



Addendum to:

Compliance Audit of Australian Super
Hornet Flying Operations at RAAF Base
Amberley (October 2019)

Issued May 2020

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Table of Contents

| | | |
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| 1 | Introduction to Addendum..... | 1 |
| 2 | ANO Review of Compliance Findings | 3 |

1 Introduction to Addendum

- 1.1 In October 2019, the Aircraft Noise Ombudsman (ANO) presented the findings of its audit of the Department of Defence (Defence’s) compliance with the Conditions of Approval for Australian Super Hornet Flying Operations, RAAF Base, Amberley, QLD (EPBC 2008/4410), as varied by Ministerial approval in April 2014 (Conditions of Approval). The Delegate of the Minister for the Environment approved the ANO office to undertake the review on 9 April 2019 and approved the ANO’s proposed audit criteria and methodology on 23 May 2019.
- 1.2 The ANO assessed Defence’s level of compliance against each Condition of Approval and each requirement identified from the three associated approved plans. A finding on the level of compliance was made in line with the Compliance Finding categories defined in the *Independent Audit and Audit Report Guidelines*¹ (2015 Guidelines) that were in force at the time the audit criteria and methodology were approved, as follows:

| | |
|----------------|---|
| Compliant | The auditee has complied with a condition or element of a condition |
| Non-compliant | The auditee has not met a condition or an element of a condition |
| Not applicable | An activity has not yet commenced or a requirement has not been triggered |
| Undetermined | There is insufficient evidence to make a judgment on compliance or non-compliance |

- 1.3 The following table summarises the ANO’s assessment of Defence’s compliance with each Condition of Approval and each requirement identified from the three associated approved plans, made in accordance with these 2015 Guidelines:

| | Compliant | Non-compliant | Not applicable | Undetermined | Total |
|---|-----------|---------------|----------------|--------------|-------|
| Conditions of Approval | 4 | 3 | 1 | 0 | 8 |
| Noise Management Plan V3.0 | 20 | 4 | 1 | 2 | 27 |
| Noise Monitoring and Complaints Handling Strategy V1.0 | 15 | 3 | 0 | 0 | 18 |
| Noise Mitigation and Complaint Resolution Strategy V1.0 | 4 | 2 | 3 | 0 | 9 |

¹ Commonwealth of Australia, *Independent Audit and Audit Report Guidelines for controlled actions which have been approved under Chapter 4 of the Environment Protection and Biodiversity Conservation Act 1999*, 2015, p. 11-12

- 1.4 Subsequently, the *2015 Guidelines* were updated in July 2019 and amended to remove the Compliance Finding category ‘undetermined’. This Addendum has been prepared in response to a request from the Department of Agriculture, Water and the Environment that the ANO clarify findings that reference a compliance rating as “undetermined” to align with the updated *2019 Guidelines*’ Compliance Finding categories².
- 1.5 The ANO has revisited all findings in the original report that reference a compliance rating as ‘undetermined’ and the reconsideration of these 12 instances is outlined in section 2 of this Addendum.
- 1.6 In summary, the ANO has determined that, in each case where an ‘undetermined’ finding had been made, the appropriate Compliance Finding in line with the updated *2019 Guidelines* is ‘non-compliant’. The following table summarises the ANO’s revised assessment of Defence’s compliance with each Condition of Approval and each requirement identified from the three associated approved plans, in accordance with the updated *2019 Guidelines*:

| | Compliant | Non-compliant | Not applicable | Total |
|---|-----------|---------------|----------------|-------|
| Conditions of Approval | 4 | 3 | 1 | 8 |
| Noise Management Plan V3.0 | 20 | 6 | 1 | 27 |
| Noise Monitoring and Complaints Handling Strategy V1.0 | 15 | 3 | 0 | 18 |
| Noise Mitigation and Complaint Resolution Strategy V1.0 | 4 | 2 | 3 | 9 |

- 1.7 The ANO’s conclusion is unchanged from that made in the original Audit report of October 2019 – that is, the ANO considers that Defence has complied with the intent of the Conditions of Approval in relation to managing the effects of aircraft noise on the community and the environment. However, it has some work to do to establish effective systems to facilitate the necessary administrative, records management and reporting frameworks required to substantiate its performance against these Conditions.
- 1.8 Clarification of the Compliance Findings has not resulted in any amendment, addition or removal of the recommendations made in the original Audit report of October 2019.

Kate Burmester
ANO Auditor

18 May 2020

² Commonwealth of Australia, Independent Audit and Audit Report Guidelines for controlled actions which have been approved under Chapter 4 of the Environment Protection and Biodiversity Conservation Act 1999, 2019, p. 11-12

2 ANO Review of Compliance Findings

Methodology

The ANO has revisited each of the references to an “undetermined” finding made in the original Audit report of October 2019. In each case the ANO made a new determination of that aspect, requirement or condition in accordance with the updated *2019 Guidelines*. The table below outlines these considerations.

ANO reconsiderations

| Page ref in Oct 2019 Audit report | Section detail in Oct 2019 Audit report | ANO reconsideration | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 1 | <p>1.3 In accordance with the Conditions of Approval, Defence developed and implemented a number of plans and strategies to meet the objectives of the Conditions of Approval. Within these, the ANO identified 54 separate requirements to be assessed under this audit. Of these, Defence was compliant with 39 requirements, non-compliant with nine and two requirements were classified as undetermined due to a lack of evidence to establish a definitive finding (see table below).</p> <table border="1"> <thead> <tr> <th></th> <th>Compliant</th> <th>Non-compliant</th> <th>Not applicable</th> <th>Undetermined</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Noise Management Plan V3.0</td> <td>20</td> <td>4</td> <td>1</td> <td>2</td> <td>27</td> </tr> <tr> <td>Noise Monitoring and Complaints Handling Strategy V1.0</td> <td>15</td> <td>3</td> <td>0</td> <td>0</td> <td>18</td> </tr> <tr> <td>Noise Mitigation and Complaint Resolution Strategy V1.0</td> <td>4</td> <td>2</td> <td>3</td> <td>0</td> <td>9</td> </tr> <tr> <td></td> <td>39</td> <td>9</td> <td>4</td> <td>2</td> <td>54</td> </tr> </tbody> </table> | | Compliant | Non-compliant | Not applicable | Undetermined | Total | Noise Management Plan V3.0 | 20 | 4 | 1 | 2 | 27 | Noise Monitoring and Complaints Handling Strategy V1.0 | 15 | 3 | 0 | 0 | 18 | Noise Mitigation and Complaint Resolution Strategy V1.0 | 4 | 2 | 3 | 0 | 9 | | 39 | 9 | 4 | 2 | 54 | <p>1.3 In accordance with the Conditions of Approval, Defence developed and implemented a number of plans and strategies to meet the objectives of the Conditions of Approval. Within these, the ANO identified 54 separate requirements to be assessed under this audit. Of these, Defence was compliant with 39 requirements, non-compliant with nine eleven and two four requirements were not applicable due to the requirement not yet having been commenced or triggered classified as undetermined due to a lack of evidence to establish a definitive finding (see table below).</p> <table border="1"> <thead> <tr> <th></th> <th>Compliant</th> <th>Non-compliant</th> <th>Not applicable</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Noise Management Plan V3.0</td> <td>20</td> <td>4 6</td> <td>1</td> <td>27</td> </tr> <tr> <td>Noise Monitoring and Complaints Handling Strategy V1.0</td> <td>15</td> <td>3</td> <td>0</td> <td>18</td> </tr> <tr> <td>Noise Mitigation and Complaint Resolution Strategy V1.0</td> <td>4</td> <td>2</td> <td>3</td> <td>9</td> </tr> <tr> <td></td> <td>39</td> <td>9 11</td> <td>4</td> <td>54</td> </tr> </tbody> </table> | | Compliant | Non-compliant | Not applicable | Total | Noise Management Plan V3.0 | 20 | 4 6 | 1 | 27 | Noise Monitoring and Complaints Handling Strategy V1.0 | 15 | 3 | 0 | 18 | Noise Mitigation and Complaint Resolution Strategy V1.0 | 4 | 2 | 3 | 9 | | 39 | 9 11 | 4 | 54 |
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| 13 | <p>3.6 The findings against the approved Audit Criteria and Methodology are set out in the following tables.</p> <table border="1" data-bbox="318 432 1196 882"> <thead> <tr> <th colspan="2">Criterion 5.3</th> <th colspan="3">The auditor's report must be published on the web site of the person taking the action within 3 months of the report being submitted to the Minister.</th> </tr> <tr> <th>Indicator</th> <th>Independent Auditor Comments</th> <th>Measurements made</th> <th>Verification Method</th> <th>Compliance Finding</th> </tr> </thead> <tbody> <tr> <td>5.3.1 The auditor's report for Period 1 must be published on the web site of the person taking the action within 3 months of the report being submitted to the Minister</td> <td>Defence could not substantiate the date when it published the ANO Review on its website. Compliance with this element of the Condition could therefore not be determined. 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| 28 | <p>COA-01</p> <p>The ANO found through this audit that 20 of a total 27 assessed requirements were compliant, four were non-compliant, one not applicable and two requirements were classified as undetermined due to a lack of evidence to establish a definitive finding. The detailed assessment and findings for each of the requirements in the Noise Management Plan are documented in Section 4 and summarised in the table below.</p> <table border="1" data-bbox="318 1278 1196 1382"> <thead> <tr> <th></th> <th>Compliant</th> <th>Non-compliant</th> <th>Not applicable</th> <th>Undetermined</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>V3.0</td> <td>20</td> <td>4</td> <td>1</td> <td>2</td> <td>27</td> </tr> </tbody> </table> | | Compliant | Non-compliant | Not applicable | Undetermined | Total | V3.0 | 20 | 4 | 1 | 2 | 27 | <p>COA-01</p> <p>The ANO found through this audit that 20 of a total 27 assessed requirements were compliant, four six were non-compliant, and one not applicable and two requirements were classified as undetermined due to a lack of evidence to establish a definitive finding. The detailed assessment and findings for each of the requirements in the Noise Management Plan are documented in Section 4 and summarised in the table below.</p> <table border="1" data-bbox="1243 1278 1968 1382"> <thead> <tr> <th></th> <th>Compliant</th> <th>Non-compliant</th> <th>Not applicable</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>V3.0</td> <td>20</td> <td>46</td> <td>1</td> <td>27</td> </tr> </tbody> </table> | | Compliant | Non-compliant | Not applicable | Total | V3.0 | 20 | 46 | 1 | 27 | | | | | | | | | | | | | | | | | | |
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| 34 | <p>COA-06</p> <p>Of these, only the Noise Management Plan was revised and approved in the Period 2 audit period. V3.0 of the Plan was approved on 4 April 2016. Defence was not able to provide records for exactly when the revised Plan published so it is not possible to determine if this occurred within the required three months. The ANO therefore assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the Condition. Recommendation 2 in COA-09 addresses Defence's record management practices to ensure it can demonstrate its compliance with the Conditions of Approval.</p> | <p>COA-06</p> <p>Of these, only the Noise Management Plan was revised and approved in the Period 2 audit period. V3.0 of the Plan was approved on 4 April 2016. Defence was not able to provide records for exactly when the revised Plan published so it is not possible to determine if this occurred within the required three months. The ANO therefore assessed Defence's compliance as non-compliant 'undetermined' for this publication timeliness aspect of the Condition. Recommendation 2 in COA-09 addresses Defence's record management practices to ensure it can demonstrate its compliance with the Conditions of Approval.</p> | | | | | | | | | | | | | | | | | | | | | | |
| 41 | <p>4.8 The following table summarises the ANO's findings in relation to Defence's compliance with the requirements of the Noise Management Plan V3.0 in the period 1 January 2015 to 31 December 2018.</p> <table border="1" data-bbox="315 916 1205 1026"> <thead> <tr> <th></th> <th>Compliant</th> <th>Non-compliant</th> <th>Not applicable</th> <th>Undetermined</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Noise Management Plan V3.0</td> <td>20</td> <td>4</td> <td>1</td> <td>2</td> <td>27</td> </tr> </tbody> </table> | | Compliant | Non-compliant | Not applicable | Undetermined | Total | Noise Management Plan V3.0 | 20 | 4 | 1 | 2 | 27 | <p>4.8 The following table summarises the ANO's findings in relation to Defence's compliance with the requirements of the Noise Management Plan V3.0 in the period 1 January 2015 to 31 December 2018.</p> <table border="1" data-bbox="1240 916 1946 1026"> <thead> <tr> <th></th> <th>Compliant</th> <th>Non-compliant</th> <th>Not applicable</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Noise Management Plan V3.0</td> <td>20</td> <td>46</td> <td>1</td> <td>27</td> </tr> </tbody> </table> | | Compliant | Non-compliant | Not applicable | Total | Noise Management Plan V3.0 | 20 | 46 | 1 | 27 |
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| 42 | <p>NMP-01</p> <p>During this audit, the ANO noted that the Noise Management Plan was revised in the Period 2 audit period twice, although only once was Ministerial approval for the revised Plan obtained. V3.0 of the Plan was approved on 4 April 2016. Defence was not able to provide records for when the updated Plan was published so it is not possible to determine if this occurred within the required three months. The ANO therefore assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the Condition.</p> | <p>NMP-01</p> <p>During this audit, the ANO noted that the Noise Management Plan was revised in the Period 2 audit period twice, although only once was Ministerial approval for the revised Plan obtained. V3.0 of the Plan was approved on 4 April 2016. Defence was not able to provide records for when the updated Plan was published so it is not possible to determine if this occurred within the required three months. The ANO therefore assessed Defence's compliance as non-compliant 'undetermined' for this publication timeliness aspect of the Condition.</p> | | | | | | | | | | | | | | | | | | | | | | |

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| 50 | <p>NMP-07</p> <p>The ANO reviewed the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) to check that all Super Hornet operations were conducted in accordance with this requirement. There is no information provided in the Annual Noise Reports that addresses this requirement. Defence provided assurances that these requirements were generally complied with, although specific data is not recorded to demonstrate this.</p> <p>On this basis, the ANO was not able to assess compliance and has made the finding "undetermined".</p> <hr/> <p style="text-align: center;">Finding: Undetermined</p> <p>Recommendation 2 in COA-09 addresses Defence's record management practices to ensure it can demonstrate its compliance with the Conditions of Approval and the requirements of the plans and strategies required by these Conditions.</p> <p>The Improvement Suggestions in NMP-03 and in NMP-04 also identify that Defence should include data and commentary in its Annual Super Hornet Reports that explicitly demonstrates its performance against each aspect of the Noise Management Plan requirements.</p> | <p>NMP-07</p> <p>The ANO reviewed the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) to check that all Super Hornet operations were conducted in accordance with this requirement. There is no information provided in the Annual Noise Reports that addresses this requirement. Defence provided assurances that these requirements were generally complied with, although specific data is not recorded to demonstrate this.</p> <p>On this basis, As the ANO was not able to assess compliance, Defence has been found non-compliant with this requirement and has made the finding "undetermined".</p> <hr/> <p style="text-align: center;">Finding: Non-compliant Undetermined</p> <p>Recommendation 2 in COA-09 addresses Defence's record management practices to ensure it can demonstrate its compliance with the Conditions of Approval and the requirements of the plans and strategies required by these Conditions.</p> <p>The Improvement Suggestions in NMP-03 and in NMP-04 also identify that Defence should include data and commentary in its Annual Super Hornet Reports that explicitly demonstrates its performance against each aspect of the Noise Management Plan requirements.</p> |

| Page ref in Oct 2019 Audit report | Section detail in Oct 2019 Audit report | ANO reconsideration | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 53 | <p>NMP-10</p> <table border="1" data-bbox="320 395 1193 647"> <thead> <tr> <th>Year</th> <th>Non-compliant movements</th> <th>Reasons reported</th> </tr> </thead> <tbody> <tr> <td>2015</td> <td>0</td> <td>n/a</td> </tr> <tr> <td>2016</td> <td>0</td> <td>n/a</td> </tr> <tr> <td>2017</td> <td>Undetermined</td> <td>No commentary or data included in the report to demonstrate compliance with this requirement</td> </tr> <tr> <td>2018</td> <td>0</td> <td>n/a</td> </tr> </tbody> </table> <p>Given Defence's consistent performance in other years, it is understood that the lack of specific commentary on this requirement in the 2017 is due to no breach having been identified. The ANO considers that Defence demonstrated compliance with this requirement, noting that the improvement suggestion in NMP-04 will address the lack of explicit performance reporting.</p> | Year | Non-compliant movements | Reasons reported | 2015 | 0 | n/a | 2016 | 0 | n/a | 2017 | Undetermined | No commentary or data included in the report to demonstrate compliance with this requirement | 2018 | 0 | n/a | <p>NMP-10</p> <table border="1" data-bbox="1243 395 2116 647"> <thead> <tr> <th>Year</th> <th>Non-compliant movements</th> <th>Reasons reported</th> </tr> </thead> <tbody> <tr> <td>2015</td> <td>0</td> <td>n/a</td> </tr> <tr> <td>2016</td> <td>0</td> <td>n/a</td> </tr> <tr> <td>2017</td> <td>Undetermined Unreported</td> <td>No commentary or data included in the report to demonstrate compliance with this requirement</td> </tr> <tr> <td>2018</td> <td>0</td> <td>n/a</td> </tr> </tbody> </table> <p>Given Defence's consistent performance in other years, it is understood that the lack of specific commentary on this requirement in the 2017 is due to no breach having been identified. The ANO considers that Defence demonstrated compliance with this requirement, noting that the improvement suggestion in NMP-04 will address the lack of explicit performance reporting.</p> | Year | Non-compliant movements | Reasons reported | 2015 | 0 | n/a | 2016 | 0 | n/a | 2017 | Undetermined Unreported | No commentary or data included in the report to demonstrate compliance with this requirement | 2018 | 0 | n/a |
| Year | Non-compliant movements | Reasons reported | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2015 | 0 | n/a | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2016 | 0 | n/a | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2017 | Undetermined | No commentary or data included in the report to demonstrate compliance with this requirement | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2018 | 0 | n/a | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Year | Non-compliant movements | Reasons reported | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2015 | 0 | n/a | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2016 | 0 | n/a | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2017 | Undetermined Unreported | No commentary or data included in the report to demonstrate compliance with this requirement | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2018 | 0 | n/a | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 55 | <p>NMP-12</p> <p>The ANO considers that Defence has likely complied with this requirement. However, without specific commentary or data addressing the requirement, the ANO has made the finding of 'undetermined'.</p> <p style="text-align: center;">Finding: Undetermined</p> <p>Recommendation 2 in COA-09 addresses Defence's record management practices to ensure it can demonstrate its compliance with the Conditions of Approval and the requirements of the plans and strategies required by these Conditions.</p> <p>The Improvement Suggestions in NMP-03 and in NMP-04 also identify that Defence should include data and commentary in its Annual Super Hornet Reports that explicitly demonstrates its</p> | <p>NMP-12</p> <p>The ANO considers that Defence has likely complied with this requirement. However, without specific commentary or data addressing the requirement, the ANO was not able to assess compliance, so found Defence to be non-compliant with this requirement has made the finding of 'undetermined'.</p> <p style="text-align: center;">Finding: Non-compliant Undetermined</p> <p>Recommendation 2 in COA-09 addresses Defence's record management practices to ensure it can demonstrate its compliance with the Conditions of Approval and the requirements of the plans and strategies required by these Conditions.</p> <p>The Improvement Suggestions in NMP-03 and in NMP-04 also identify that Defence should include data and commentary in its</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| Page ref in Oct 2019 Audit report | Section detail in Oct 2019 Audit report | ANO reconsideration |
|-----------------------------------|--|--|
| | performance against each aspect of the Noise Management Plan requirements. | Annual Super Hornet Reports that explicitly demonstrates its performance against each aspect of the Noise Management Plan requirements. |
| 88 | <p>NMCHS-14</p> <p>2. <i>The Strategy will be published on the Defence website within three months of the Environment Minister's approval.</i></p> <p>Defence was not able to provide records for exactly when the revised Strategy was published so it is not possible to determine if this occurred within the required three months. While it is probable that Defence has met the requirement of publication within 3 months, the ANO has assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the requirement.</p> | <p>NMCHS-14</p> <p>2. <i>The Strategy will be published on the Defence website within three months of the Environment Minister's approval.</i></p> <p>Defence was not able to provide records for exactly when the revised Strategy was published so it is not possible to determine if this occurred within the required three months. While it is probable that Defence has met the requirement of publication within 3 months, the ANO has assessed Defence's compliance as non-compliant 'undetermined' for this publication timeliness aspect of the requirement.</p> |
| 89 | <p>NMCHS-15</p> <p>2. <i>The NFPMS reports will be published on the Defence website within three months of report finalisation.</i></p> <p>Defence was not able to provide records for exactly when the revised Strategy published so it is not possible to determine if this occurred within the required three months. The ANO therefore assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the Condition. That said, the ANO notes that, at September 2019, the monthly reports to July are available – that is, well within the three months' timeframe. While it is probable that Defence has met the requirement of publication within 3 months, the ANO has assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the requirement.</p> | <p>NMCHS-15</p> <p>2. <i>The NFPMS reports will be published on the Defence website within three months of report finalisation.</i></p> <p>Defence was not able to provide records for exactly when the revised Strategy published so it is not possible to determine if this occurred within the required three months. The ANO therefore assessed Defence's compliance as non-compliant 'undetermined' for this publication timeliness aspect of the Condition. That said, the ANO notes that, at September 2019, the monthly reports to July are available – that is, well within the three months' timeframe. While it is probable that Defence has met the requirement of publication within 3 months, the ANO was not able to assess compliance, so found Defence to be non-compliant has assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the requirement.</p> |

| Page ref in Oct 2019 Audit report | Section detail in Oct 2019 Audit report | ANO reconsideration |
|-----------------------------------|--|---|
| 90 | <p>NMCHS-16</p> <p>2. <i>The Annual Super Hornet Noise Reports will be published on the Defence website within three months of report completion.</i></p> <p>Defence was not able to provide records for exactly when the revised Strategy published so it is not possible to determine if this occurred within the required three months. The ANO therefore assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the Condition. That said, the ANO notes that the 2018 report, which was approved by Defence on 25 June 2019 was accessible from 31 August 2019 – that is, well within the three months' timeframe. While it is probable that Defence has met the requirement of publication within 3 months, the ANO has assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the requirement.</p> | <p>NMCHS-16</p> <p>2. <i>The Annual Super Hornet Noise Reports will be published on the Defence website within three months of report completion.</i></p> <p>Defence was not able to provide records for exactly when the revised Strategy published so it is not possible to determine if this occurred within the required three months. The ANO therefore assessed Defence's compliance as non-compliant 'undetermined' for this publication timeliness aspect of the Condition. That said, the ANO notes that the 2018 report, which was approved by Defence on 25 June 2019 was accessible from 31 August 2019 – that is, well within the three months' timeframe. While it is probable that Defence has met the requirement of publication within 3 months, the ANO was not able to assess compliance, so found Defence to be non-compliant has assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the requirement.</p> |