is subject to existing overflights.*



- 4.19 We note that the *Matters of National Environmental Significance: Significant Impact Guidelines 1.1, Environment Protection and Biodiversity Conservation Act 1999* (published 2013)<sup>5</sup> state:

*An action is likely to have a significant impact on natural heritage values of a World Heritage property [or National Heritage place] if there is a real chance or possibility that the action will: ... introduce noise...with substantial and/or long-term impacts on relevant values.*

- 4.20 The Environmental Assessment report says “The potential impact of aircraft over flights was assessed on an individual basis where matters of NES were identified”. It lists the matters of National Environmental Significance, but it does not describe the assessment undertaken or note the location of the sites that were assessed. It is therefore not possible to know the basis on which it was determined that the sites are not affected by the changes from reading the Environmental Assessment report. While Airservices’ documentation does not clearly detail what noise impacts, if any, were considered in its assessment, we note Airservices’ advice that:

*Airservices confirms that Matters of National Environmental Significance (MNES) were thoroughly assessed by Airservices prior to the implementation of the change in order to meet our regulatory obligations under the EPBC Act 1999.*

- 4.21 We accept that Airservices is satisfied that it has thoroughly assessed the impacts in line with its regulatory obligations and that it determined through this that the new flight paths were not likely to result in any significant environmental impact on areas of National Environmental Significance or on sites of cultural or heritage value. We do not have the technical expertise to determine or even infer otherwise. However, future assessments should document considerations, including clear statements of any assumptions and reasons for conclusions.

- 4.22 We note again Airservices’ advice that the report is not intended to be read outside Airservices, but having disparate sources and records for various aspects of the environmental assessment process, without referencing in the Environmental Assessment report, makes critical analysis of determinations difficult. This could impact on decision-making by making it difficult for decision makers to satisfy themselves that all relevant matters have been addressed and assessed. Best practice decision-making requires good record-keeping and ready access to reasons and evidence in support of assessments. Airservices’ Environmental Assessment report should refer to or include relevant information that forms the basis of its environmental assessment and conclusions. This is particularly so when, according to the National Operating Standard, Stakeholder Engagement Strategies are to be informed by Environmental Assessments.

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<sup>5</sup> Available at: <http://www.environment.gov.au/resource/guide-epbc-act>



## The assessment criteria

- 4.23 Section 4 of the Environmental Assessment report concerns ‘Assessment Criteria’. It refers to the Assessment Criteria at Appendix A of the document, and says that Airservices has adopted those criteria after reference to various unspecified sources and a consultation process. There is no explanation in the document of what the assessment criteria mean, how the criteria are applied, whether they are primary or secondary criteria or what is the consequence if a listed criterion is exceeded. It is not clear if these criteria are only for determination of ‘potentially significant impact’ within the requirements of the EPBC Act, or if they are also to be used to inform the business risk assessment. Nor is there a clear description of the methodology used to determine if a criterion is exceeded. For example, section 7.1 summarises the analysis of communities overflowed by the KANLI One SID and concludes:

*Kanli One SID will result in overflights of newly overflowed areas, both from Runway 12 and Runway 30 departure operations. Both paths overfly generally sparsely populated areas however, the town of Campania from Runway 30 and the suburb of Connellys Marsh from Runway 12 will experience noise levels for the larger jets above 60dB(A). At both locations, the average number of flights expected is below the relevant threshold for potential significance.*

- 4.24 This summary provides a business risk assessment and also suggests that ‘potential significance’ is determined by reference to the ‘Assessment Criteria’ listed at Appendix A. However, on the face of the Environmental Assessment report only one of the assessment criteria is referred to – the average number of flights above 60dB(A). The ‘Assessment Criteria’ also include the average number of flights in the Day (6am–11pm) and Night (11pm–6am) as important considerations, with different thresholds identified for Day and Night. However, the Hobart Environmental Assessment report does not comment on the impacts at different times. While it may be that few aircraft would operate during the Night, an explicit statement to this effect would clarify that the criterion was not overlooked, but rather deemed to require no further consideration in this case.
- 4.25 Airservices has advised that it “can confirm that it considered all the criteria.” We note that clear indications of assumptions would demonstrate thorough consideration during the assessment process and allow for assumptions to be considered and, if appropriate, challenged during internal review processes and in decision-making.
- 4.26 Other relevant criteria are set out in the Assessment Criteria. These include:
- Changes to LA<sub>max</sub><sup>6</sup> values during the Day and Night
  - Changes to LA<sub>eq</sub><sup>7</sup> values during the Day and Night
  - Impacts on ‘sensitive sites’ (schools, hospitals) during the Day and Night
  - Impacts on ‘Industrial/ open spaces/ parks’ during the Day and Night
  - Changes in total population exposure

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<sup>6</sup> LA<sub>max</sub> is a noise metric that shows the maximum noise level of a single noise event associated with a particular location during a period of time.

<sup>7</sup> LA<sub>eq</sub> is a noise metric that shows the average sound pressure level associated with a particular location during a period of time.

- 4.27 The Environmental Assessment does not document consideration of LA<sub>max</sub> or LA<sub>eq</sub> variations. For example, if the LA<sub>max</sub> values for Dunalley and Connellys Marsh are considered, drawing on the data contained in the Environmental Assessment, it appears that a change in LA<sub>max</sub> of greater than 5 decibels would result from the proposed flight path changes. According to Airservices' Assessment Criteria, an increase of greater than 5 decibels (during the Day period) would exceed the LA<sub>max</sub> criteria. Consideration of this impact was not included in the Environmental Assessment. However, Airservices advised that:
- The LA<sub>max</sub> is typically considered in situations when the area in question is currently overflowed by an existing flight path and therefore the change in dB can be estimated, and when the number aircraft events passes other significance criteria. In this situation the environmental specialists may evaluate the change in LA<sub>max</sub> noise levels to help give context to the change. A large change in noise level experienced may influence the decision to classify the proposed change as potentially significant (even if other criteria are passed).*
- 4.28 The assessment of sensitive sites such as schools and hospitals is not recorded in the Environmental Assessment report. Airservices advised that:
- This criteria was addressed during the environmental assessment, however no schools or hospitals were considered to be impacted by 60dB(A) or more by the change and thus they are not listed in the report.*
- 4.29 Likewise, 'Industrial/ open spaces/ parks' are not referred to in the Environmental Assessment report.
- 4.30 While there is reference to some populations being newly overflowed at the N60 and N65 levels, the Environmental Assessment report does not mention whether this represents an overall increase in the population exposed or if the proposal delivers any offsetting decrease in N60 or N65 exposure for other populations. Also, the Environmental Assessment report describes areas around Campania and Connellys Marsh as sparsely populated. Without defining the term, there is potential for those relying on the Environmental Assessment report as a basis for decision making or as input to a Stakeholder Engagement Strategy to underestimate the number of residents in those areas who will be subject to increased noise levels. The population of the two towns combined is approximately 1,000 (based on 2016 Census data).
- 4.31 Prior to the changes introduced in September 2017, the Connellys Marsh area was overflowed by some arrivals intermittently. In the sample week shown in Figure 5 and discussed on page 15 of the Environmental Assessment report, there were just two arrival flights nearby Connellys Marsh and these flew 1.5kms south-east of the township. The Environmental Assessment report says that these infrequent arrivals would be 27kms from the runway threshold and are laterally offset, which further reduces the noise impact. A valid proxy for the noise levels would therefore be the noise levels provided in Table 2 of the Environmental Assessment report for arrivals at 30kms from the runway. Following introduction of the new SID, the Connellys Marsh area could be directly overflowed by 30 departures a day, at 20kms from Start of Take-off (SOT). The table below compares the relevant columns from Table 2 of the Environmental Assessment report, showing the increase in decibels for each aircraft type identified in Table 1 of the Environmental Assessment report as operating at Hobart on the selected typical day.

Aircraft type	Arrivals at 30kms from runway	Departures at 20kms from SOT	Increase (decibels)
A320	56	61	5
A321	57	64	7
B712*			
B733	56	65	9
B738	61	67	6
E190	53	57	4
F50*			
SW4*			

\*data not provided in Table 2 of Airservices' Environmental Assessment so could not be assessed.

- 4.32 The table above shows that for three of the five aircraft types for which data was available to make a comparison, the L<sub>A</sub>max increase at Connellys Marsh would be greater than 5 decibels.
- 4.33 In accordance with Airservices' own Assessment Criteria, an increase of more than 5 decibels is a determining factor for potential environmental impact. Unfortunately, the Environmental Assessment report does not document consideration against this criterion.
- 4.34 We raise these examples in order to show that Airservices could more effectively demonstrate that it has met its obligations under the EPBC Act by more clearly explaining how it applies its Assessment Criteria, rigorously documenting its assessment against criteria and clearly stating a final conclusion on the potential significant impact. Distinguishing this from any additional business risk considerations will help decision makers understand what the ramifications of proceeding with the change could be. Establishing clear and separate additional business risk considerations would also aid decision-making and better inform future stakeholder engagement strategies.
- 4.35 We appreciate that Airservices takes the view that its Environmental Assessment reports are designed to be internal documents and not intended to be read by people outside Airservices. We also appreciate that by posting the Environmental Assessment report on its website Airservices was being transparent and informative. However, a report that does not show how the assessment was made and that, on its face, appears to not address a range of considerations will cause disquiet. The answer is not to cease to be transparent (which would likely be thwarted by the application of freedom of information laws in any event) but rather to record the assessment that was done in a way that shows all relevant matters were taken into consideration and how that consideration was undertaken.

### Assessing the impacts of increased concentration

- 4.36 The Environmental Assessment report included historical flight track data for the period 1 to 7 February 2017. The report did not explain why this week was chosen or whether it represented a typical distribution of flight tracks. Given the seasonal variation in runway usage at Hobart, the inclusion of one summer week and one winter week in the assessment would have more accurately represented Hobart conditions.

- 4.37 What the February 2017 historical tracks did show was a significant spread prior to the implementation of the SIDs and STARs. The effect of concentrating all traffic onto two arrival STARs and two departure SIDs is not addressed in the Environmental Assessment report. However, complaints made by residents indicate that the consistency with which each flight now overflies the same areas is of significant concern to many people. Residents who occasionally experienced one or two flights nearby in a week now experience up to 30 flights a day tracking almost identically over the same areas. This impact is not indicated in the report by any of the criteria being exceeded. This raises the question of whether the criteria used by Airservices are adequate to the task of identifying impact on a community that, in turn, may warrant reconsideration of the flight path design.
- 4.38 The N60/N65/N70 criterion should help to flag potential concerns, but using the cut-off noise level of 60 decibels has proven to be inadequate, given the significant community reaction to the changes in Hobart. The need for an increase of a certain fixed number of flights in a day (as averaged over a year) is also a questionable basis for determining potential significance in some situations. In the case of areas that previously had few or no over flights, particularly in semi-rural settings with low background noise levels, new noise impacts, even if below 60 decibels, may still be potentially significant as an indicator of social impact and which may need consideration under the EPBC Act. The context in which the noise occurs will affect its degree of significance.
- 4.39 Consider the example of the township of Dunalley. The historical track data for the period 1 to 7 February (figure 5 of Airservices' Environmental Assessment report) did not show any tracks directly over the Dunalley township. The closest track during that period was approximately 1.5 kilometres to the west of Dunalley with the remainder being even further to the west. The noise modelling contained in the Environmental Assessment report indicated that the most common aircraft types (A320 and 737-800) on the new flight path would have a forecast noise level of 53 to 58 decibels on approach to runway 30. By comparison, the closest track in the period 1 to 7 February, approximately 1.5 kilometres to the west, would have a forecast noise level of about 43 to 48 decibels (based on a 1,400 metre offset of 10 decibels as determined by values included in *Australian Standard AS 2021-2015 Acoustics – Aircraft noise intrusion – Building siting and construction*<sup>8</sup>). In other words, Dunalley residents would have perhaps heard one aircraft (at about 43 to 48 decibels) in the week 1 to 7 February 2017 with the remainder not likely to be perceivable. This is in stark contrast to the 30 aircraft (at a noise level of up to 58 decibels) that could be experienced on a daily basis when runway 30 was in operation following the changes introduced on 14 September 2017 (and in place until 1 March 2018).

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<sup>8</sup> Available for purchase at <https://infostore.saiglobal.com/en-au/Search/Standard/>

- 4.40 According to the Standards Australia Handbook HB 149:2016 Acoustics-Guidance on producing information on aircraft noise<sup>9</sup>:

*A change of 3 dB(A) is generally regarded as just discernible by humans, 5 dB(A) is regarded as clearly discernible, and 10 dB(A) is generally regarded as leading to the subjective impression of a doubling or halving of loudness.*

- 4.41 Despite this, the Environmental Assessment report made no mention of increased noise levels of 10 decibels (generally perceived as a doubling of the loudness) and a significant increase in the number of flights directly overhead Dunalley, limiting its comment to “noticeable change in tracking of aircraft over Copping and Dunalley”. This is also despite Appendix A of the Environmental Assessment identifying that a change of greater than 5 decibels exceeds the assessment criteria. Instead, the focus seemed only to be on the maximum level being below 60 decibels:

*Analysis for Iplet One Alpha STAR and Clarke One Alpha STAR identify that for newly overflowed areas, noise levels are expected to be below 60dB(A) and will not trigger the thresholds identified in Appendix A. (page 17, Environmental Assessment)*

- 4.42 By this interpretation, even a hundred flights per day concentrated over Dunalley on the new STAR would not have triggered Airservices’ thresholds, yet a reasonable person would certainly consider this to be a significant impact. The Significant Impact Guidelines (see paragraph 4.20 above) advise that:

*... the general test for significance is whether an impact is ‘important, notable or of consequence, having regard to its context or intensity.*

- 4.43 Airservices referred us to the Department of Transport and Regional Services discussion paper on *Expanding Ways to Describe and Assess Aircraft Noise* (2000) and the discussion paper’s statement that “the level of 70 dB(A) has been chosen because it is equivalent to the single event level of 60dB(A) specified in Australian Standard AS2021 as the indoor design sound level for normal domestic areas in dwellings [An external single event noise will be attenuated by approximately 10dB(A) by the fabric of a house with open windows] An internal noise level of 60 dB(A) is the sound pressure level of a noise event that is likely to interfere with conversation or with listening to the radio or the television.” Airservices advised:

*Airservices has therefore adopted the 70dB(A) and 60dB(A) levels as part of its suite of analysis. In our environmental impact assessments, Airservices often references either DoTARS (the Department’s) publication or AS2021 directly, using the same language as the DoTARS publication. It is important to note that we use these as levels to describe aircraft noise impact, not as thresholds for assessment.*

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<sup>9</sup> Available for purchase at <https://infostore.saiglobal.com/en-au/Search/Standard/>



- 4.44 Even where the noise levels do exceed 60 decibels and therefore warrant consideration in terms of Airservices' Assessment Criteria, the numbers seem to be unreasonable. By way of example, the criterion for N60 levels for Rural Residential, is shown in the table below:

	N60	
	Day	Night
<b>Rural Residential</b>		
High level (3) of existing flight (increase)	> 25%	> 10%
Low level (4) of existing flight (total)	33	2

- 4.45 In Airservices' Assessment Criteria a 'High level of existing flight' is defined in footnotes as being an average of greater than 35 flights per day at 60 decibels or more and a 'Low level of existing flight' is defined as being fewer than 35 flights per day at 60 decibels or more. This means that a quiet rural area which currently experiences an average of only two or three flights per day could be affected by change that imposes an additional 30 flights per day and not exceed the criteria as defined (a total of 33). In contrast, a rural area which already has an average of 36 flights per day and is affected by an increase of >25% – that is, just 10 extra flights per day – would be considered to have exceeded the criteria.
- 4.46 The inconsistency that arises from applying total values compared to percentages for the different areas leads to an inconsistent and unhelpful assessment. An area affected by few or no flights will certainly be affected more by a change to up to 33 flights per day than an area already experiencing a relatively high level of overflight.

### Data selection, underlying assumptions and averages

- 4.47 No one can accurately predict the future, and so assessments of a proposal for something new will necessarily be based on assumptions, estimations and generalised models. The soundness of such assumptions will affect the reliability of any findings, and therefore any conclusions reached in the assessment process. A key aspect of Airservices' assessment of the Hobart flight path changes is its use of historical data.
- 4.48 The Environmental Assessment determined that, based on the 2016 calendar year, there were approximately 30 arrivals and 30 departures per day in Hobart, excluding helicopters. Despite this, Airservices chose 3 May 2016 as the 'selected day' for its detailed analysis. 3 May 2016 had 24 arrivals and 23 departures. The reason for choosing this particular date, with aircraft movements 20% below the calculated average and at a time outside the school holiday and peak tourist season, was not explained in the Environmental Assessment report. Airservices advised that:
- 3 May was randomly chosen. Airservices agrees that it would have been preferable to have chosen a day more representative of the average, but it would not have changed the outcome of the EA.*
- 4.49 While in this case the selected date may not have altered the outcome, explicitly documenting any assumptions made and explaining the basis for each assumption will improve the reliability of assessments.



- 4.50 The Environmental Assessment report uses averages to determine the significance of the change. For example the report states:

*For the purposes of this environment assessment, runway distribution is assumed to be an approximate 5:2 ratio. Based on the average of 30 departures per day, this indicates an average of 9 departures from runway 12 and 21 departures from Runway 30 per day.*

- 4.51 While the 5:2 ratio may be appropriate over a 12 month period, it is unlikely that the use of the two runways would consistently result in a 5:2 ratio on any given day. There will be days when, because of the predominant wind conditions, one runway will be used almost exclusively. On these days, the greatest impacts will be experienced by those residents overflown for the whole day. Therefore, assuming 30 departures and not 9 or 21, would provide a more appropriate assessment of the potential impacts on residents.

- 4.52 Throughout the Environmental Assessment an average number of flights per day based on a full year is used to compare with the thresholds listed in the 'Assessment Criteria' to determine 'potential significance', contrary to the Assessment Criteria which states "Traffic numbers based on 90th percentile busy day". Airservices advised that:

*Because of the data limitation we were not able to statistically calculate a 90th percentile day and hence the use of average number of flights*

- 4.53 Again, explicitly documenting any assumptions made and the reasons for each assumption as a basis for the assessment would be beneficial.

## Discussion and recommendations

- 4.54 The Environmental Assessment report did not describe a comprehensive assessment of the potential noise impacts that could arise from the flight path changes proposed. For the reasons outlined above we do not and are not in a position to infer that the assessment actually done was flawed. However, if relying on the report, relevant decision makers would not have been adequately apprised of potential social, reputational, and business risks flowing from the changes. Importantly, the assessment as reported seriously underestimated the potential community reaction to the changes and this contributed to inadequate or flawed community engagement design.
- 4.55 We considered a range of Airservices' documents relating to the design and review of the flight paths. These documents did not indicate that consideration was given to designing the flight paths to minimise the noise impacts on local residents. It was only after the design had been completed that an environmental assessment was undertaken. Despite the Environmental Assessment report identifying new residential areas overflown by the flight path as designed, there is no indication that re-consideration was given to the design to avoid or reduce the noise impacts for new areas.

**Recommendation 1:** Airservices should incorporate consideration of potential noise impacts from the commencement of flight path design and integrate that consideration throughout the design process.

**Recommendation 2:** Airservices should review its environmental assessment criteria to ensure they are appropriate as a quantitative measure for analysis against the EPBC Act requirements and for assessment of social impact.

**Recommendation 3:** Airservices should ensure that its additional analysis of social impact to form part of the Environmental Assessment:

- (a) includes a clearly defined purpose;
- (b) includes explicit commentary on social impact taking into account particular community history, context and sensitivities; and
- (c) incorporates a critically analytical assessment of the potential impact on the community of proposed change referring to both qualitative and quantitative values.

**Recommendation 4:** In undertaking its Environmental Assessments and preparing reports on those assessments, Airservices should:

- (a) ensure that all assessment criteria, for both EPBC Act purposes and for assessment of social impact, are clearly explained in its documentation in a way that makes clear their purpose, whether they are primary or secondary, the assessment methodology, and the consequences that follow if a threshold is exceeded;
- (b) explicitly document any assumptions made and explain the basis for each assumption;
- (c) explicitly document its consideration of change proposals against its stated criteria;
- (d) undertake a more nuanced assessment of whether a change is 'significant' in social impact or under the EPBC Act requirements, taking into account both quantitative and qualitative values so that a non-binary and more informative approach is taken to assessment against criteria; and
- (e) refer to or document all relevant information that forms the basis of its environmental assessment and conclusions in a single explanatory Environmental Assessment report.

## 5 Consultation

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### What is Airservices' stated policy in relation to community consultation?

#### Community Consultation Protocol

- 5.1 Airservices' current policy on community consultation is contained in its *Communication and Consultation Protocol*<sup>10</sup> which is published on its website. We understand that the Protocol is currently under review. However, the current Protocol, dated July 2016, provides in its foreword:

*We are committed to providing information to stakeholders and the community on significant changes that may affect them, and to incorporating feedback into our planning, decision-making and implementation processes.*

- 5.2 After briefly discussing the role of Community Aviation Consultation Groups (CACGs), the Protocol says:

*Although we do not have formal membership of the CACGs, we actively participate in these meetings to engage with the community on issues that might affect them, including changes to procedures.*

- 5.3 Under the heading *When we consult*, the Protocol says:

*Airservices is committed to open and timely communication and consultation. We engage with the community in relation to a range of issues:*

- *services (air traffic control and aviation rescue and fire fighting)*
- *flight path changes, particularly if residents are newly overflowed*
- *airspace design*
- *our infrastructure projects*
- *managing and responding to safety and environmental issues.*

*According to the level of change and likely impact, different forms of communication and consultation activities can be used. Airservices seeks to provide the community and stakeholders with the opportunity to learn and understand how a change may impact them, why it is necessary and to provide an opportunity for feedback, where practicable.*

*We commit to:*

- *listening to the community and stakeholders*
- *acknowledging and considering feedback (noting that some changes are required for safety considerations)*
- *communicating decisions and the reasons for them.*

- 5.4 Under the heading *Our obligations*, after noting legislative requirements for environmental protection and consultation under sections 9(2) and 10 of the *Air Services Act 1995*, the Protocol says:

*Flight route changes or infrastructure projects with safety implications, or those undertaken for national defence or security reasons, may be exempt from these provisions.*

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<sup>10</sup> Available at: <http://www.airservicesaustralia.com/publications/corporate-publications/communication-and-consultation-protocol/>

*Airservices accepts our responsibility to inform the community of the reasons for such changes or projects whenever possible, and to provide an opportunity for feedback on their impact.*

5.5 Under the heading *How we consult*, the Protocol says:

*Airservices adopts a wide range of communication and consultation tools and processes based on individual situations and operational needs. Our consultation may range from one-way communication through to more comprehensive, interactive discussions and participation by stakeholders in the project planning and design process.*

5.6 The Protocol then lists the range of actions Airservices takes when planning for consultation. This list is long and, generally, in accordance with modern principles for engagement design. It includes inviting feedback and considering that feedback before a final decision is made, communicating the decision to key stakeholders and the community and providing balanced information on the potential impacts and benefits of a change. The Protocol also says that consultation will be undertaken in a transparent and accessible manner.

5.7 Finally, the Protocol lists the methods that Airservices may use in its consultation. These include stakeholder correspondence and/or briefings, community aviation consultation groups, information on Airservices' website, press advertising and media releases, direct mailing to residents and information kits.

5.8 Airservices relied on the Hobart CACG to consult with the community on its flight path changes. Airservices has stated publicly on a number of occasions that the CACGs are the primary site of its community consultation. For the following reasons and reasons set out later in this report, that approach is problematic.

### Community Aviation Consultation Groups

5.9 Community Aviation Consultation Groups are established and supported by federally leased airports. Guidelines for their operations have been published by the Department of Infrastructure, Regional Development and Cities. The Guidelines introduce CACGs as “*a mechanism to ensure appropriate community engagement on airport planning and operations.*” Relevantly, the Guidelines provide:

*The intended role of CACGs for leased federal airports is:*

- *to enable airport operators, residents affected by airport operations, local authorities, airport users, and other interested parties to exchange information on issues relating to airport operations and their impacts;*
- *to allow matters to be raised and taken into account by the airport operator, with a genuine desire to resolve issues that may emerge;*
- *to complement and support the consultative requirements already established for Master Plans and Major Development Plans (MDPs); and*
- *to discuss and share information between the airport and the communities affected by its operations and plans.*

*The goal is that an airport's CACG will assist in ensuring discussion on a wide range of matters is well-informed and undertaken in a spirit of collaboration.*

5.10 Later, under Role and Purpose, the Guidelines say:

*CACGs are just one avenue through which matters can be raised and should not replace other forums and complaints handling mechanisms established by the airport operator or other authorities (such as the handling of aircraft noise complaints by Airservices Australia and the Department of Defence). The full suite of consultation mechanisms used by an airport should be commensurate with the relative size and operational complexity of that airport.*

*A CACG is neither an arbitration nor a decision-making body and discussion at CACG meetings should not be allowed to be dominated by a single topic or an individual member.*

5.11 On the issue of membership, the Guidelines encourage membership by:

- *community organisations, resident groups or individuals, ensuring the representation of residents affected by airport development and operations*

5.12 Unfortunately, even the most careful selection of community representatives will not achieve anything approaching representative democracy. CACGs cannot offer reach to all residents potentially affected by Airservices' initiated changes. This is particularly so given the stated purpose of CACGs which centres on "airport operations". They do not always offer an opportunity for affected residents to provide feedback to Airservices on its proposals for change.

5.13 Different CACGs operate in different ways. Not all CACG meetings are publicised. Not all minutes of meetings are published. Not all CACGs publish details of membership so that residents can raise issues to be pursued on their behalf by CACG members. Airservices has no control over CACG Chair or membership appointments. It has no control over venue, scheduling, agenda or process. It is unwise, at best, for Airservices to abandon determination of its own community consultation program by making a forum over which it has so little influence the primary site of its community engagement.

5.14 Airservices has acknowledged that its community consultation in relation to the Hobart flight paths was "inadequate". However, it maintains that it did consult, albeit inadequately, because it presented information to the CACG on two occasions and the CACG is a community engagement forum. This view fails to recognise that, according to modern standards of community engagement, mere provision of information does not amount to consultation. It also suggests a "box-ticking" approach to community consultation that brings with it the danger of continued error and inadequacy. We do not suggest that this view, or Airservices' initial assertions to complainants, media, Councillors and Members of Parliament that it had consulted with the community, are dishonest or intentionally misleading. We accept that Airservices' personnel had a genuine belief that they had in fact consulted with the community by providing information at two CACG meetings. However, we consider that this view was misguided and that it was not just "inadequate" consultation but rather an absence of consultation.

## National Operating Standard

5.15 Airservices' National Operating Standard on Environmental Management of Changes to Aircraft Operations states as its purpose:

*The purpose of this National Operating Standard (NOS) is to prescribe the requirements for environmental impact assessment (EIA) and stakeholder engagement that must be met by Airservices, prior to the implementation of changes to aircraft operations.*

5.16 As to stakeholder engagement, the National Operating Standard says:

*The purpose of stakeholder engagement is to identify, manage and mitigate potential environmental impacts on the community from aircraft changes, particularly with respect to noise.*

*This is predominantly achieved through the development and implementation of a Stakeholder Engagement Strategy (SES), which sets the requirements for communicating Airservices' management of flight path changes.*

5.17 In relation to Stakeholder Engagement Strategy development, the National Operating Standard requires the following outcomes:

- 1. Development of a SES, which reflects the findings of the environmental impact assessment and other considerations relating to impacts to the community;*
- 2. Guidance provided to ANS [Air Navigation Services] Environment and Noise unit regarding the required level of environmental impact analysis (based on any heightened community risks);*
- 3. A community impact risk assessment which is recorded in CIRRIIS [Airservices' risk database] and accepted or rejected by the Accountable ANS Manager;*
- 4. Ultimately a decision by the Accountable ANS Manager regarding whether or not to proceed with implementing the Proposal or whether redesign is necessary.*

5.18 In relation to community consultation, the National Operating Standard requires that community consultation will:

- a. Be targeted to all areas potentially affected by the change;*
- b. Provide justification for the change, explicitly describing how any negatives are balanced by benefits, and on what basis the chosen approach is optimal compared to viable alternatives;*
- c. Describe timeframes for implementation, specific proposed flight paths, and likely noise levels and associated impacts;*
- d. Consider the social, economic and cultural context of the communities being consulted to ensure genuine engagement and accessibility of information.*

5.19 The National Operating Standard also requires that:

*The community shall receive all relevant information relating to a change proposal within a reasonable timeframe, to provide them with the opportunity to effectively give feedback prior to implementation.*



- 5.20 The Protocol and the National Operating Standard, stated in broad terms themselves, are broadly in line with modern approaches to community consultation. It would be advisable for Airservices to develop a more detailed community engagement strategy that: sets out principles for assessment of risk in a way that recognises the interrelationship between the decisions and actions of organisations, stakeholders, communities and individuals; and provides guidance for the design of individual engagement strategies for changes to aircraft operations on the basis of context, scope, people, purpose, goals and influence.
- 5.21 We first sought such a strategy from Airservices in April 2017 after encouraging it, in discussions with the Board and with Airservices' management, to increase its attention on community consultation. A draft Community Engagement Plan was provided to us on 28 August 2017. The document was similar in terms to the Protocol and included a small amount of additional material. We provided extensive comments on the document in a meeting on 14 September 2017 and in writing on 29 September 2017. No further draft has been provided, but we have been advised by Airservices that it will be undertaking a far reaching review of its community engagement approach. At this point, we have not been asked to provide input into that proposed review. Naturally, we are eager to assist Airservices in this project in any way we can.
- 5.22 Importantly, Airservices should comply with its own protocols and operating standards. In the following paragraphs it is evident that, in relation to the Hobart flight path changes, it did not.

### **What was Airservices' community consultation strategy for the Hobart flight path changes?**

- 5.23 In accordance with Airservices' National Operating Standard, Airservices' Stakeholder Engagement Strategy is informed by Airservices' Environmental Assessment.
- 5.24 The Environmental Assessment report for the Hobart flight path changes concluded that:

*The proposed new STARs and SIDs at Hobart Airport are not likely to result in any significant environmental impact within the meaning of the Environment Protection and Biodiversity Conservation Act, 1999 (Cth).*

*The proposed changes may result in a visual change to aircraft tracking and /or noise levels. It is recommended that there be consideration given to establishing a stakeholder engagement strategy to manage any risks associated with the proposed change. Particular note of the changes implemented over Campania and Connellys Marsh should be taken.*

*There are no impacts expected on areas of Natural Environmental Significance, or on sites of cultural and heritage value as a direct result of implementing the proposed flight paths.*

- 5.25 This conclusion makes no mention of impacts on Dunalley or Copping even though the analysis in Table 3 of the Environmental Assessment report (shown below – capitalisation is in the original) makes it clear that these locations, as well as Campania and Connellys Marsh, are all areas that will be 'newly overflown' by the proposed flight paths:

Segment	Description	Procedure Type	Analysis of Segment
<b>3 LALOS-BODOV-KABDI-RWY30</b>	Lateral change to flight path NEWLY OVERFLOWN SEGMENT	STAR	Dunalley at the coastline is 35km from the runway landing threshold and Copping is 44km. As shown in Table 2, the altitude of arriving aircraft and noise levels likely to be below 60dB(A). Noticeable change in tracking of aircraft over Copping and Dunalley
<b>IPLT – DINAR – BODOV – KABDI RWY 30</b>	New STAR segment	STAR	IPLT – DINAR – BODOV – KABDI RWY 30Arrival track joins the 3 LALOS-BODOV-KABDI-RWY30 STAR at Copping which is 44km from the runway. As for 3 LALOS-BODOV-KABDI-RWY30 STAR above, the altitude of arriving aircraft and noise levels likely to be below 60dB(A). Noticeable change in tracking of aircraft over Copping and Dunalley

- 5.26 Even though it is noted that the noise levels would be lower in these locations compared to Connellys Marsh and Campania, the clear assessment is that these areas will be newly overflown. A conclusion that mentioned new over flights might have helped highlight this for those planning the stakeholder engagement.

- 5.27 Similarly, the Noise Analysis at paragraph 7.1 describes the likely effects of the flight paths on all of these townships:

*Analysis for Iplet One Alpha STAR and Clarke One Alpha STAR identify that for newly overflown areas, noise levels are expected to be below 60dB(A) and will not trigger the thresholds identified in Appendix A. Noticeable change in tracking of overflights is likely at Copping and Dunalley.*

*Kanli One SID will result in overflights of newly overflown areas, both from Runway 12 and Runway 30 departure operations. Both paths overfly generally sparsely populated areas however, the town of Campania from Runway 30 and the suburb of Connellys Marsh from Runway 12 will experience noise levels for the larger jets above 60dB(A). At both locations, the average number of flights expected is below the relevant threshold for potential significance. It is likely that an increase in overflights and noise levels will be noticed by residents in both these locations.*

- 5.28 The Assessment Criteria used in the environmental assessment and the ways in which they are applied are discussed in detail at Chapter 4. Generally, the effect, but not the intention, is to minimise the impacts on the community, leading to a failure to identify impacts and to manage potential community reaction. The way the conclusion to the Assessment is drafted also promotes underestimation of those impacts.
- 5.29 In accordance with the National Operating Standard, and with the Environmental Assessment's conclusion, a Stakeholder Engagement Strategy was developed to manage risks associated with the implementation of the flight paths.
- 5.30 The Stakeholder Engagement Strategy sets out its purpose, scope and objectives as follows:

### **Purpose and Scope**

*This document provides the framework for how Airservices will undertake stakeholder engagement and community consultation as a result of a proposal to implement Standard Instrument Departures and Standard Terminal Arrival Routes in the Hobart Airport terminal airspace.*

*It is based on Airservices requirements under the communication and consultation protocol.*

*The proposal is to implement SIDs and STARs as part of the Tasmanian Airspace Review to improve safety and predictability at Hobart and Launceston.*

*The proposed procedures allow aircraft to navigate on predictable FMS managed tracks using performance based navigation (RNP 1), provide separation assurance for air traffic control, and reduce complexity and workload for pilots and air traffic controllers.*

### **Objectives**

*This Stakeholder Engagement Strategy will focus on the following objectives:*

Project objective	Engagement objective
1. Implementation of Hobart SIDs and STARs.	1. Ensure affected stakeholders are aware of the benefits and impacts of SID and STAR implementation in Hobart.

- 5.31 This single objective seeks only to make stakeholders *aware* of the benefits and impacts of the flight path changes. Consultation, that is, the provision of an opportunity to influence a decision, is not mentioned. On that basis, it appears that the sole objective of the Strategy was merely to inform or communicate and not to consult. This is inconsistent with Airservices' Protocol and its National Operating Standard. Indeed, it even contradicts the requirements Airservices holds itself to in the Stakeholder Engagement Strategy itself, as shown on pages 3 and 4:

*According to requirements established by the International Civil Aviation Organisation (ICAO) and Australian Government legislation, Airservices must regard a series of 'relevant considerations' when considering a change to flight paths or aircraft management operations. These are the potential impacts on: **safety** (always the primary consideration), **efficiency** (airports and airlines), the **environment** (noise, emissions and the natural environment) and **consultation** (industry and community).*

*This process may be considered in the following way: after safety has first been assured, judgement about the impact on efficiency and the environment is informed through technical analysis and consultation and as a result an 'on balance' decision can then be made as to whether a change should go ahead.*

- 5.32 The Strategy then goes on to describe the proposed change and summarises the Environmental Assessment. It notes that Campania, Dunalley, Copping and Connellys Marsh will be impacted by the flight path changes.

- 5.33 Under the heading *Project risk and mitigators*, the following appears:

*Risk analysis of proposed change (based on reputational risk)*

Threat	Consequence	Control	Stakeholder and Influence
Not providing sufficient public information about the proposal	Community backlash about the change	Provide clear explanation about the reason for the change and minimal impacts	CACG members, affected MPs and airport

- 5.34 No mention is made of potentially affected residents being stakeholders.

- 5.35 Another concern with the risk analysis in the Stakeholder Engagement Strategy is that the full range of risks is not identified. Rather, risks are limited to “*not providing sufficient public information*” about the change. The Strategy fails to identify the risk of failing to provide sufficient opportunity for community feedback, the consequence of which would have been, and eventually was, twofold: first, community backlash about the change; and second, a missed opportunity to incorporate community feedback to optimise the flight path design.

- 5.36 Under the heading *Stakeholder Consultation* in the Stakeholder Engagement Strategy, the following statement is made:

***Stakeholder Consultation***

*Airservices will seek to make it clear that the implementation of the Hobart SIDs and STARs are to provide improved safety assurance for departing and arriving aircraft at Hobart Airport and will not overfly new residents. There will be greater consistency in aircraft tracking.*

*When Runway 30 is in use:*

*Residents in the Campania area may notice changes and concentration to tracking of departing aircraft, with increased frequency of noise events between 60 and 70 dBA.*

*Residents in the Dunalley and Copping areas may notice a change in tracking for arriving aircraft.*

- 5.37 Again, this statement is about informing rather than consulting. In addition, no mention is made of Runway 12 at all. Disturbingly, it contradicts the Environmental Assessment by stating that Airservices will seek to make it clear that the new flight paths “*will not overfly new residents*”.

- 5.38 The Strategy then moves on to *Key Messages*, as follows:

**Key Messages**

*The proposed Hobart Airport standard arrivals and departures flight paths will provide pilots with improved predictability and fuel management using on board systems, and air traffic control with separation standards built into the airspace design for departing and arriving aircraft. This improves safety by reducing complexity and workload for air traffic controllers and pilots, and reduces fuel burn and emissions.*

*The proposed flight paths **will not overfly new residents**. Aircraft will track with greater consistency and some residents may notice a change in where departing and arriving aircraft are tracking. (emphasis added)*

*Residents in the Campania area may notice changes to, and increased consistency of, departing aircraft tracking. There will be increased frequency of noise events between 60 and 70 dBA over the Campania area.*

*Residents in the Connolly's Marsh area may notice changes to tracking of departing aircraft with noise levels based on the largest jets of between 60 and 70 dBA and an average of 9 departing flights over this area per day.*

*Residents in the Dunalley and Copping areas may notice a change to, and greater consistency of, arriving aircraft tracking.*

- 5.39 The message that “*The proposed flight paths will not overfly new residents*” directly contradicts the clear advice in the Environmental Assessment that there are three segments in the new flight paths that will overfly residential areas that have not previously experienced aircraft overflights. Unfortunately, this key message was incorporated into the specific messages, set out in the Strategy, to be given to the identified stakeholders: airport representatives, one named Federal MP, the Aircraft Noise Ombudsman and the Community Aviation Consultation Group.
- 5.40 If Airservices was relying on the CACG as the forum through which information about the change of flight paths would reach potentially affected members of the Hobart community, a key message that the proposed flight paths will not overfly new residents was unlikely to prompt CACG community representatives to tell residents about the change.
- 5.41 We note that, as one of the identified stakeholders, we received no written communication from Airservices about the changed flight paths prior to or even soon after their implementation. This is so, notwithstanding that a later version of the Stakeholder Engagement Strategy stated that the ANO was advised on 1 September 2017. Airservices advised:
- At the quarterly meeting held on 17 August 2017 between Community Engagement and the ANO team, the flight path changes were discussed and SIDs and STARs were mentioned*
- 5.42 The Minutes of this meeting make no reference to this advice from Airservices and nor do our notes. However, even though we do not recall specific mention of the Hobart flight path change proposal, we do not quibble with Airservices’ recollection. We suggest that, as a matter of good administration, future advice of flight path changes be given in writing or clearly recorded in meeting minutes.



## What consultation did Airservices undertake?

### CACG meetings in June and September 2017

- 5.43 In keeping with the Stakeholder Engagement Strategy, Airservices attended the 7 June meeting of the Hobart CACG and provided information about the new flight paths. The Minutes of the meeting note the following report by Airservices:

#### **Standard Instrument Departures and Arrivals**

*At most major airports aircraft navigate along flight paths which are known as “Standard Instrument Departures” (SID)s and “Standard Arrivals Routes (STAR)s*

- *SIDS and STAR flight paths provide airlines with:*
  - *Improved flight path predictability and fuel management*
  - *Better utilisation of on board technology providing air traffic control with:*
  - *Separation standards built into the airspace design for departing and arriving aircraft*
  - *Reduced complexity and workload*
- ***Provides the community with reduced noise and emissions*** (emphasis added)
- *The proposed flight paths:*
  - ***Will fly over already established paths*** (emphasis added)
  - *Aircraft will track with greater consistency and some residents may notice a change in where departing and arriving aircraft are tracking. Particularly in the Copping and Dunalley areas.*
  - *Residents will not be impacted by increases in noise levels but there may be an increase in some areas in the number of noise events.*
  - *Residents in the Campania area may notice changes to, and increased consistency of, departing aircraft tracking. There will be increased frequency of noise events between 60 and 70 dBA (around 61dBA) over the Campania area.*
  - *Proposed commencement date 14 September 2017.*

- 5.44 The Minutes, which we understand were not sought to be amended, indicate that Airservices represented to the meeting that SID and STAR flight paths provide the community with reduced noise and emissions and that the proposed flight paths “*will fly over already established paths*”. This last statement, following the key message in the Strategy, is at odds with the Environmental Assessment and incorrectly described the proposal to the CACG. Generally, the potential impact of the changes on residents was understated or minimised. It was also difficult to see how the assertion that emissions will be reduced is justified considering Figure 3 in the Environmental Assessment shows that the STAR flight paths will be longer than the most commonly used previous short visual approach. The SIDs also appear to be longer than most of the previously flown departure routes presented in the one week of sample data displayed in this Figure. The Environmental Assessment makes the claim under the heading “*Emissions Analysis*” that:

*There is no material difference anticipated as a result of the proposed flight path change. This is due to minimal change in track miles.*



5.45 However, Airservices gave us this additional information:

*There is an increase in distance flown of 17 nautical miles or 5-6 minutes for flights from Sydney and 20 nautical miles or 6-7 minutes for flights from Melbourne when compared to the previous 'short' visual approaches. There was minimal change in track miles from the previous 'long' RNAV approach.*

*Emissions are not just driven by track miles. The impact of consistent and predictable tracking of aircraft flight management systems is significant. The airspace was designed to reduce or eliminate the need to maintain intermediate altitudes during a climb and descent.*

*Flight Management System (FMS) controlled descent and climb will result in a much greater reduction in emissions than the small increase in emissions from the additional track miles.*

5.46 The Minutes of the 5 September CACG meeting note:

***AirServices update on Flight Path updates:***

- *Paper presented [Airservices Fact Sheet<sup>11</sup>]*
- *Revised Departure and Arrival flight paths from RWY 12 and RWY 30 illustrated*
- *This will provide consistency and **reduce noise footprint** (emphasis added)*
- *All information available on the AsA website*

5.47 The statement that “*this will provide consistency and reduce noise footprint*”, while an accurate reflection of the concentration of noise that occurs with standard arrival and departure paths, promotes the technically correct impression that overall noise impacts will be reduced but fails to note that concentration can create negative impacts for some individuals in the community.

5.48 We understand that Airservices alerted the Mayor of Sorrell, Mr Kerry Vincent, to the meeting because he had not been in attendance at the June meeting when that meeting was informed of the intended flight path changes. In its letter to the Mayor, Airservices wrote:

*With the introduction of these standards some residents will notice a change in where departing and arriving aircraft are tracking. Aircraft will track with greater consistency resulting in an expected decrease in aircraft overflying the Sorrell township.*

The letter failed to mention that other areas within the local government area of Sorrell would have a noticeable increase in aircraft overflying.

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<sup>11</sup> Available at: [http://www.airservicesaustralia.com/wp-content/uploads/17-0087-FAC-Hobart\\_Flight-path-changes.pdf](http://www.airservicesaustralia.com/wp-content/uploads/17-0087-FAC-Hobart_Flight-path-changes.pdf)

- 5.49 We asked Airservices why the stakeholder engagement strategy included the message that no residents will be newly overflowed and why the June Hobart CACG meeting was told the same. Airservices told us:

*While it is acknowledged that overflight of most residents affected by the STAR to Runway 30 prior to the changes was minimal compared to the new flight path, when the stakeholder engagement strategy was prepared this was not understood based on the track data displayed in the environmental assessment. Following the collection of additional track data and further examination of the areas to be affected by the changes, it was identified that some residents may be newly overflowed and the Hobart Airport CACG meeting in September 2017 was updated with information to indicate that additional residents may be affected. The web material was prepared on this basis and did not repeat the statement that no residents would be newly overflowed.*

- 5.50 This explanation is difficult to accept. The Environmental Assessment made it clear that in three sectors of the new flight paths residents would be newly overflowed (see above). The statement that “when the stakeholder strategy was prepared it was not understood based on the track data displayed in the environmental assessment” makes little sense given that the track data displayed in the Environmental Assessment (Figures 3 and 5) shows that for the sampled period there were no flight tracks over the residential areas of Kelleve, Copping and Dunally and that elsewhere in the Environmental Assessment the words “NEWLY OVERFLOWED SEGMENT” or “Newly overflowed area” are prominent in describing the proposed STAR to Runway 30.

- 5.51 We did not only ask about this one STAR. We did not limit the scope of our question because we had noticed the discrepancy in relation to all of the new flight paths that were introduced and which the Environmental Assessment identified as including “newly overflowed areas”. The example of Connellys Marsh is as blatant. The flight tracks in the Environmental Assessment during the sample one week period show just two arrival tracks passing the township of Connellys Marsh 1.5 kilometres to the south-east. The fact sheet presented by Airservices at the September CACG meeting, emailed to MPs and to the Sorrell Mayor, and which is still available on its website, states that:

*Residents in the Connellys Marsh area are currently overflowed, however may notice changes to the tracking of departing aircraft and an increase in the consistency of this tracking.*

- 5.52 When the relevant departure path is in use, residents in the Connellys Marsh will have up to 30 aircraft a day directly overhead in a roughly concentrated flight path. Compared with around two arrival flights per week passing to the south-east, the new flight path will be a significant and noticeable change in aircraft noise impacts, not accurately characterised by the statement that “Residents... may notice changes to the tracking of departing aircraft and an increase in the consistency of this tracking”.

- 5.53 In addition, while the message given to the 5 September CACG meeting may have been altered, Airservices wrote to ten Members of Parliament on 26 September advising that “no new areas will be exposed to aircraft noise as a direct result of the implementation of the changes”, making the same statement as was made to the June CACG meeting. No steps were taken to refer to and correct the incorrect assertion made to the June CACG meeting or, later, to Members of Parliament.

## Airservices' subsequent review and further Stakeholder Engagement Plan

- 5.54 As complaints accumulated and residents began to seek reviews by the ANO, Airservices decided to review the runway 30 STAR flight path. Airservices developed three alternative flight path options to the newly introduced path, developed a new *"Stakeholder Engagement Plan to consult with the communities affected by the Runway 30 STAR"*, and decided to conduct consultation on Friday 10 (with *"three key community representatives"*) and Saturday 11 November (a *"drop in session" consisting of a rolling 10-15 minute overview of the airspace around Hobart, the constraints for flight path design, the acknowledgement that Airservices did not undertake sufficient community consultation in this case"*). The consultation period would be *"open for feedback to midnight Sunday 19 November"*. Airservices advised us that three experts would be available at the drop in session to explain the alternatives, listen to the views of the community and to answer questions.
- 5.55 The new Stakeholder Engagement Plan, commenced to be developed on 26 October and finalised on 10 November lists the community engagement purpose as:
- *Rebuild relationships and inform the community of our process shortcomings on this particular activity*
  - *Acknowledge and listen to the community concerns by providing an opportunity for them to express and explain where they believe there were deficiencies in our processes*
  - *Inform the community of potential alternatives to the current flight path design*
  - *Explain how we arrived at the alternatives and the existing design – pros and cons of each*
  - *Explain the constraints that limit other options*
  - *Correct any misconceptions in the community*
  - *Announce consultation period(s) during which community feedback on the alternatives is sought*
  - *Make it clear that the final decision will be made by Airservices based on safety, efficiency and minimising noise impacts taking into account community feedback*
  - *Undertake to publish a report containing reasons for our final decision within two weeks of end of consultation period(s)*
  - *Explain timeframes for making changes and specific timeframes for alternatives being considered*
  - *Explain that airlines and Hobart Airport are key stakeholders in the process*

- 5.56 The Plan stated that engagement with two discrete community groups would be addressed: those who have experienced the changed arrival flight paths to runway 30; and those who have yet to experience changes associated with the other new flight paths (weather conditions since implementation had not, at the time of the Stakeholder Engagement Plan being developed, necessitated consistent operations to/from runway 12). Two stages of engagement were noted – first in relation to runway 30 STAR, to be completed by 22 November and, second, in relation to runway 30 SID and runway 12 SID/STAR to commence on 1 December and be completed in March 2018. It was noted that both stages align with CACG meetings.
- 5.57 The Plan referred to an attached Environmental Assessment Supplementary Report, completed on 8 November. The Report provides a “full assessment” of Alternative 2, no further assessment of Alternative 1 (the recently introduced flight paths), and an initial assessment of Alternatives 3 and 4.
- 5.58 Airservices also identified some “Key messages to be added” to the Stakeholder Engagement Plan “to reflect the environment assessment findings”, as follows:
- *Alternative 2 reduces the overflight of population and noise levels over most communities including Dunalley, Copping, Bream Creek, Marion Bay and Boomer Bay compared to the existing arrival flight path (Alternative 1). This alternative also most closely replicates the original arrival flight path.*
  - *There are a very small number of residents east of Connellys Marsh and Carlton River and on Smooth Island that will notice increased concentration of overflights and/or changes of tracking as a result of implementing Alternative 2.*
  - *Maximum noise levels for Connellys Marsh according to noise modelling for Alternative 2 will be 34dBA and noise levels for Carlton River residents 38 dBA. Maximum noise levels on Smooth Island are expected to be 61dBA and within 2dBA of existing noise levels.*
  - *Alternative 3 and 4 require regulatory approval for airspace changes which cannot be guaranteed, and additional extensive environmental assessment and community consultation. This would take at least 18 months to complete before a decision could be made on implementation.*
- 5.59 The steps to be taken under Stage 1 of the Stakeholder Engagement Plan were then detailed: individual meetings with community representatives, the community drop in session, presentation of the four alternatives, the CACG meeting on 22 November, web strategy and complaint handling. The aims and steps to be taken in relation to all of these activities centre on “explaining” to the community and to individuals, “presenting” the alternatives and “discussing” the pros and cons of each. In relation to meetings with key community representatives and the community “drop in”, the aims are also stated as “answer questions, allow residents to have a say, acknowledge/own deficiencies”. No mention was made of recording what residents might have to say or what might be done with the feedback received. However, in a list of *Key community engagement actions and responsibilities*, the Plan notes that the NCIS (Noise Complaints and Information Service) Manager will “(e)stablish process, receive, record and acknowledge community feedback during consultation period”.

- 5.60 As to what would be done with the feedback received from the community after the community has had its say, the following appears under the heading *Decision Process*:
- *The community consultation period will be open from 11 to 19 November inclusive*
  - *Feedback will be assessed and final decision on the flight path made 20-21 November 2017.*
  - *Community representatives and community members who submitted complaints or provided input through the consultation process will be advised individually about the final decision on 22 November 2017.*
  - *The CACG will be advised of the final decision at the CACG meeting on 22 November 2017. This enables progression of any change as soon as possible after that on the basis of the heightened level of community concern.*
  - *The final decision will be placed on the Airservices website on 23 November.*
- 5.61 Beyond noting that feedback “*will be assessed and a final decision made*” in the space of just two days, no detail was provided about how or by whom the feedback will be considered. An objective observer might gain the impression that the feedback received and considered in just two business days might have little influence on the final decision.

#### Drop in session on 11 November 2017

- 5.62 According to the Stakeholder Engagement Plan, details for the drop in session were to be:
- *Community members of Dunalley, Copping, Kelleve and nearby areas.*
  - *Encourage attendees to pre-register in advance (given there will be venue capacity limits and we need to maintain control of numbers and know who is there) via Airservices website.*
  - *all complainants to NCIS can be informed via a bulk email*
  - *details to be published on web, and subject to the agreement of key community representatives, arrange for posters to be positioned in the community.*
- 5.63 The venue was to be Dunalley Community Hall or Public School. Airservices also advised us that it had produced “*a flyer advertising the community consultation and the link to the information on our website*”. When asked how this flyer would be disseminated, Airservices advised on 9 November (two days prior to the event) that copies had been placed at the Dunalley Community Centre, and sent to local MPs and Council offices. Some residents had been approached and asked to circulate copies of the flyer, but they had declined the request. We note that a copy was published on the ‘*Just Plane Wrong*’ community webpage.
- 5.64 Given the proposed alternatives, especially Alternative 2 which would overfly new residential areas, it is surprising that efforts were not made to engage with residents who might be negatively affected by Alternative 2. To seek feedback only from residents of areas most likely to benefit from the change would provide an unbalanced reflection of community sentiment about Alternative 2.
- 5.65 Some residents from potentially disadvantaged areas did find out about the drop in session and told us that they felt the consultation process was disingenuous.



- 5.66 Residents advised us that they were upset that the drop in session was scheduled for 11.00 am on Remembrance Day and were only slightly comforted by Airservices rescheduling the meeting to start at 11.15 am instead and extending it to finish at 3.00 pm instead of at 1.00 pm. Residents were also upset that they were given at most only seven days' notice of the meeting (based on the date advice of the meeting appeared on Airservices' website and the date of emails sent to residents who had lodged complaints) and, as a result, many were unable to attend. Many residents learned of the drop in session just a few days before the scheduled date.
- 5.67 A number of residents described the drop in session as "chaotic", held in a community hall that was too small for the number that attended, that it was emotionally charged and that Airservices took no notes of points and suggestions made by residents. Residents were also concerned that Airservices did not make the details of its alternative flight paths available to them before the drop in session. Residents said this meant they could not attend the drop in session with considered questions or suggestions. Residents also told us they were concerned at having to speak and listen to Airservices representatives separately, in the "rolling" presentation provided to only 10 residents at a time behind a closed door and in individual conversations with Airservices' experts. They said they would have preferred to hear each other's questions and the answers Airservices gave to those questions.
- 5.68 Residents also told us that, by meeting privately with selected community representatives on the day prior to the drop in session one community member had been alienated from the rest of the community because he was a particular supporter of Alternative 2 which had particular advantages for him. In this way, the residents said, the private meetings were divisive and fractured an already strained community struggling to recover after the devastating bushfires of 2013. Airservices advised that it had arranged the private meetings with three community members (two of whom elected to meet with Airservices together) for the following reasons:

*The intended purpose of the prior meetings with the community leaders was to ensure that those leaders were prepared in advance for the content that was to be presented the following day in case residents looked to them for information. This approach is based on advice from the former ANO who strongly recommended Airservices meet with community leaders (even if self declared) and key agitators prior to broader community meetings (also reflected at recommendation 23 of the Investigation into Complaints about the Perth Noise Improvement Proposals November 2015).*

That recommendation stated:

*Recommendation 23. As far as practical, Airservices should make direct contact with community leaders prior to public announcements about issues that affect the community to help ensure that consistent information is passed on to residents.*

- 5.69 While the consultation drop in session was not a public announcement of the kind that prompted the recommendation in the Perth Report, it is positive that Airservices sought to follow the Ombudsman's previous recommendation. However, in this instance, the execution of the direct contact caused unintended disquiet in two of the three people concerned. As for all community engagement design, context is a key element and all actions should be considered in the particular circumstances. This is a careful judgement to be made in each case.



- 5.70 Airservices gave us as its reason for holding the drop in session at such short notice a need to present a final decision on the flight paths to the next CACG meeting, scheduled for 22 November. It also said later in its report released on 24 November that it was responding to the community's desire for a speedy resolution of the matter. This very short notice, the short period allowed for community feedback and giving itself just two business days to assess feedback and reach a decision after the feedback period had closed, led to many residents objecting to what appeared to them to be a rushed and token process. A number also considered that Airservices had already made a decision about the flight paths and which of the alternatives it would adopt well before the drop in session was held. Airservices explained:

*The need to present to the CACG on 22 November was integrally linked to the speedy resolution of the matter, noting that unless the change was presented to the November CACG, aeronautical publication lead times meant that it would not have been possible to introduce any changes in the March.*

- 5.71 Airservices has acknowledged that the short timeframes were not ideal but maintains that the alternative was that any noise improvement would not have been possible until June 2018.

- 5.72 A number of residents also considered that Airservices had already made a decision about the flight paths and which of the alternatives it would adopt well before the drop in session was held. In this respect, many residents pointed to the range of alternatives themselves. They noted that the first alternative offered (Alternative 1) was merely the status quo, which was the cause of much of the community concern in the first place; the next alternative (Alternative 2) appeared to amount to a minor amendment of Alternative 1; and Alternatives 3 and 4, both of which depended on CASA agreeing to extend controlled airspace and both of which would likely take 18 months to obtain approval for, were of no immediate comfort to residents. Residents considered this amounted, in real terms, to only one alternative being offered, that is, Alternative 2, and that the other alternatives were mere window dressing. This impression was underlined by some of the feedback forms offered to residents at the drop in session seeking residents' preferences and comments only on Alternatives 1 and 2. We understand from Airservices that this was an earlier version of the final hard copy form, which did not limit feedback to Alternatives 1 and 2. Airservices said it was used, together with the later version of the form, in error.

- 5.73 Airservices insists that no decision was made prior to the consultation. It advised:

*In terms of the range of options presented to the community, Airservices accepts that they were very limited, but we presented the best range of valid options that we could identify. In developing option 2, Airservices looked very closely at all options that might be possible, within the regulatory and safety constraints of flight path procedures design. Option 2 was the result of this detailed review. No other valid options that could be implemented in the short term were identified, or they would have been presented to the community.*

*During this review, Options 3 and 4 were also identified as potential by Airservices, but not possible in the short term due to airspace change requirements. Rather than being discarded and not presented to the community as options, they were presented to residents as possible long term options, in the interests of transparency for when residents were considering options 1 and 2.*

- 5.74 What appeared to residents as manipulation by Airservices was, rather, an attempt to provide options (or alternatives) as a vehicle or framework for consultation. However, the options presented by Airservices might have been better cast as “short term” or “long term” options – or not as options at all. This is because Airservices had formed the view, reproduced above, that “No other valid options that could be implemented in the short term (besides option 1) were identified, or they would have been presented to the community” and options 3 and 4 were not possible in the short term. Option 1 was the then status quo – and the subject of much of the community’s upset. On that basis, the only short term alternative offered to the community was option 2. The community, as Airservices has acknowledged, wanted an immediate solution and that made options 3 and 4 unlikely to be acceptable to most. Although not the intention of Airservices, this effectively gave the community only one real option in Airservices’ consultation framework. This was a flaw in the way alternatives were presented and characterised as alternatives rather than an attempt at manipulation or predetermination. However, the effect was to make the community feel manipulated or forced into what appeared to them to be a preferred outcome which, on Airservices’ own advice of its view, was the only “valid option” that could be implemented in the short term.
- 5.75 Residents were concerned that, at the drop in session rolling presentation, they were told that the previous flight paths could not be reinstated because the “beacon” had been removed. We understand this was a reference to the VOR/DME ground based navigation aid. Residents said this was the first time this had been mentioned to them – even though many residents had lodged formal complaints with Airservices and received responses. They took the view that “first they tell us they can’t return to the old flight path because of safety; now they’re telling us it’s because of a beacon”. While it may be that both reasons are relevant, it may also be that Airservices’ presentation of its reasons for the changes, and the progressive timing of that presentation, created confusion and distrust.
- 5.76 Residents were also concerned that the map used to represent the original flight paths, and to support the argument by Airservices that Alternative 2 approximates the original flight path, showed only the RNAV approaches and not the VOR or visual approaches. Residents maintained that most of the approaches, being visual approaches, took a very different path to the RNAV approach prior to the changes. When we inquired of Airservices as to the proportions of these different approaches to runway 30, we were advised that, during the period 14 August to 13 September 2017, 384 (63.6%) were visual approaches, 161 (26.7%) were RNAV and 59 (9.7%) were VOR. Clearly, the RNAV approach used in the map provided by Airservices was not the approach used by the majority of flights in the period prior to the change.
- 5.77 The following images illustrate the significant differences between the visual approach path, used in almost two thirds of arrivals (during the one month period displayed), the VOR approach and the RNAV approach to which Airservices favourably compared Alternative 2. The caption reads “*Comparison of Alternative 2 with flight tracks pre 14 September 2017*”, without clarifying that these are just a minority of the actual flight tracks from prior to the change.



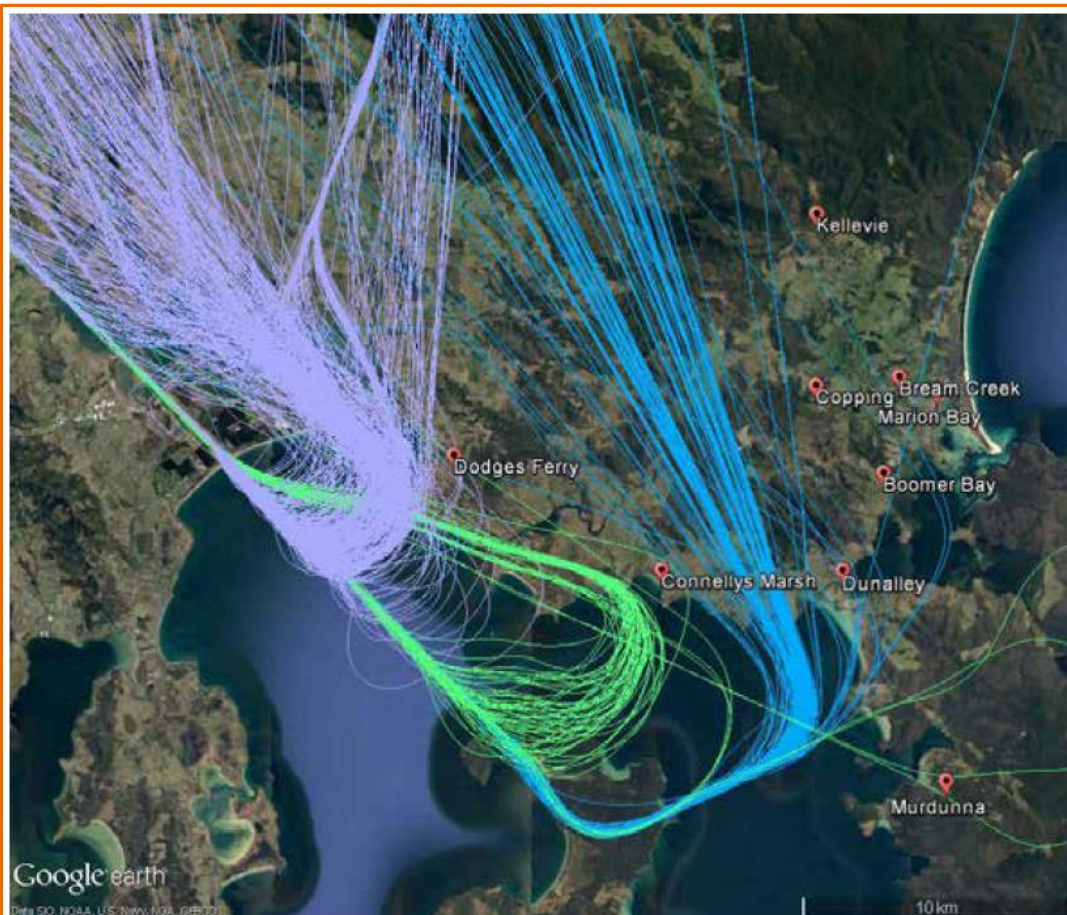


Figure 1 – Arriving aircraft to Runway 30, 14 August - 13 September 2017 (pre-change). VOR approach (blue), RNAV approach (green), visual approach (blue), visual approach (lavender)

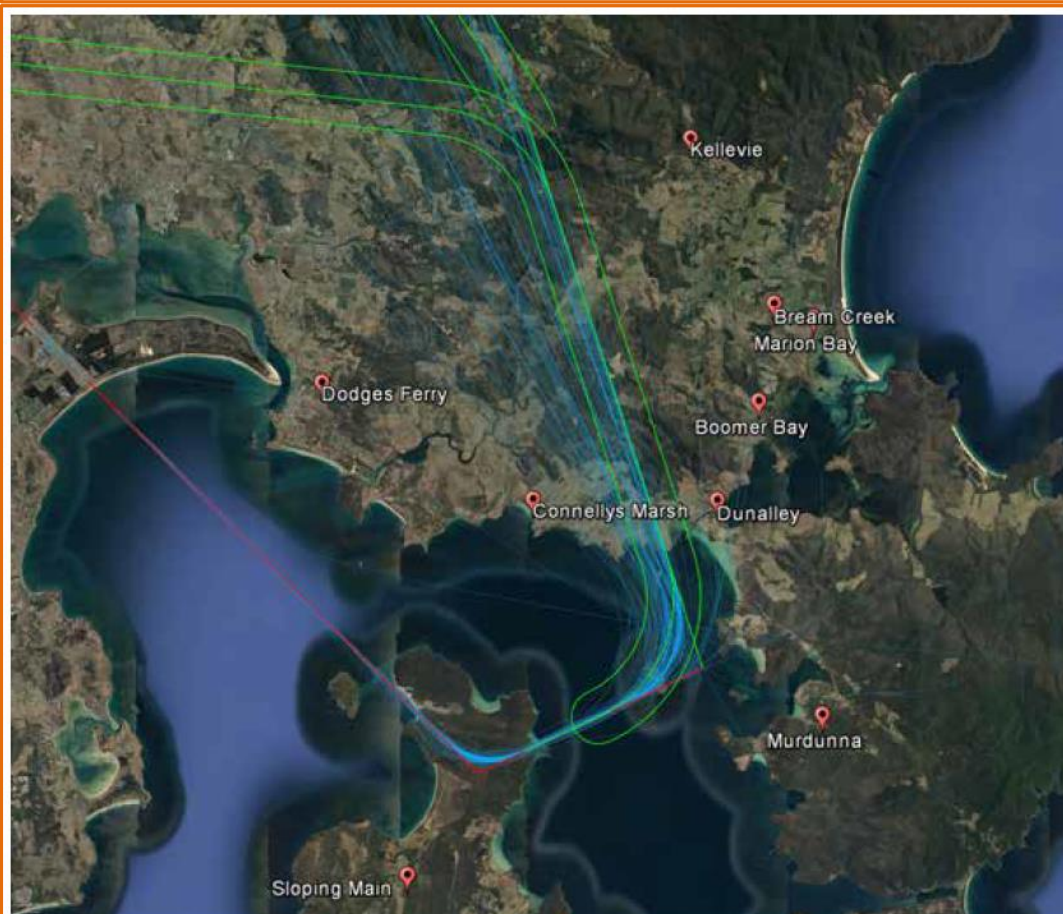


Figure 3: Comparison of Alternative 2 with flight tracks pre 14 September 2017. The blue tracks are actual aircraft tracks before the change was made on 14 September 2017. Alternative 2 is shown in green.





- 5.81 We asked Airservices to respond to residents' criticism that no notes were taken of residents' feedback at the drop in session. Airservices advised:

*All team members listened to and remembered the concerns raised. These concerns reflected those that had already been submitted via the complaints process. All attendees were encouraged to provide formal written feedback using the forms on the day or online during the consultation period. It was explained that this was a formal consultation process and feedback was required in writing, as it would be for similar undertakings such as consultation on a development proposal, for example.*

*Feedback provided in writing was later transcribed and recorded in the NCMS (Noise Complaint Management System). Feedback provided online was automatically injected into the NCMS. The feedback coupled with the complaints already lodged accorded with the concerns expressed at the event.*

- 5.82 Residents were also concerned that Airservices representatives appeared to be unaware of the community's circumstances and recent history. In particular, Airservices appeared to the residents to be unaware that many of the areas affected by the changes were in the path of the 2012/2013 bushfires that ravaged the economic and social infrastructure of various parts of the broader Hobart community. A number of these towns are semi-rural, situated on or near the south east coast of Tasmania and characterised generally as "peaceful" and "tranquil". The people who live there are a diverse mix of long-time residents whose family homes have been passed on through generations, settlers who have established homes and businesses in the area and more recent arrivals, many of whom have chosen the quiet of south eastern Tasmania over urban life. Some residents are still actively engaged in rebuilding the area in the aftermath of the 2013 fires. This effort was documented recently by the ABC television program "Back Roads" which aired on 4 December 2017. As noted by the Manager of the Dunalley Tasman Neighbourhood House, many of these people suffered the trauma of the bushfires and a new incursion into the peace of their community has the potential to, for some, re-traumatise.
- 5.83 No doubt other communities that have been or will be affected by the flight path changes will have borne the brunt of particular challenges and those may also include bushfires or other natural or economic disasters. We note, for example, that Forcett, which is affected by the Runway 12 SID and may be further impacted by the Runway 30 STAR that commenced on 1 March, experienced bushfires in late 2012. Cambridge and Richmond, both affected by the new Runway 30 SID, were threatened by bushfires in Risdon Vale. The point is that consideration of the likely effect of a flight path change on a community and appropriate engagement and consultation with a community requires knowledge of that community's context – including its recent history. Information of this type is not difficult to obtain from internet based depositories or from local government.

5.84 Modern standards of community engagement require understanding context as one of the essential elements that should form the platform for the design of an engagement process. Airservices has expressed concern that there are “inherent complexities” in “considering bushfires and other natural or economic disasters” in its decision-making and community consultation. We do not consider there is cause for concern or inherent complexity in taking into account the context, including recent significant history, of an affected or potentially affected community so as to better understand the potential impacts on that community and the community’s likely reaction to those impacts. Rather, a broad understanding of context will better equip Airservices to engage effectively. Knowing something of the context of an affected community will promote more effective communication and make for better engagement design. It also shows respect for the community. We also note that this is consistent with Airservices’ own National Operating Standard which requires it to “consider the social, economic and cultural context of the communities being consulted”.

### CACG Meeting on 22 November 2017

5.85 At the CACG meeting on 22 November, approximately six representatives of affected communities (in addition to the “community” members of the CACG) attended the Airservices report part of the meeting. Airservices was represented, in relation to the flight path changes and noise issues, by three Airservices staff. A presentation was given in which the following points were presented with PowerPoint:

- *Community preference is to revert to the pre 14 September flight paths.*
- *This is not possible as the navigation beacon has been relocated and only forms part of the backup navigation network when re-commissioned.*
- *Alternative 2 will provide an improved community outcome in the shortest timeframe possible.*
- *Airservices intent is to implement Alternative 2 as soon as practicable with the earliest possible implementation date 1 March.*
- *Further review of SIDs and STARs at Hobart including Alternatives 3 and 4 will commence in February 2018.*
- *Airservices will engage with the community during the review.*

5.86 We inquired of Airservices why, following criticism by residents of the use of a map that showed only RNAV approaches, the same map showing only RNAV approaches was used in the presentation to the CACG with the same argument that Alternative 2 closely resembles the original flight path. Airservices’ response was:

*The image shows that Alternative 2 is similar to the pre-September **long** approach. This was made clear in the Review Report which also contained a full explanation and image of the three types of approaches in use prior to 14 September 2017. Different approach types are complex matters to explain, and as the allocated time for the CACG presentation was limited it was decided not to go into the level of detail that was available in the report.*



- 5.87 But we note that this RNAV only map was also presented, without additional images depicting the visual and VOR approaches, on Airservices' website and also featured in its Handout supplied to attendees at the 11 November drop in session. This Handout was the "take home" for residents to consider when formulating their feedback on the Alternatives, and particularly Alternative 2, during the limited feedback response period. The availability for viewing of the various approaches on Google Earth displays at the drop in session may not have impacted on the impression left by the RNAV approach only map provided in the hard copy material residents were given by Airservices. Using the same map in Airservices' presentation to the 22 November CACG meeting, before the report had been published and despite Airservices having been alerted to concerns about this representation, further damaged Airservices' standing and trustworthiness with the residents present.
- 5.88 When the decision to adopt Alternative 2 was announced by Airservices at the CACG meeting, the attending affected community representatives asked a number of questions of the senior Airservices representative. Overall, the affected community representatives' questions were intelligent and pointed, canvassing matters such as the RNAV flights map of the original flight path that was presented by Airservices on its website and at the drop in session as a comparator with Alternative 2, whether the RNAV can be moved and why the original flight paths cannot be reinstated. Airservices advised us that it considered many of the questions to be aggressive, inflammatory and repetitive. We considered the questions were sometimes heated but that this was to be expected, given the concerns expressed by the community in complaints and feedback. At one point in the CACG meeting, media entered the room and proceeded to film. It was suggested to the Senior Airservices representative that Airservices could meet with the affected community representatives in a nearby room. Airservices advised it was prepared for the media presence, but was not advised of an expectation that representatives would meet with residents outside the CACG meeting. This absence of influence over process, agenda and parameters for engagement further illustrated the perils of using a CACG as the primary vehicle for community engagement.
- 5.89 The Minutes of the 22 November CACG meeting record:
- Airservices Updates - Report on changes implemented by Airservices to flight paths at Hobart Airport on 14 September 2017***
- *Report can be found at <http://www.airservicesaustralia.com/projects/flight-path-changes/hobart-airport-standard-arrivals-and-departures/> then click on Review of arrival flight path to Hobart Airport.*
  - *Airservices acknowledged that the community consultation carried out was grossly inadequate and that Airservices had significantly underestimated the impact.*
  - *The change in flight paths has not been well received by local residents, including those in attendance:*
    - *extreme disappointment expressed with regard to lack of community consultation by Airservices;*
    - *residents angered by lack of transparency and engagement; and*
    - *the general feeling that the decision has caused severe impact and severe damage to the local community and tourism development opportunities.*

- *Airservices requested to table the Airservices Environmental Assessment, which some residents believe is misleading with regard to no new flyover areas.*
- *Community desire to revert to pre 14/9 flight path.*
  - *Airservices advised reversion was not possible as the Standard Instrument Departure (SID) or Standard Instrument Arrival Route (STAR) are to be used rather than visual approaches*
  - *Airservices requested to move Required Area Navigation (RNAV) further south to eliminate noise level issues.*
  - *Airservices advised that aircraft and passenger safety is the primary objective.*
  - *The RNAV is designed to the International Standard, to which Australia has subscribed.*
  - *Airservices has the ability to move the RNAV but the relevant standards must be met.*
  - *Airservices will review SIDs and STARs but no immediate change to the flight path is possible.*
  - *Report on review will be released 24 November 2017.*
  - *Earliest possible implementation of the alternative flight path (Alternative 2) is March 2018.*
  - *Reviews of Alternatives 3 & 4 will commence March / April 2018.*
  - *Commitment from ASA to engage with affected communities during March / April review.*
- *A community member observer tabled the Airservices 'Stakeholder Engagement Strategy' and noted that it is inconsistent with the CACG minutes regarding the change in flight paths. He requested Airservices to acknowledge that the information previously provided to the CACG was incorrect.*
  - *Airservices refused to provide that acknowledgement.*
- *A community member observer asked Airservices why it considered the area under the new flight paths to be vacant rural land when over 1000 people live there.*
  - *Airservices did not answer the question but acknowledged the community engagement had been inadequate.*
- *A community member observer asked Airservices why Alternative 2 was being implemented without appropriate environmental assessment.*
  - *Airservices confirmed that the flight path was being moved in response to community concerns, that an environmental assessment had been carried out and that an Environmental Impact Statement was not required.*
- *Further comments were received:*
  - *A community member observer noted that he had just commenced a new business in an area affected by the change in flight paths and would not have done so if Airservices had consulted properly and provided prior notice of the change.*
  - *A community member observer noted that the impact of the change in flight paths was particularly harsh on the area given it was only just recovering from the 2013 bushfires.*
  - *A community member observer noted that the harm caused by Airservices failure to adequately consult with the community needed to be rectified.*

- *[Redacted] commented that in [their] experience it is possible to operate a successful tourism venture within a flight path area, and that over time most people would become used to the aircraft noise.*
- *Residents from Dunalley noted that tourism in their area relied on its pristine and quiet environment.*
- *The Chair noticed that this agenda item conversation was being video-recorded by a local resident without permission and instructed the person to stop immediately.*
  - *The local resident confirmed he had stopped recording and would delete any recording already on his phone*
- *Comments and responses noted by the Chair as being delivered and received. With no further information left to be presented by the parties, the Agenda item was concluded after approximately 35 minutes and the observers left the meeting.*

### **Airservices' Report of 24 November 2017**

- 5.90 Airservices' report on its decision to implement Alternative 2 was published late on Friday 24 November. The Report is well written and gives the most thorough explanation so far of the range of approaches into Hobart Airport and the reasons for the flight path changes. It acknowledges that *"adequate consultation on the changes to the new STAR flight path to Runway 30 had not occurred"*. We consider it unfortunate that Airservices consistently refers to *"inadequate consultation"*. For the reasons set out at paragraph 5.26 we consider that there had, in effect, been no consultation with the community before the changes were implemented. We accept that Airservices takes a different view and that this view is honestly held. However, repeated references to *"inadequate consultation"* further annoy a community that considers that it was not consulted at all before the flight path changes were implemented.
- 5.91 The report explains, in clear and comprehensible detail, the differences between the VOR approach, the visual approach and the RNAV instrument approach paths that existed before the 14 September changes were made. The quality of this information far exceeds any previously given to the community. The report also explains, in greater detail than previously, the connections between standardisation of flight paths and safety by explaining the interconnections between predictability, efficiency, stability and, ultimately, safety. This clarity and comprehensible detail is positive. However, it should have been made available to the community from the outset. Failing that, it should have been made available to the community as part of the targeted consultation process on alternatives to the runway 30 STAR.
- 5.92 In relation to consultation on the new flight paths, the report said:
- Airports around the country have established CACGs as a key consultation forum for community representatives to come together with airports and relevant federal and state government agencies to discuss a range of airport related issues, including proposed airport construction and flight path changes. CACGs are therefore the primary community forum Airservices utilises when proposing flight path changes. Airservices recognises that these groups do not always contain representatives from every affected area and Airservices acknowledges that consultation in this instance was not adequate to ensure that community members were aware of the proposed change.*

5.93 It would be very hard to find a Community Aviation Consultation Group that does “*contain representatives from every affected area*”. Airservices’ continued reliance on CACGs as “*the primary community forum Airservices utilises when proposing flight path changes*” misapprehends these groups as constituting some form of representational democracy. That is not the purpose of CACGs and individuals appointed to CACGs are under no duty to report back to their communities on information obtained at CACG meetings. In any event, as noted above, mere announcement of a proposed flight path change as a *fait accompli*, required for safety reasons and asserting reduced noise and emissions, does not amount to consultation.

5.94 In relation to the timing of the targeted community consultation on alternatives to the runway 30 STAR, the report said:

*After the flight path review and the community consultation session in November was announced, concerns were raised about the ensuing process and/or timeline by 10 residents. The objective of the consultation session was to explain the constraints that existed and what solutions could be offered so that the community could then provide informed feedback in writing about their preferred alternative. Airservices approach to the consultation session was to offer small groups an introduction followed by the opportunity to ask subject matter experts specific questions about the alternative flight paths that had been identified. This approach allowed many people to personally express their views, ask questions and explore alternatives, something that could not have been achieved in a larger forum-style meeting.*

and

*Airservices procedures require any flight path change to be consulted through the relevant Community Aviation Consultation Group. In this case, the Hobart Community Aviation Consultation Group (CACG) was 22 November 2017. Airservices aimed to present any proposed change at the November meeting so that it could be implemented in March 2018. The next meeting is scheduled in March 2018, which would have delayed implementation until the second half of 2018.*

5.95 While responsiveness to community desire for an urgent solution is positive, the negative effect of a rushed consultation process cannot be overestimated. Many people in the community expressed their concern that they felt unable to contribute in an informed way, felt railroaded into choosing a predetermined Airservices preferred alternative and had inadequate time and information to fully understand, consider and communicate with each other about the best solution.

5.96 Airservices’ assertion that its own procedures require any flight path change to be “*consulted through the relevant CACG*” is not supported by the documentation we considered during our investigation. Airservices’ National Operating Standard states:

1. *SES implementation methodology will vary in each case (targeted to the particular Proposal) but, as a minimum shall include:*

a. *Information provided and/or a presentation to relevant community groups and bodies (e.g. Airport Community Aviation Consultation Groups – CACGs) where the proposed change is communicated (see specific requirements in 2 below)*

...

2. *Community consultation under the SES shall:*

a. *Be targeted to all areas potentially affected by the change...*

- 5.97 Airservices' *Communication and Consultation Protocol*, while referring to CACGs as one of the potential methods for Airservices' consultation, does not specifically require that any flight path change must be consulted through the relevant CACG, noting rather that "*consultation will be tailored using some or all of the following methods...*" and also noting CACGs' limitations:

*They [CACGs] also provide an opportunity for communication and consultation, although they may not be public forums.*

- 5.98 Given that there are established CACGs or similar forums at many airports, it would usually be appropriate for these groups to be included in the list of stakeholders to be consulted about upcoming potential flight path changes. However, a policy or procedural requirement that is inflexibly constrained to consulting with the relevant CACG on any flight path change would be misguided, given the role of the CACGs, and certainly restrictive if Airservices considers its decision-making must be constrained by CACG meeting schedules. We understand that Airservices made no request for an extraordinary Hobart CACG meeting or for out of session consideration of the new proposal. This further illustrates the disadvantages of dependence on a forum external to Airservices, and beyond its control, as the primary site for community consultation.

- 5.99 In addition, Airservices seems to imply that its own policy to 'consult' the CACG would be fulfilled if it merely "*present[s] any proposed change at the November meeting so that it could be implemented*". This suggests that there was no potential for the CACG to discuss and explore alternatives or offer any feedback – the meeting was simply to be advised of a decision already made. This is not consultation. A policy to simply inform the CACG of a decision made could be achieved by a letter to the CACG Chair with a request that the information be circulated to the membership.

- 5.100 The report then summarised the written feedback given by the community following the community drop-in session, noting that the majority wanted reversion to the original flight paths pending thorough consultation. It reported that 12 people wanted Alternative 2 pending further consultation, and noted that "*some of these cited it a second preference to reverting to the old flight paths. Others suggested using Alternative 2 as a temporary measure*". A range of other suggestions were also made.

- 5.101 The report then stated that 14 people supported Alternative 3 and that little written comment was received on Alternative 4. The report also states that "*Residents sought solutions that would mitigate the effect of concentration*", without identifying how many people expressed this view.

- 5.102 The report concluded:

*The view put most frequently in the community feedback was that the flight path should revert to the pre-14 September structure and the design process should start again. As discussed at 5.2.1, Airservices is unable to offer this solution.*

*There was no consensus on the flight path alternatives. Of those respondents who did nominate a preference, Alternative 2 was generally preferred in conjunction with a longer term review.*



*Based on the feedback received and noting the constraints that exist, Airservices will implement Alternative 2 as soon as possible. This will see aircraft move further away and provide an improved noise outcome for some existing affected areas starting from Kellevie in the north to Dunalley in the south. The alternative flight path is now as closely aligned to the original flight path as possible while still achieving the safety outcome.*

*This implementation is planned to be completed in March 2018 due to the requirement to publish the procedure in aeronautical documentation and provide airlines with sufficient time to program it into their flight management systems.*

*In response to community feedback for a longer consultation process, Airservices will also undertake a further review of the Hobart STARs and SIDs. A terms of reference will be published by the end of January 2018. Airservices will be consulting closely with the community and other stakeholders throughout the review process, which is expected to take approximately twelve to eighteen months to complete.*

- 5.103 Airservices' statement that "Of those respondents who did nominate a preference, Alternative 2 was generally preferred in conjunction with a longer term review" conflicts with its own reported data to the effect that 14 people favoured Alternative 3 and 12 favoured Alternative 2. We did not understand the reason for this discrepancy. Airservices further advised:

*Some respondents are classified in two or more categories due to expressing a preference for a hierarchy of options. Of the 14 who preferred Alternative 3, some wanted it only if it was moved further south. In addition, some people who preferred Alternative 3 overall also recognised that due to its long-term and uncertain nature, Alternative 2 was a better option in the short-term prompting our statement: 'Others suggested using Alternative 2 as a temporary measure'.*

- 5.104 Airservices' recognition of the community's desire for thorough and considered consultation is positive. However, we understand there was no community input into the terms of reference for the longer term Review of Hobart STARs and SIDs. We consider this a mistake, particularly in circumstances where Airservices has already lost so much of the community's confidence and trust. By not obtaining the views of the community when settling the terms of reference of the further review, Airservices wasted an opportunity to ensure that the review will be appropriately comprehensive and to take a step towards regaining the trust of the community.

### **What incorrect information did Airservices provide about its community consultation about the Hobart flight path changes?**

- 5.105 Initially, on receiving complaints about the new flight paths, Airservices maintained, in responses to complaints, in a radio interview, and in representations to Councillors and MPs, that it had consulted with the community. It repeated this statement many times, even in the face of complaints from residents who said they had received no notice at all about the flight path changes. We acknowledge Airservices' view that by providing information to two CACG meetings it had consulted with the community. We understand this to be an honestly held view. For the reasons outlined earlier in this report we consider that view to be incorrect.



- 5.106 Once the decision to review the flight path changes had been made, Airservices referred to its “*inadequate consultation*” and continues to do so. Again, we appreciate this to be Airservices’ genuine understanding. There was an announcement to a limited untargeted group (the CACG) and feedback was neither sought nor received from that group. There was neither consultation with nor informing of affected residents. To describe this as “*inadequate consultation*” runs the risk of further offending the community.
- 5.107 Airservices has also failed to acknowledge or correct its statements that no residents would be newly overflowed and that its Alternative 2 compares favourably to the original flight path by characterising the RNAV approach as the effective original flight path. These matters are widely recognised amongst residents. While there is no evidence that these statements were calculated to mislead, Airservices does nothing to regain the trust of the community when it fails to address these matters.

### How has Airservices responded to criticisms of its Hobart actions?

- 5.108 The terms of reference for Airservices’ Hobart SIDs and STARs Review were published on its website on 31 January 2018. Neither complainants nor the ANO were alerted to these by Airservices. This was a disappointing failure to show consideration and regard for people who have made their concerns about and interest in the Review clear. It also fails to meet commitments made in correspondence with complainants, who had been advised various versions of the following intention:

*The Noise Complaints and Information Service will contact you with updates whenever we have new information to share with you regarding the review. [from an email to a complainant on 22 Jan 2017]*

- 5.109 The terms of reference for the Review are:

*Within the operational requirements and constraints at Hobart Airport, Airservices will review the design of the SIDs and STARs for runway 12 and runway 30 in accordance with the following terms of reference:*

*The Hobart Airport SID and STAR design review will be undertaken with the safety of air navigation as the primary consideration and will include:*

- *An assessment of the operability of the design implemented on 14 September 2017, also including the planned change to the runway 30 STAR for implementation in March 2018*
- *Recommendations for any changes that would enhance the safety of the design balanced with minimising the effects of aircraft noise on the community as far as practicable*
- *Recommendations for any changes that would deliver improved community noise outcomes without impacting on the safety of the airspace design*
- *The requirements list in the section Operational requirements and constraints*

*Any proposed changes to the airspace design must consider:*

- *Regulatory requirements*
- *Efficiency of aircraft operation and airport capacity constraints*

- *Airspace operating constraints including aircraft capability, controlled airspace design, pilot work load, air traffic control system capability, and air traffic control standards and procedures*

*A report will be prepared detailing the outcomes of the review including:*

- *Findings and recommendations*
- *Airline customer feedback*
- *Outcomes of other stakeholder feedback including community*

*Key dates*

*Stage 1: Findings and recommendations no later than August 2018*

*Stage 2: Consultation and feedback no later than December 2018*

*Stage 3: Publication of final report no later than March 2019*

5.110 As noted above, Airservices did not consult with the community about these terms of reference. We had a number of concerns and raised them with Airservices. First, given that one of the requirements set out in the preamble to the terms of reference is that “*the flight paths must remain within designated controlled airspace*”, it was unclear whether the review would be restricted to considering existing controlled airspace or whether it would extend to the possibility of application being made to CASA for additional controlled airspace. Airservices replied that:

*The review will consider all alternatives and will not be restricted to the current controlled airspace. If the review identifies need for additional controlled airspace, an application will be made to CASA.*

5.111 Second, we were concerned that the community’s interest in having amendments to the RNAV path considered by Airservices might not be addressed by the review. Airservices responded as follows:

*The review will consider any changes that would deliver improved community noise outcomes. The possibilities of a change to the RNAV approach will be included in the review.*

5.112 Third, we asked Airservices to explain what it meant, in the first term of reference, by “operability of the design”. Airservices gave the following explanation:

*Operability of the design is an assessment that the design as implemented on 14 September 2017 remain fit for purpose, and does it continue to meet the original objectives?*

5.113 We also noted that, under the heading “Key Dates”, it is indicated that “consultation and feedback” will take place “no later than December 2018”. That key date is preceded by a statement that “findings and recommendations” will be made no later than August 2018. Read together, these statements create the impression that Airservices intends to make its findings and recommendations by August 2018 and then it will undertake consultation and consider feedback. We asked whether that is what is intended and when Airservices intends to commence to consult, particularly with the community, in this review. We counselled strongly against neglecting consultation with the community until after findings and recommendations have been made. Airservices responded as follows:

*We are committed to providing regular updates on the progress of the review on the Airservices website. Prior to conducting consultation or obtaining feedback, the Review must first assess the current flight paths and if they remain 'fit for purpose' and also spend time exploring all other options for improved noise outcomes. It is important that consultation and feedback is obtained on potential designs that are in fact feasible and meet the operational requirements and constraints as stated on the ToR.*

- 5.114 “Regular updates”, though possibly informative, are not consultation. Any assessment of whether current flight paths remain “fit for purpose” and any exploration of other options for improved outcomes would benefit from consultation with those residents who are currently experiencing the impact of those flight paths. It is surprising that, having acknowledged the “inadequacy” of its consultation with affected residents, Airservices appears to continue in that vein, making no attempt to recover goodwill or gain the community’s confidence. The message appears not to have been received. If no consultation takes place before findings and recommendations are made then yet another opportunity to constructively engage with and be informed by the community will have been lost.
- 5.115 This failure, again, after all that has happened since September 2017 to alert Airservices to its shortcomings in community consultation, confirms our view that the importance of community engagement and consultation and its skilful execution are not currently understood by Airservices.

## Discussion and recommendations

- 5.116 Airservices has acknowledged that its community consultation in relation to the Hobart flight path changes was “inadequate”.
- 5.117 Airservices’ recent performance in community consultation in Hobart has been well below modern standards of practice. The handling of the Hobart flight path changes including the absence of (or, in Airservices’ view, “inadequate”) consultation before the changes were implemented; the conflation of the notions of informing and consulting; the limited and incomplete information presented to the CACG, the media, complainants and MPs; the confusion created by the slow and uncoordinated feeding of relevant information to the community once complaints began to be made; the rushed nature of the remedial consultation; the appearance of a lack of transparency in the construction and presentation of the alternative flight paths and the inappropriate dependence on CACGs as the primary site of Airservices’ community consultation, point to a failure to apply its own systems and policies.
- 5.118 Modern community consultation requires a deep understanding of the importance of effective engagement, the theoretical framework within which it is practiced and the high standards that now apply to that practice. Things have changed in this sphere over the last two decades. Communities are better informed and better connected through social media and other electronic communication. They are politically more astute and effective. This is increasingly recognised in both the public and private sectors in which considerable efforts are devoted, with increasing sophistication, to ensuring that enterprises’ relationships with the communities they affect remain positive and constructive.

5.119 We are concerned about Airservices' capacity to consult effectively once a risk is identified, particularly in light of the standard of the remedial consultation done by Airservices following the relative flood of complaints about Hobart. The expression of its Terms of Reference for its Hobart Flight Path Review, its failure to consult the community on those terms of reference and its stated intention to defer consultation until it has settled findings and recommendations show a fundamental lack of understanding and skill that must be remedied if Airservices is to recover its relationship with the community and be in a position to meet the imminent challenge of concentrated and accelerated airport development.

**Recommendation 5:** Airservices should access, through recruitment or otherwise, skilled and experienced subject matter expertise in the practice of community consultation. Leadership should give prominent support to this expertise so as to promote its influence and effect on Airservices' better performance in community consultation.

**Recommendation 6:** Airservices should abandon its stated policy of making the Community Aviation Consultation Groups the primary site of its community consultation and instead, with the input and leadership of a skilled practitioner of community engagement, develop a community consultation strategy and guidelines to inform individual detailed strategies for individual changes.

**Recommendation 7:** Airservices should develop a policy that, on those occasions when incorrect statements are made to the community or other stakeholders, it will acknowledge the error and remedy it.

**Recommendation 8:** Airservices should ensure that, before deciding to propose a change and to commence to engage with a community about that change, it has acquainted itself with the context and recent history of that community and takes those matters into account, as far as practicable, in its decision making and in its engagement design.

**Recommendation 9:** Airservices should, as part of its community consultation activity, approach the assessments and other material on which it bases its consultations from a critically analytical perspective so as to ensure that all relevant matters have been considered and the information provided to the community is timely, correct, relevant, transparent, comprehensive, consistent and logically sound.

**Recommendation 10:** In its Hobart SIDS and STARS Review, Airservices should consult with the community well in advance of settling its findings and recommendations. Airservices should take immediate steps to obtain the community's views on the most practical and effective ways to arrange this consultation.

## 6 Complaint management

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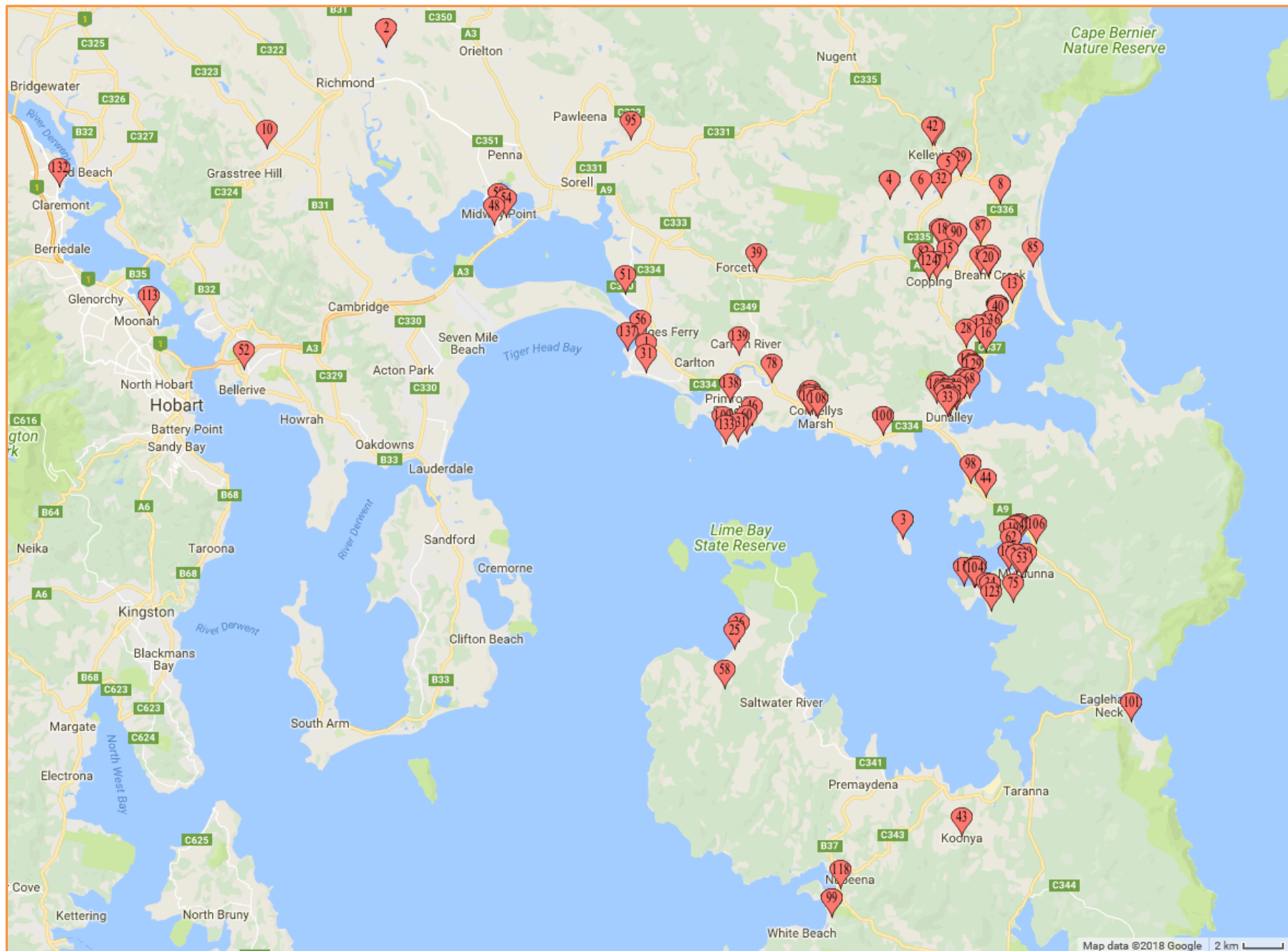
### What was the spike in Hobart complaints?

- 6.1 In the 12 months prior to the flight path changes on 14 September 2017, Airservices had received complaints about operations at Hobart Airport from just three individuals. Following the changes, complaints began to be received from 20 September after residents realised that something had changed and flights overhead were no longer occasional. The following table shows the number of new individuals from Hobart that contacted Airservices in each month after the change.

Sep (after 14 <sup>th</sup> )	October	November	December
12	37	91	6

- 6.2 These figures are indicators, rather than absolutes. For example, one of the individuals who contacted Airservices was the General Manager of a local council, representing a number of residents who had contacted the Council. Also, some couples from the same residence individually lodged complaints and so the same location may be reflected twice in these figures. The numbers in November spike largely as a result of attendance at the community drop-in session on 11 November by people who had not previously contacted Airservices (51 individuals have their first contact with Airservices recorded as being on 11 November).
- 6.3 Nonetheless, these numbers are markedly higher than those experienced in the year prior to the changes and therefore suggest issues that warrant further investigation. The map on the next page plots the addresses of the individuals who contacted Airservices during September to January. It shows a strong correlation with those areas originally identified in the Environmental Assessment as being 'newly overflowed'.







## How did Airservices respond to complaints?

- 6.4 Two months prior to the changes being introduced, Airservices wrote to a Hobart resident who resided under the runway 30 (RNAV) approach path that, at the time, was only used spasmodically. No mention was made of the pending change that would see all runway 30 arrivals overfly the resident's home, despite the implementation plans already having been finalised.
- 6.5 Following introduction of the new flight paths on 14 September, Airservices' complaints unit began to receive noise complaints from local residents. One of the first to complain was a resident from the Kelleve area who called Airservices on 20 September expressing concern that there had been a recent increase in flights overhead and associated aircraft noise, never before experienced to this degree in the 15 months since the resident moved to the area. The response by the Airservices complaints officer, some six days after the new flight paths had been introduced, was to advise the resident that the complaints officer was not aware of any changes in the area. This was despite the Stakeholder Engagement Strategy stating that information had been provided to the complaints unit on 7 June 2017.
- 6.6 The same Kelleve resident then wrote to Airservices on 22 September advising that the resident had researched Airservices' own website and discovered information relating to the new flight paths. In this correspondence the resident expressed concern over the lack of community consultation and the difficulty in accessing relevant information. On the same day Airservices responded to the resident apologising for its lack of awareness of the changes during the previous telephone call, and advising that, apart from the explanation on Airservices' website, there was not much more information to provide about the changes that had been made. The response was sympathetic in tone, acknowledging and expressing regret about the impacts and thanking them for the feedback.
- 6.7 The response included information about the community consultation done by Airservices as follows:
- When making flight path changes the primary channel through which Airservices works is the relevant Airport's Community Aviation Consultation Group (CACG). These forums are established and run by airports. Airservices provided briefings to the Hobart CACG at its last two meetings. We invited the Mayor of Sorrell to attend the last meeting on 5 September 2017 to ensure he was aware of the changes and could provide information to residents.*
- I acknowledge your concerns about the consultation process that was undertaken. Unfortunately it is never possible to reach everyone who may be affected by changes and this is especially so in cases such as this where a number of changes affecting different areas occurred at the same time. While we endeavour to reach affected areas we are not always successful, and we can always do better. I do apologise that our communications did not reach you in advance of the change*
- 6.8 This was a form of words used in many of the early responses, which also included:
- I must be honest with you and advise that we do not expect that this situation will change because the new flight paths have been implemented to enhance safety.*

- 6.9 By 6 November, acknowledgement of the degree of community concern was provided to a resident stating “we have received strong feedback from the community that our consultation was inadequate and we accept this”.
- 6.10 Despite the acknowledgement on 6 November that the consultation had been inadequate, on 24 November Airservices wrote to the General Manager of the Clarence City Council repeating that the CACGs were the “*primary channel through which Airservices works*” when making flight path changes and that “*Airservices provided briefings about the changes to the Hobart Airport CACG at its last two meetings*”. Despite it being over two months since the first complaint, there appeared to be no acknowledgement to the General Manager of an affected Council that anything was remiss.
- 6.11 Within the first two weeks of the new flight paths being operational, Airservices had received some 10 complaints from local residents. This was a significant increase in complaints about Hobart aircraft noise when there had been only three complaints in the preceding 12 months. While Airservices did respond promptly to complaints, these early responses did not inform complainants that Airservices was actively investigating their concerns.

### How were insights from complaints used?

- 6.12 The Commonwealth Ombudsman’s *Better Practice Guide to Complaint Handling*<sup>12</sup> says, at page 28:
- The framework for reporting on complaints should also be responsive to changes in an agency’s business. If a policy initiative or new service is being introduced, reports should be more frequent during the implementation and early post-implementation phases. More detailed reporting at these early stages can help an agency adjust a policy or service promptly or slow down implementation if serious problems become evident.*
- 6.13 Airservices advised that it “did identify at an early stage (within several days) that the consultation had been inadequate and there were inconsistencies in some key supporting documents.” Airservices also advised that from the date of the first complaint, reports on complaints and issues were provided to relevant managers on a regular basis. It advised that “analysis resulted in the review to consider options to improve noise outcomes and the community engagement in November.”
- 6.14 Despite the internal activity and attention being given to these issues, the response to complainants for six weeks after first complaints were received (by which time almost 50 complaints had been made) continued to state that consultation had occurred and that it was not expected that the situation would change. These responses did not advise that the issue was being investigated.

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<sup>12</sup> Available at: [http://www.ombudsman.gov.au/\\_\\_data/assets/pdf\\_file/0020/35615/Better-practice-guide-to-complaint-handling.pdf](http://www.ombudsman.gov.au/__data/assets/pdf_file/0020/35615/Better-practice-guide-to-complaint-handling.pdf)

## Discussion and recommendations

6.15 The Commonwealth Ombudsman's Better Practice Guide says:

*Complaints provide a rich source of information about how well an agency is performing and what improvements it might make. The information can point to problems with an agency's services or program delivery or to a need to improve how complaints are handled. To capture these broader considerations, agencies should ensure that complaint issues and trends are a central element of their business review processes.*

6.16 The complaints Airservices received provided an opportunity for it to investigate the issues with its implementation of the SIDs and STARs in Hobart. Airservices advised that it identified at an early stage that the consultation process had been lacking and that there were inconsistencies between some key supporting documents. The early awareness of such issues, arising from its investigation of complaints, did not result in Airservices taking early remedial action, including correcting statements that had been made to residents or other stakeholders.

6.17 While the early responses to residents did apologise for communications not reaching individual residents in advance of the change, there was no acknowledgement of "inadequate" consultation. Instead, Airservices stated that consultation had occurred through briefing to the Hobart CACG. In addition, rather than resolving concerns, the early responses compounded them by failing to advise of any investigation into the issues raised by the complaints or any possibility of consideration of further change.

6.18 Effective complaint handling entails effective investigation of the cause of issues. It can provide an early warning system for organisations, uncover errors or oversights and enable an early and appropriate management response. Airservices advised that numerous and regular reports on issues arising from complaints about Hobart were provided to relevant managers. Airservices would have benefited from advising residents and other stakeholders at an earlier stage about the significant activity and attention being given to these issues.

**Recommendation 11:** Where significant issues arise from complaints, Airservices should advise complainants and other stakeholders at the earliest possible stage of efforts being made, including investigation, to address concerns.

**Recommendation 12:** Where Airservices identifies through complaints inconsistencies in information provided to residents and other stakeholders, Airservices should take early action to correct information given.

**Recommendation 13:** Airservices should not pre-empt the outcome of internal investigations in its responses to complaints by advising complainants that there is unlikely to be any change.

## 7 Conclusion and next steps

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- 7.1 This report has highlighted issues in Airservices' implementation of flight path changes in Hobart in relation to three main areas:
- consideration of aircraft noise impacts in flight path design and environmental assessment;
  - community consultation on flight path changes; and
  - complaint handling.
- 7.2 We have raised a number of issues and made 13 recommendations to address them.
- 7.3 The situation in Hobart is still unfolding. The revised "Alternative 2" STAR was implemented on 1 March 2018. Four weeks earlier, on 31 January, the Terms of Reference for the longer term Hobart SIDs and STARs review were published on Airservices' website. It is possible that the effects of seasonal variations on use of runways have not yet been fully experienced by residents of greater Hobart. In the meantime, Airservices continues to actively consider flight path design for Hobart.
- 7.4 We urge Airservices to take the opportunity presented by its Hobart SIDs and STARs Review to adopt and apply our recommendations in section 4 of this report (Flight path design and noise impact assessment – recommendations 1 to 4). This would better ensure a flight path design process that fully integrates consideration of environmental impacts including aircraft noise, and for that consideration to be sufficiently broad and nuanced to fully inform the decisions that will be made by senior management over the course of the Review.
- 7.5 We remain concerned that Airservices will not consult with the Hobart community in a meaningful or effective way. It did not consult on the Terms of Reference. It did not even advise residents already known to Airservices about the publication of the Terms of Reference. It has stated that there will be no consultation with residents until the Review's findings and recommendations have been made. We urge Airservices to embark on the course we have recommended in section 5 of this report (Consultation – recommendations 5 to 10) to equip it to engage expertly and openly with affected communities in Hobart and other communities in the future.
- 7.6 It is possible, even likely, that complaints will continue to be received by Airservices from residents in greater Hobart as the full effects of the flight path changes are experienced and as Airservices' longer term Hobart review proceeds. It is vital that responses to complainants inform of any significant internal activity, including investigations, being undertaken to address their concerns. In addition, Airservices should not pre-empt the outcomes of any internal review or investigation by dismissing any likelihood of change. The recommendations in section 6 of this report (Complaint management – recommendations 11 to 13) are designed to strengthen Airservices complaint management processes and ensure the concerns of residents are effectively managed.

## Attachment 1 Summary of Recommendations

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The following table lists the recommendations made in this review. The ANO office will report on progress against the recommendations identified through regular quarterly reports, published on the ANO website.

**Recommendation 1:** Airservices should incorporate consideration of potential noise impacts from the commencement of flight path design and integrate that consideration throughout the design process.

**Recommendation 2:** Airservices should review its environmental assessment criteria to ensure they are appropriate as a quantitative measure for analysis against the EPBC Act requirements and for assessment of social impact.

**Recommendation 3:** Airservices should ensure that its additional analysis of social impact to form part of the Environmental Assessment:

- (a) includes a clearly defined purpose;
- (b) includes explicit commentary on social impact taking into account particular community history, context and sensitivities; and
- (c) incorporates a critically analytical assessment of the potential impact on the community of proposed change referring to both qualitative and quantitative values.

**Recommendation 4:** In undertaking its Environmental Assessments and preparing reports on those assessments, Airservices should:

- (a) ensure that all assessment criteria, for both EPBC Act purposes and for assessment of social impact, are clearly explained in its documentation in a way that makes clear their purpose, whether they are primary or secondary, the assessment methodology, and the consequences that follow if a threshold is exceeded;
- (b) explicitly document any assumptions made and explain the basis for each assumption;
- (c) explicitly document its consideration of change proposals against its stated criteria;
- (d) undertake a more nuanced assessment of whether a change is 'significant' in social impact or under the EPBC Act requirements, taking into account both quantitative and qualitative values so that a non-binary and more informative approach is taken to assessment against criteria; and
- (e) refer to or document all relevant information that forms the basis of its environmental assessment and conclusions in a single explanatory Environmental Assessment report.

**Recommendation 5:** Airservices should access, through recruitment or otherwise, skilled and experienced subject matter expertise in the practice of community consultation. Leadership should give prominent support to this expertise so as to promote its influence and effect on Airservices' better performance in community consultation.



**Recommendation 6:** Airservices should abandon its stated policy of making the Community Aviation Consultation Groups the primary site of its community consultation and instead, with the input and leadership of a skilled practitioner of community engagement, develop a community consultation strategy and guidelines to inform individual detailed strategies for individual changes.

**Recommendation 7:** Airservices should develop a policy that, on those occasions when incorrect statements are made to the community or other stakeholders, it will acknowledge the error and remedy it.

**Recommendation 8:** Airservices should ensure that, before deciding to propose a change and to commence to engage with a community about that change, it has acquainted itself with the context and recent history of that community and takes those matters into account, as far as practicable, in its decision making and in its engagement design.

**Recommendation 9:** Airservices should, as part of its community consultation activity, approach the assessments and other material on which it bases its consultations from a critically analytical perspective so as to ensure that all relevant matters have been considered and the information provided to the community is timely, correct, relevant, transparent, comprehensive, consistent and logically sound.

**Recommendation 10:** In its Hobart SIDS and STARS Review, Airservices should consult with the community well in advance of settling its findings and recommendations. Airservices should take immediate steps to obtain the community's views on the most practical and effective ways to arrange this consultation.

**Recommendation 11:** Where significant issues arise from complaints, Airservices should advise complainants and other stakeholders at the earliest possible stage of efforts being made, including investigation, to address concerns.

**Recommendation 12:** Where Airservices identifies through complaints inconsistencies in information provided to residents and other stakeholders, Airservices should take early action to correct information given.

**Recommendation 13:** Airservices should not pre-empt the outcome of internal investigations in its responses to complaints by advising complainants that there is unlikely to be any change.

## **Airservices response to ANO report into complaints about the introduction of new flight paths in Hobart**

Airservices has reviewed the ANO's report and accepted all of the recommendations.

In December 2017, Airservices completed a review into the effectiveness of community consultation resulting from proposed flight path changes and the report was provided to the ANO at that time (available on Airservices website<sup>1</sup>). This internal review identified 29 improvement opportunities relating to the end-to-end environmental activities associated with our flight path design process. Related actions were completed by 31 March 2018 and covered areas such as:

- Building an 'environment by design' culture: including a shift toward the iterative design of flight path changes and the establishment of principles for a 'change team' to be implemented at the beginning of a flight path design process.
- Improving environmental assessments: including amending Airservices' Environment Management System so that a more detailed environmental assessment is required for flight path changes that overfly new communities and regional or rural areas; undertaking environmental risk assessments as part of the assessment process; and ensuring that assessments clearly define analysis against the *Environment Protection and Biodiversity (EPBC) Act* and Airservices criteria.
- Improving our community consultation planning: enhancing our stakeholder engagement plans to include 'likelihood to notice a difference' and to consider social impacts as well as the environmental assessment against the EPBC Act.

Airservices has mapped these actions to the ANO recommendations. In addition, there are three supplementary, but important, focus areas that management has underway that ensure continual improvement in the areas that Airservices and the ANO have recognised as requiring improvement.

The first is in regard to improving how community engagement is planned and delivered. To supplement the training and other initiatives identified by Airservices review, we are engaging external expertise to assist us to improve our processes and provide us advice to supplement our existing capability. This will support the improvement actions that have been put in place and assist in the change management of future flight path changes.

The second is to review and validate Airservices internal environmental criteria to ensure that they are fit for purpose and aligned to the *Environment Protection and Biodiversity (EPBC) Act* requirements. We have commenced a review of these criteria against the EPBC Act and will seek the advice of the Department of the Environment and Energy to validate our review at the appropriate time.

The third key focus area is sustained focus on management accountability to improve the governance and decision making process from the commencement of any proposed flight path change, and we have established a more disciplined end to end process that embeds early involvement of senior management to support this.

Airservices takes our obligations in relation to community consultation seriously and is confident that these actions address the ANO's recommendations and will lead to a substantial improvement in the way we engage with the community in relation to proposed flight path changes.

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<sup>1</sup> <http://www.airservicesaustralia.com/aircraftnoise/>

## **Context**

In September 2017 Airservices introduced flight path changes at Hobart Airport to improve the safe and efficient operations of the airport by organising aircraft onto standard arrival and departure routes.

Known as 'SIDS and STARs', these standard routes are carefully designed to international requirements to keep traffic safely separated by the use of specific flight paths, levels, speed restrictions and check points.

This resulted in the concentration of aircraft noise and the transfer of aircraft noise from one segment of the community to another, with some community members experiencing an increase in aircraft noise as a result of the change and others experiencing an improvement in noise outcomes.

Airservices undertook an investigation into the change in response to the complaints raised by members of the community that were negatively affected by the change, and identified that its community consultation in respect of the change had been inadequate.

Airservices has commenced a subsequent review of the flight paths, and as part of this review Airservices will ensure that all potentially affected community members have an opportunity to input to the review.