



Investigation into complaints about the introduction of new flight paths in Sunshine Coast (April 2020)

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1 Executive Summary

Introduction

From 22 April to the end of July 2019, the Aircraft Noise Ombudsman (ANO) received 299 complaints regarding the proposed flight paths to support a new runway at Sunshine Coast Airport in May 2020.

The proposed new runway was the subject of an environmental impact statement (EIS) and associated community consultation conducted in 2014/15 by Sunshine Coast Council. At that time, Airservices Australia (Airservices) agreed with the concept flight paths, developed by a private consultant and included in the EIS, but took no part in the community consultation.

In April 2018, Airservices commenced detailed design work on the new flight paths, seeking to maintain alignment with the EIS, except where it identified variations that could reduce noise impacts in some communities to the north-west. Airservices engaged a consultant to conduct a Targeted Environmental Impact Assessment (TEIA) of its proposed flight path design. The TEIA recommended implementation of a community engagement plan that covered all areas predicted to experience future aircraft noise and gave residents an opportunity to raise concerns.

Community engagement

Airservices determined that it achieved this recommendation through reliance on the broader community update program being undertaken by the Sunshine Coast Airport Expansion Project along with its own targeted consultation only with those areas where its proposed flight paths varied from the concept flight paths in the EIS. There was no assessment by Airservices of the adequacy of the EIS community consultations in 2014/15 nor any consideration of population churn or other factors that may have changed in the community since the earlier consultation.

Airservices' consultation occurred during a six week period in March/April 2019. Airservices took responsibility for consultation in areas where the proposed flight paths deviated from those proposed in the 2014/15 EIS (the target area) and provided technical support for Sunshine Coast Council which was responsible for a community update program with the other affected areas (the general area).

The community engagement did not go smoothly, with community awareness of the flight path proposals and consultation sessions heavily reliant on community members using their social media and own letterbox drops to reach interested individuals. Airservices' early notice of the consultation period had suggested that the community in all affected areas would be consulted. Some two weeks into the consultation period, it became more specific that it was only consulting communities in the target area. This division of responsibilities between Airservices and the Sunshine Coast Council caused general public confusion about who was responsible for what. Airservices underestimated the extent of public interest and had to schedule multiple consultation sessions in groups limited to 50, due to the size of the venues it had hired. Complaints to the ANO reported no notice or lack of timely notice of meetings, inconsistent responses between Airservices and Sunshine Coast Council representatives and lack of clarity about who had responsibility for decisions.

Airservices collated and analysed the feedback received from all areas of the community about the flight path designs, and undertook some additional briefings and community updates with affected communities in the general areas after the feedback period closed. Complaints by residents to Airservices about the process were not responded to until well after the closure of the consultation period. Airservices acknowledges that responses to complaints were not completed in a timely manner, and advised the ANO that community submissions were first analysed for feedback that could help shape the final flight path designs to ensure that insights were provided to the flight path design team in a timely manner. When it finally responded to complaints made about the process, Airservices described its consultations as “successful”, which served to further anger complainants to the ANO.

Conclusions

Airservices has a responsibility to engage with the community on the environmental impact of aircraft operations. Although it did not evaluate or assess the community engagement process under the EIS in 2014/15, Airservices relied on it to decide that it had no responsibility to consult any further with residents in the general area in 2019. These areas would be captured by a community update program being undertaken by the Sunshine Coast Airport Expansion Project. The consultation process itself was not well communicated and caused public confusion about the relative responsibilities of Airservices and the Sunshine Coast Council. This persisted throughout the consultation period and after.

While Airservices was drawn into considering submissions from the general area by the sheer volume of response, it became clear to those making submissions that they had little chance of influencing the outcome. The predictable result was the community outrage expressed in the complaints to the ANO.

Recommendations

Where Airservices proposes flight paths required by an airport (or other third party) development, it needs to be involved early in the planning process and to clearly specify its role and the terms on which its responsibility to engage with the community on changes to aircraft operations will be managed.

- Recommendation 1:** Airservices should develop a framework for third party proposed changes that:
- (a) provides robust and dependable governance arrangements to manage its early and ongoing engagement with third parties
 - (b) establishes clear lines of accountability and documents these arrangements as they evolve
 - (c) ensures an effective consultative process, which includes monitoring the adequacy of any third party consultations being relied on.

At the Sunshine Coast, Airservices can use its post-implementation review process to re-engage with communities and consider community-suggested alternatives to the flight paths that will be introduced in support of the new runway.

Recommendation 2: Airservices should, as soon as practicable, design an effective post-implementation review (PIR) process for the Sunshine Coast flight path designs, that does not perpetuate design constraints requiring alignment with EIS concepts, and which encompasses:

- (a) consideration of identified community-suggested alternatives
- (b) a community engagement process that provides for genuine opportunities for community contributions to influence decisions
- (c) application of the latest version of Airservices' National Operating Standard (NOS) *Environmental Management of Changes to Aircraft Operations (AA-NOS-ENV-2.100)*.

2 Introduction

- 2.1 On 22 April 2019, the ANO received the first complaint from a Sunshine Coast resident about Airservices' community engagement and provision of information in connection with proposed flight path changes at Sunshine Coast Airport consequent to the planned new runway. Over the next 30 days, the ANO received a total of 274 complaints about issues associated with the proposed changes and the consultation process undertaken by Airservices. In total the ANO received 299 complaints to the end of July 2019.
- 2.2 On 30 May 2019, the ANO decided to commence a multiple complaints investigation into flight path changes at Sunshine Coast and advised the Airservices Board accordingly.

Methodology

- 2.3 In developing this report, the ANO:
- considered each of the complaints received and any subsequent information, insights and observations provided by complainants
 - reviewed all of the material Airservices made available to the community
 - requested specific information and answers to questions arising from complaints or from the ANO's review of Airservices' material and carefully considered the information and answers provided in response
 - conducted independent research and monitored discussions of the issues in the media and on some social media platforms
 - met with affected residents, councillors and various staff of Airservices, and observed a Stakeholder Round Table.

3 Consultation by Airservices – legislation, policy and procedural documents

Legislation and legislative instruments

- 3.1 One of the functions of Airservices under section 8 (1)(d) of the *Air Services Act 1995* (Cth) is “carrying out activities to protect the environment from the effects [and associated effects] of the operation of” aircraft.
- 3.2 Section 9 makes it clear that, in carrying out its activities, Airservices must regard safety “as the most important consideration” and, subject to safety, “must perform its functions in a manner that ensures that, as far as practicable, the environment is protected from the effects [and associated effects] of the operation and use of aircraft.”
- 3.3 Section 10 entitled “**AA must consult and co-operate**” requires Airservices to consult, in the performance of its functions, with a number of relevant government and industry bodies. Persons affected by aircraft operations are not specified although “consumer and other relevant bodies” are.
- 3.4 Section 16 empowers the Minister to give written directions to Airservices, with which it “must comply”. Ministerial Direction M37/99 requires Airservices to carry out the following activities:
- ... (ii) Provide advice, information and data on environmental aspects of air traffic management including aircraft movements, aircraft noise, aircraft engine emissions and aircraft operations.
 - (iii) Initiate and participate in discussions, consultations, studies and research with the aviation industry and the community in relation to environmental aspects of air traffic management.
 - ... (vi) Provide advice and information on aircraft environment related matters to, and participate in, airport consultative committees at those Australian airports that have such a committee.
 - ... (xii) Provide advice, information, guidance and assistance at locations outside controlled airspace on environmental aspects of aircraft operations, movements and procedures to the Department, the aviation industry and the community.
- 3.5 Under section 17 of the *Air Services Act 1995*, the Minister issued a notice to Airservices known as the *Statement of Expectations for Airservices Australia for the Period 22 May 2017 to 30 June 2019*, which included:

4. Stakeholder Engagement

I expect that in performing its functions Airservices will:

- (a) undertake effective and ongoing engagement with the community, industry and Government on the development and implementation of significant changes by Airservices to air traffic and ARFFS;
- (b) engage constructively in processes where it can provide information, assistance or advice for policy formulation, implementation and regulation undertaken by Government agencies, both within and outside my portfolio;

(c) contribute to a coordinated approach to airport planning including appropriate participation in, and providing information to, planning coordination forums, community aviation consultation groups, and the National Airports Safeguarding Advisory Group;

and the *Expectations* for the period 15 July 2019 to 30 June 2021 were:

4. Stakeholder Engagement

I expect Airservices will continue to:

- a) undertake effective and productive engagement with the community and industry based on mutual understanding and respect.
- b) communicate clearly and regularly with my Department and CASA, industry and the community on the development and implementation of significant changes to air navigation and ARFFS.
- c) proactively provide information, assistance and advice to Government agencies for policy formulation, implementation activities and regulation purposes.
- d) contribute in the coordinated approach to airport planning including appropriate participation in planning coordination forums, community aviation consultation groups, and the National Airports Safeguarding Advisory Group.

Airservices' public policies

3.6 *Airservices Commitment to Aircraft Noise Management*¹ states that:

Safety is our number one priority, but we recognise that aircraft noise, a by-product of a growing economy, is the most significant cause of adverse community reaction to increased aviation operators. Our long-term goal is to minimise, and where possible reduce, the impact of aircraft noise. This includes collaboration and consultation with the community and aviation industry on proposed air traffic changes as well as working with them to explore and employ smarter operating solutions.

We recognise the importance of proactive community engagement and public participation when managing noise related issues.

To ensure this we will:

- provide clear, timely and accessible information to the community on current aircraft noise, future aircraft noise and aircraft operations
- engage openly and constructively with the community, and consult in a timely manner on aircraft noise and changes to the air traffic management (ATM) system that impacts the community
- actively investigate changes which deliver improved noise outcomes, including review of ATM procedures
- ensure transparency in our processes and actions which impact the community

3.7 *Airservices' Communications and Consultation Protocol*², says:

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

¹ Airservices Australia, *Airservices Commitment to Aircraft Noise Management*, November 2013, p. 5-6

² Airservices Australia, *Communications and Consultation Protocol*, 4 July 2016, p.3-6

...

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.

Airservices' internal procedures

3.8 Airservices' National Operating Standard (NOS) *Environmental Management of Changes to Aircraft Operations (AA-NOS-ENV-2.100)*³ specified that:

All proposed changes to Airservices' air traffic management practices that may affect aircraft operations shall:

1. Be assessed for environmental impact prior to implementation;
2. Undergo stakeholder engagement planning [SEP] and stakeholder consultation prior to implementation where potential community or environmental impacts are identified;
3. Be reassessed prior to implementation, if the proposal has already been impact assessed in accordance with this NOS and:
 - a. has subsequently been modified or;
 - b. over 18 months has elapsed since the initial assessment process;
4. Be undertaken in accordance with this National Operating Standard (NOS) and subordinate procedures;
5. Seek to achieve a noise outcome which balances the needs of the community and aviation industry stakeholders.

3.9 The NOS also stated:

7. Community consultation under the SEP shall:

³ Airservices Australia, *Environmental Management of Changes to Aircraft Operations (AA-NOS-ENV-2.100) (NOS)*, Version 13: Effective 7 August 2018, p. 5

Note: Unless otherwise specified, in this report reference to the NOS means Version 13 of the NOS.

- a. Be targeted to all areas potentially affected by the change;
 - b. Provide justification for the change, explicitly describing how any potentially negative impacts 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.
8. 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.⁴

⁴ *ibid*, p. 16

4 The development of flight paths at Sunshine Coast

Background

- 4.1 Sunshine Coast Airport, which is owned by Sunshine Coast Council and operated by Palisade Investment Partners, planned to implement a new runway in May 2020 as part of its Sunshine Coast Airport Expansion Project (SCAEP)⁵.
- 4.2 On 31 January 2011, the project was referred by the Sunshine Coast Council to the Commonwealth Minister for the Environment as part of the approval process. Separately, on 6 September 2011, Airservices and the Civil Aviation Safety Authority (CASA) advised the Minister that the project would require the development of new flight paths and requested advice on the requirements and criteria for an environmental assessment.
- 4.3 On 21 May 2012, a delegate of the Minister for the Environment decided that the proposal, including airspace management, would be assessed by an environmental impact statement (EIS) conducted by the Sunshine Coast Council.
- 4.4 The EIS and the community consultation was based on concept flight path designs developed by a private sector designer. The designer's *Airspace Design Concepts Report*⁶ of September 2012 noted that:
- Four consultation meetings were held with Airservices Brisbane Centre staff from June to August 2012 to further assess the suitability... and agree on the basic flight path corridors...⁷
- 4.5 In providing its agreement in a letter from Airservices' Aviation Relations Manager to Sunshine Coast Airports' Planning and Major Projects Manager on 23 October 2012, Airservices advised that:
- Airservices recognises that ongoing community engagement associated with the introduction of these projected flight corridors will be required and advise that Airservices is willing to provide relevant support for this engagement where appropriate.
- 4.6 The Sunshine Coast Council conducted public consultation on its EIS from 29 September 2014 to 13 November 2014. On 18 February 2015, additional information for the EIS was requested by the Queensland Coordinator-General and as a result a further public consultation process was carried out from 2 November 2015 to 30 November 2015. Airservices had no involvement in either consultation process.

⁵ See: <https://www.sunshinecoast.qld.gov.au/Council/Planning-and-Projects/Major-Regional-Projects/Sunshine-Coast-Airport-Expansion-Project>

⁶ Leading Edge Aviation Planning Professionals (L.E.A.P.P), *Sunshine Coast Airport Airspace Design Concepts Report*, issued 28 September 2012

⁷ *ibid*, p. 1

- 4.7 On the basis of the EIS and additional information provided by the Sunshine Coast Council, the Minister for Environment approved the project on 18 July 2016. A delegate for the Minister for Environment advised Airservices in a letter dated 28 June 2016 that:

The EIS indicates that whilst some dwellings may be newly exposed or experience an increase of aircraft noise, on balance there will be an overall reduction of dwellings experiencing varying degrees of aircraft noise. On this basis, the Civil Aviation Safety Authority and or Airservices Australia should give the relevant authorisation(s) should they be engaged to do so or as they are required to do so.

In giving any authorisation, consideration should be given as to whether the authorisation would result in changes to the Australian Noise Exposure Concept (ANEC) or the Australian Noise Exposure Forecast (ANEF) contours (as applicable), and or to the N70 contours compared to those presented in the EIS.

In particular, there should not be a significant increase in the extent and distribution of the ANEC / ANEF contours in so much as it would potentially impact the health, safety, welfare or quality of life of people and communities. There should also not be a significant increase in the extent and distribution of N70 contours in so much as it would potentially impact the health, safety, welfare or quality of life of people and communities. This is to ensure that people and communities in the vicinity of the airport are not exposed to aircraft noise patterns that are significantly different to those presented and consulted on during the assessment process.

Airservices' flight path design work

- 4.8 Airservices proposed to introduce flight paths for the new runway at Sunshine Coast Airport, known as Runway 13/31, planned to be operational in 2020. Airservices began its flight path design work in late 2017 when approached by the Sunshine Coast Council. Detailed design work commenced in April 2018.
- 4.9 In determining the flight paths, Airservices set out to align its designs as closely as possible to the concept flight paths defined in the EIS. While seeking to align with the concept flight paths, Airservices did identify some variations that it considered would deliver environmental benefits.

Targeted Environment Impact Assessment (TEIA)

- 4.10 Airservices engaged GHD, a professional services firm, to undertake a Targeted Environmental Impact Assessment (TEIA V1)⁸, in accordance with Airservices' own methodology as described in its NOS⁹. This assessed Airservices' proposed flight path design, which it would take to the community and other stakeholders for consultation and which would inform Airservices' Stakeholder Engagement Plan (SEP).
- 4.11 The Executive Summary in GHD's TEIA concluded that:

The findings of this targeted EIA are considered generally consistent with the findings of the EIS as would be expected given the similarity of the proposed flight paths. Minor discrepancies between the results documented in the targeted EIA and the EIS were

⁸ GHD, *Airservices Australia Proposed change to flight paths at Sunshine Coast Airport Targeted environmental impact assessment March 2019*, Version 1: Effective 25 February 2019 (TEIA V1)

⁹ Airservices Australia, *NOS*, op. cit

considered to be mainly attributable to updated model inputs to better reflect current airport operating conditions.

In consideration of the limited environmental impact predicted against AA-NOS-ENV-2.100, in combination with the general consistency with findings of the EIS, it is not considered likely for the proposed change to result in a significant increase in impact to the health, safety, welfare or quality of life of people and communities. It is therefore considered that the proposed change does not warrant further referral under the *Environment Protection and Biodiversity Conservation Act 1999*.

It is nonetheless recommended that a community engagement plan be implemented that encompasses the areas predicted to experience aircraft noise and informs residents of the proposed change and provides an opportunity to raise concerns.¹⁰

¹⁰ GHD, *TEIA V1*, op. cit

5 Community Consultation

Joint Stakeholder Communication and Engagement Plan

- 5.1 In the case of the Sunshine Coast, leaving aside the EIS processes in 2014/15, community engagement about the proposed airspace and flight path changes was undertaken jointly by Airservices, Sunshine Coast Airport and Sunshine Coast Council.
- 5.2 The arrangements for the period of public engagement (20 March to 30 April 2019) were documented in a joint *Stakeholder Communication and Engagement Plan* (SCEP)¹¹.
- 5.3 The SCEP noted in its introduction that:

Airservices must meet a regulatory obligation to show evidence that affected communities were engaged with how the designs would impact them.¹²

and defined Airservices' engagement responsibility as:

Release of updated information:

- Flight paths
- Airspace design
- Impact on communities (what will I see and hear?)¹³

Airservices' Stakeholder Engagement Plan

- 5.4 Separately, and as required by its NOS¹⁴, Airservices had prepared its own internal Stakeholder Engagement Plan (SEP)¹⁵. Version 1.0 of the SEP was approved on 17 March 2019 by the Acting Executive General Manager, Air Navigation Services, with the following caveat, among others:

The SEP also provides limited social, economic and cultural context of the communities being consulted to ensure genuine engagement and accessibility of information, however this will be addressed in future versions and other planning products.¹⁶

¹¹ SCAEP Stakeholder Engagement Working Group (SEWG) (comprising Sunshine Coast Council Airport Expansion Project Team (SCC), Airservices Australia and Sunshine Coast Airport (SCA) Pty Ltd), *Airspace change and flight path design for Sunshine Coast Airport RWY 13/31 Stakeholder Communication and Engagement Plan 20 March – 30 April 2019 (SCEP)*, Version 5: WEDNESDAY 13/3/19 4.30pm

¹² *ibid*, p. 3

¹³ *ibid*, p. 12

¹⁴ Airservices Australia, *NOS*, *op. cit*

¹⁵ Airservices Australia, *Stakeholder Engagement Plan, Sunshine Coast Airport Airspace Changes, Runway 13/31 (SEP)*, Version 1.0: Effective 17 March 2019 (SEP V1)

¹⁶ *ibid*, p. 1

5.5 Version 2.0 of Airservices' SEP¹⁷ was approved effective 25 March 2019, five days into the six week community engagement consultation period. It was largely unchanged from Version 1.0 and included a detailed *Suburb Analysis*.

5.6 The SEP's Executive Summary said:

Airservices will undertake consultation with impacted communities and industry stakeholders to inform the final airspace and flight path design.¹⁸

and stated its scope as follows:

The scope of this Stakeholder Engagement Plan (SEP) is limited to stakeholder consultation activities required for the reconfiguration of airspace and flight path changes as they differ from what is depicted in the EIS to what Airservices is proposing at the Sunshine Coast Airport to support the operation of RWY 13/31.¹⁹

5.7 Airservices described its consultation approach in the SEP as follows:

SCC and SCA are facilitating engagement activities aimed to inform and update the community on the development and implementation of Runway 13/31.

Airservices will undertake specific engagement and consultation activities with communities effected (sic) by the proposed changes to flight paths that differ from those depicted in the EIS.

5.8 In effect, Airservices' consultation would be targeted to those areas which were not considered under the EIS, with those communities that would be affected by the flight paths that remained consistent with the EIS to be captured by the SCC and SCA community update program.

5.9 The community update program is described in the Stakeholder Communication and Engagement Plan (SCEP)²⁰ as to be "run co-jointly between the three principal parties: Airservices Australia, Sunshine Coast Council and Sunshine Coast Airport Pty Ltd"²¹. Its aim is described as:

To deliver a jointly managed stakeholder engagement project to advise government, industry and communities of the airspace change and flight path designs for the new runway at the Sunshine Coast Airport²²

5.10 Airservices' SEP made no assessment of the adequacy of the EIS consultations by Sunshine Coast in 2014/15 as a basis for this consultative approach. There was no analysis of the potentially changed composition of the community or the impact that the passage of so many years might have on community awareness of, comfort with or acceptance of the changes.

¹⁷ Airservices Australia, *Stakeholder Engagement Plan, Sunshine Coast Airport Airspace Changes, Runway 13/31 (SEP)*, Version 2.0: Effective 25 March 2019 (SEP V2)

Note: Unless otherwise specified, in this report reference to the SEP means Version 2.0 of the SEP.

¹⁸ *ibid*, p. 4

¹⁹ *ibid*, p. 5

²⁰ SCAEP Stakeholder Engagement Working Group (SEWG), *op. cit*

²¹ *ibid*, p. 11

²² *ibid*, p.3

5.11 Noosa Council advised the ANO that the Noosa population had changed significantly in the preceding five years:

Council has tracked our population turnover for at least twenty years using two different information sources – ABS census statistics and electoral rolls. Both have produced statistically consistent results in terms of our population churn in Noosa - approximately 10% per year. This means that for every four years, there is approximately 40% population churn rising to 50% every five years.

5.12 The SEP included a map and specified its targeted consultation area in detail:

Airservices will provide on-site community specific consultation with communities to the north-west of the airport, where the proposed design varies from the original design concept. This consultation will be in addition to supporting the Sunshine Coast Council led engagements.

Communities to the north-west where increased overflights associated with proposed flight paths compared to the EIS include Cooroy Mountain, Cooran, Pomona, Doonan, Pinbarren, Traveston, Cootharaba and Verrierdale.²³

²³ *ibid*, p. 9

6 Preparation for consultation

Newspaper advertisements

6.1 A week into the consultation period, Airservices placed a public notice in six local papers:

- Sunshine Coast Daily (27 March 2019)
- Buderim Chronicle (28 March 2019)
- Caloundra Weekly (28 March 2019)
- Nambour Weekly (28 March 2019)
- Coolum Advertiser (28 March 2019)
- Coolum North Shore News (29 March 2019).

6.2 These notices were placed in the classifieds section of the papers in all but one instance. This placement is unlikely to have come to many readers' attention.

6.3 The newspapers selected serve audiences in locations largely outside the area Airservices was intending to target with its consultations. Those newspapers that best served the target area were the Noosa News, Noosa Today, Cooroy Rag and the Eumundi Green, none of which were used by Airservices to advertise its consultation. The Sunshine Coast Council advertised the drop-in consultation sessions and information kiosks it was running in areas outside the target areas in these publications, excepting in the Cooroy Rag.

6.4 One complainant, who resides in the target area, complained after the consultation period closed:

Back in March-April during the consultation period, the general public were not even aware of the of the Targeted Area's existence. Ideally in the future, this map [the map included in subsequent Airservices reports showing the consultation areas] should be included in meeting notices, in letterbox drops and all newspapers serving the Target Area, so people might at least be aware of **all** the changes proposed and how they differ from earlier designs. [emphasis in original]

The Cooroy Rag is the only newspaper based within ASA's circled Target Area.

I have searched March-April back-editions of both Noosa Today and Cooroy Rag for all advertisements placed in these papers, by ASA and Sunshine Coast Council (SCC). There were no advertisements in these local newspapers before ASA's community consultation meetings in Cooroy, Pomona or Cooran.

6.5 This complainant also pointed out that:

The SCC did place a notice in Noosa Today on 14 March in advance of 5 coastal meetings from Noosaville to Maroochydore, only for venues outside the circled target area. Coorobah, Tinbeerwah and other residents in the eastern hinterland, may have chosen to attend the nearby Noosaville meeting. Therefore, they would have been aware of the changes in sufficient time to allow them to make submissions. However, to the west, notices in advance of any meetings inside the hinterland Target Area never appeared. **Consequently, most hinterlanders could quite rightly assume no notices for meetings in the area, meant no changes in the area.** [emphasis in original]

6.6 The only advertisement placed by SCC in the Cooroy Rag appeared on 24 April 2019, on page 31 of the paper, when just one week of the consultation period remained and after all on-site consultations sessions had been completed. It made no reference to the new flight paths being over particular suburbs, or that these were any different to those proposed in the concept designs included in the EIS.

Letters to schools and other sensitive sites

6.7 The SEP listed a number of schools, hospitals and care facilities, which would receive communication from Airservices about the proposed airspace change. Most of these sites were outside the areas targeted by Airservices for consultation, but were mostly those identified in the TEIA as being within certain noise contours before opening and/or after opening scenarios.

Contact with known community groups

6.8 Airservices relied on the SCAEP contacting community groups and arranging a briefing session to be held during the consultation period. Despite a long list of invitees, only three community groups (Residents for Responsible Development, Mudjimba Residents Association, Twin Waters West and Surrounds) attended the session held at the Maroochy RSL, Maroochydoore. Invitations were sent by email to community group email addresses at 4.30pm on the Friday before the scheduled briefing at 2-4pm on Wednesday 20 March.

Emails to existing contacts within complaints database

6.9 Airservices contacted those individuals with an email address who had been registered in its complaints database; i.e. those who had submitted a complaint in relation to Sunshine Coast Airport in the period 1 January 2016 to 20 March 2019. Emails were sent to 183 individuals. Only five individuals within the suburbs Airservices was targeting with its consultation were contacted.

Mailout

6.10 The SCAEP undertook a mail-out to approximately 45,000 households on 13 March 2019 advising of the consultation period and the upcoming consultation sessions that were led by Sunshine Coast Council. Many complainants reported not receiving this 'To the Householder' letter at all or received it too late to make arrangements to attend the scheduled sessions.

6.11 A resident from within the target area advised:

We were not aware of any proposed flight path changes, consultation meetings, or the "6-week" submission period. Like many other households in Noosa Shire, we found out about the changes, long after submissions had closed.

- No notices from ASA or Sunshine Coast Council/Airport arrived in our letterbox.
- A post on Facebook by Noosa Shire Council is insufficient, not everyone uses Facebook.
- Strangely, no notices or advertisements appeared in our local newspapers, Noosa News, Cooroy Rag or Noosa Today, which cover the target area

Airservices web-based information about its consultation

6.12 On 13 March 2019, a week before the consultation process, Airservices posted the first of its relevant notices on its website which included:

Sunshine Coast Council, Sunshine Coast Airport and Airservices are committed to open and timely communication and engagement with all stakeholders who may be affected by the changes associated with the new airspace architecture required for RWY 13/31.

From late March 2019, Sunshine Coast communities will be invited to participate in a six week engagement program on the proposed flight paths and airspace changes.

This follows previous community consultation conducted by the Sunshine Coast Airport in 2014 for the Environmental Impact Statement (EIS) required for the Sunshine Coast Airport Expansion Project.

7 Consultation in practice

Website information

7.1 Airservices used its website as a mechanism for communicating publicly about its proposed flight path changes. This was an effective tool for communications, which was updated regularly and provided a range of relevant information and resources, including general and community specific Fact Sheets and Frequently Asked Questions during the consultation period.

7.2 The 20 March update included a copy of the Fact Sheet titled “Sunshine Coast Airport Proposed Airspace Change Runway 13-31”, which identified that:

In 2014, Sunshine Coast Council consulted with the community on early design concepts, which included an Environmental Impact Statement approved by the State Government. To support operation of Runway 13/31 in 2020, Airservices proposed design has been modelled on the flight path design concept in the Environmental Impact Statement.

To improve environmental impacts, Airservices proposed flight path design variations from the design concept.

However, there was no reference in any material at this time that the consultation was limited to only these variations or clear advice that the new flight path design was necessarily constrained by the flight path design concept in the EIS. Indeed, the fact sheet said:

Airservices Australia is proposing airspace changes at Sunshine Coast Airport to support the operation of a new runway, known as Runway 13/31, which will be operational in 2020.

These proposed designs use modern technology and aircraft capability to be as safe and efficient as possible. Wherever possible, changes to the flight paths that would deliver safety enhancements have been identified and these have been balanced with minimising the effects of aircraft noise on the community, as far as practical.

Airservices is seeking feedback on the proposed flight path design to be considered as part of the final airspace design.

7.3 On 4 April, Airservices released a “Frequently Asked Questions” document which it committed to updating:

...as we progress consultation on the proposed airspace and flight path changes to support operation of Runway 13/31 at the Sunshine Coast Airport

7.4 On 8 April, Airservices announced on its website the commencement of its series of four consultation drop-in sessions and at the same time was specific about the limited scope of the consultation. Almost mid-way through the consultation period, this announcement was the first public indication that Airservices’ consultation would be limited to the target area:

Airservices has designed proposed airspace and flight paths to support operation of the new runway and these are modelled on the flight path design concept in the Environmental Impact Statement. These designs include variations to improve environmental impacts. Airservices is consulting on the variations to the flight paths from the approved Environmental Impact Statement.

Airservices role is to consult with communities **where the flight paths differ from the flight paths in the Environmental Impact Statement**, [emphasis added] and take feedback on these variations.

7.5 Airservices continued to use its website after the consultation period closed to update the public. This included the feedback reports, how it used the feedback in determining a final design, the updated TEIA for the final design and useful representations of timelines and the potential impacts of the final design.

Face-to-face consultation sessions

7.6 Airservices scheduled four on-site community drop-in sessions in locations identified as relevant to communities within its target area. It also made staff (including senior flight path designers and senior air traffic controllers) available to provide technical support to consultations undertaken by the SCAEP team that had the stated purpose of updating the community about general progress of the expansion project, including the proposed airspace and flight paths.

7.7 Complaints to the ANO were critical of the conduct of the sessions, referring to issues including:

- No notification or a lack of timely notification about the sessions
- Inconsistency in response and information provided by Airservices and SCA/SCC staff
- Lack of access to technical noise specialists
- Lack of clarity about who had responsibility for decisions
- The 'drop in' session format meant it was difficult to obtain information
- Airservices representatives appeared unprepared for the number of attendees and the level of concern being expressed.

7.8 For example, a Yandina Creek resident said:

...residents in [my street] were not supplied with information regarding the proposed changes or information specific to this area. It was only after specific enquiries of the relevant authorities that such information was made available in the past week [writing on 29 April]. This is unacceptably close to the dead line for submission of objections.

7.9 Complainants raised concerns about a lack of access to technical noise specialists. For example:

A common question at the community consultation sessions was, 'What about the noise?' and 'How loud will it be?' Representatives from both ASA and SCC did not have the knowledge to adequately explain N60, N70, associated dB(A) levels, ANEC and ANEF contours and the potential impacts on residents beneath the flight paths.

7.10 Complainants advised that these sessions did not help them access the necessary information:

Attendees felt that questions were not fully answered in a meaningful manner to assist them with their decision making.

A response heard frequently to questions about flight path routes resulting noise impacts was 'It's in all the EIS'. The EIS alone is a document of nearly 3000 pages. Telling residents to go back and have a look through the EIS to find answers to their questions or to verify what they were being told seems an inadequate response from both council and ASA representatives. This is supported by media coverage of the outrage after each meeting. In some cases, the consultant turned their back on the attendee and walked away. This poorly run process for gaining quality information has totally failed.

- 7.11 Complainants raised a lack of clarity around responsibilities at these sessions. There was concern about who could decide the flight paths and to what extent Airservices or the Sunshine Coast Council had the final say. One complainant reported:

At the Verrierdale 'Drop In' Airservices Australia stated they take the recommendation from the Sunshine Coast Council on the flight paths and yet the Division 9 Councillor stated it was an Airservices Australia decision. Others also received the same information from Airservices and the Councillor, with one person trying to even have the Councillor meet with Airservices.

- 7.12 Complainants also raised a lack of clarity about who could decide to extend the consultation period with Airservices staff unclear if it was their decision to make. One complainant reported that:

ASA told residents at the Coolum meeting that they should include a request for an extension in their feedback and it would be considered. At the Verrierdale meeting the following week ASA told residents that they would have to seek an extension from SCC.

It is our understanding that ASA is an independent Federal body and should therefore be the decision maker in this scenario, however comments from SCC would suggest otherwise. The question of authority and to whom residents should apply for an extension of the community consultation period is still unresolved with 2 working days left before feedback closes.

- 7.13 It appears that Airservices underestimated the level of public interest, but made a serious effort to allow for the later sessions to manage the larger numbers of interested residents arriving at venues designed for smaller groups. This included the measures added to Airservices' website on 10 April:

We will be inviting small groups of up to 50 through each venue at one time, which may take up to 30-40 minutes.

This will enable us to provide information and take feedback on the proposed flight path designs.

At times, there may be a waiting period and we appreciate your patience.

If you would prefer to not wait, you can access information and Fact Sheets under the resources tab below, or submit your feedback:

- Online via <https://feedback.emsbk.com/asa>
- By mail to: Feedback c/o Noise Complaints and Information Service, PO Box 211 Mascot NSW 1460

- 7.14 The consultation period concluded on 30 April 2019. Airservices reports that it received positive comments and feedback about the value of the on-site sessions

Summaries of feedback

7.15 On 1 May, Airservices updated its website to advise that:

We have received a significant number of submissions and responses, and will be consolidating them for consideration in the final design.

A Summary of Feedback will be released on Airservices website in due course.

7.16 On 10 May Airservices further advised that:

Due to the high number of submissions and correspondence received, we are unable to respond individually.

7.17 On 7 June 2019, Airservices published the following update on its website:

In response to our community consultation activities, conducted between 20 March and 30 April 2019, we received a considerable amount of feedback, both from the areas where we consulted on the proposed flight path variations ('consultation areas'), and from the broader Sunshine Coast community, where the flight path designs are consistent with the concept flight paths in the approved EIS.

As a result, we have decided to release summaries of this feedback, and our consideration of the feedback in the context of the final design development, in three (3) stages:

- **Summary of Feedback – Part One (Consultation Areas):** Summarises the feedback received from the communities in the specific areas where we consulted on proposed flight path variations, and provides an analysis of the themes within this feedback (released 7 June 2019).
- **Summary of Feedback – Part Two:** Summarises the general feedback received from communities in the broader Sunshine Coast area, including an analysis of the themes within this feedback (release date by end of June 2019).
- **Consideration of Feedback:** A summary report on how we have considered the feedback provided by the Sunshine Coast communities in shaping the final flight path designs (release date in early July 2019).

7.18 On the same date, it released *Summary of Feedback – Part One (Consultation Areas)*²⁴. This report described the target area as encompassing a larger region that had been identified in the SEP, and included the following suburbs:

- Black Mountain
- Cooroy
- Lake Macdonald
- Ridgewood
- Cooran
- Cooroy Mountain
- Pinbarren
- Ringtail Creek
- Cooroibah
- Doonan
- Pomona
- Tewantin
- Tinbeerwah

²⁴ Airservices Australia, *Summary of Feedback Part 1: Sunshine Coast Proposed Airspace and Flight Path Changes*, 7 June 2019, p. 2

- 7.19 This report also included presentations of the feedback statistics which led to some confusion and concern being expressed by complainants. For example, Airservices treated one submission that raised five different complaints – e.g. flight paths, noise, emissions, environment and process – as five “resident submissions”. Of these five “resident submissions”, noise was counted as one of the five, or 20% of “resident submissions”.
- 7.20 Using this method, the report stated that noise accounted for 24% of “resident submissions”. However, 475 of the 917 people making submissions, or 51.8%, raised noise as a concern. After complaints were received about this, Airservices produced an updated version²⁵ which essentially maintained the original analysis.
- 7.21 The *Summary of Feedback – Part Two*²⁶ was released on 28 June 2019, summarising feedback from residents in the non-targeted or general areas. The report noted 2,915 unique submissions were received. Using the same analysis methodology as in Part One, it reported 35% raised flight paths, 17% noise and 13% concerns about the community consultation associated with the previous EIS.
- 7.22 While there were concerns raised about the way Airservices presented the feedback, as outlined above, it must be recognised that this was a new and developing process. It is clear that Airservices received a significant number of submissions and faced a challenging task to absorb and synthesise the substantial amount of feedback.

Stakeholder Round Table

- 7.23 On 5 July 2019, a Stakeholder Round Table was held, consisting of stakeholders from Sunshine Coast Council, Noosa Shire Council, Sunshine Coast Airport, Flight Path Forum Inc. and State and Federal Members of Parliament. Airservices reported that the purpose of the Round Table, among others was to:

Explore and discuss the Consideration of Feedback Report which includes the Final Design prior to public release

- 7.24 The agenda for the Sunshine Coast Council Special Meeting of November 2019²⁷, described the Stakeholder Round Table meeting as follows:

The purpose of the meeting was to provide a better understanding of the regulatory, technical, operational and community feedback resulting from the Airspace Community stakeholder engagement associated with the delivery of the new Runway.

- 7.25 The then ANO attended the Round Table session as an observer and noted:

²⁵ Airservices Australia, *Summary of Feedback Part 1: Sunshine Coast Proposed Airspace and Flight Path Changes (updated)*, 28 June 2019

²⁶ Airservices Australia, *Summary of Feedback Part 1: Sunshine Coast Proposed Airspace and Flight Path Changes*, 28 June 2019

²⁷ Sunshine Coast Council, Agenda Special Meeting (Region Shaping Projects), 14 November 2019, p. 10: <https://d1j8a4bgwzee3.cloudfront.net/~media/Corporate/Documents/Meetings/November%202019/Minutes%20Signed%20141119%20OOM.pdf>

- There was a significant media presence before the session
- The bulk of the session was devoted to presentations by Sunshine Coast Council and then by Airservices. Comparatively little time was left for questions or statements by community representatives or other participants
- While questions by community representatives and others were heard and responded to by Sunshine Coast Council and Airservices, it could not be said there was any substantial “discussion” nor any progress made to address the concerns of the community or to resolve outstanding issues
- No final design or Consideration of Feedback Report was available and so no final design nor any record of Airservices’ consideration of the feedback received could be addressed or discussed.

Airservices’ proposed final design

7.26 Airservices published its *Proposed Final Design and Consideration of Feedback* report on 16 July 2019, finalising its proposed flight path and airspace designs for implementation at the Sunshine Coast.

7.27 Alternatives proposed by communities during the consultation period were considered by Airservices. However, most were ruled out on the grounds that:

Alternative flight path designs submitted that were outside the approved EIS concept flight paths were not able to be progressed at this time²⁸

7.28 However, Airservices did consider nine alternative designs for potential inclusion on a “register of possible alternatives for further consideration”. Of these nine alternative designs, Airservices determined that one would be placed on a Noise Improvement Register for further consideration in the future.

The ‘Engage Airservices’ platform

7.29 At the same time that Airservices published its *Proposed Final Design and Consideration of Feedback* report, it launched its ‘Engage Airservices’ platform. This was a genuine initiative by Airservices to add an interactive tool to its engagement activities, as the functionality became available and in response to what it heard through its community engagement. Airservices advised:

During our Sunshine Coast consultation, we received community feedback that you would like an interactive platform and more resources to assist you in understanding the flight path changes. Our new Sunshine Coast engagement platform includes:

- an interactive map for the Sunshine Coast with the proposed final flight path designs
- Community Specific Fact Sheets
- Runway Operations infographic poster set, and
- FAQs.

²⁸ Airservices Australia, *Proposed Final Design and Consideration of Feedback – July 2019*, 16 July 2019, p. 27

Information on the 'Engage Airservices' platform can be accessed without registering, however if you would like to submit a query or complaint, or put a comment on the interactive map, you will need to register.

...

Queries

If you have queries about the [Sunshine Coast Proposed Final Design and Consideration of Feedback](#), you can submit them via 'Engage Airservices'.

There is also a form to submit complaints related to community engagement.

Please note as consultation on this proposed flight path change is closed we are no longer accepting feedback on the proposed final design.

7.30 While the 'Engage Airservices' platform allowed ten days for people to submit queries and complaints through this portal, Airservices had closed the consultation period and was not receiving feedback on the final design.

7.31 Airservices advised on its website that:

During the 10 day query period, we received a total of 2,400 visits to our Engage Airservices engagement platform. We also had 119 queries and complaints submitted and our documents were downloaded 1,670 times.

7.32 The ANO received complaints from some community members expressing frustration that so little could be varied. Such concerns can be summarised as follows:

- What was the point of consulting when basically nothing has changed and all suggested alternatives would be dismissed?
- Airservices is just going along despite the community's will and are just doing the bidding of the SCC
- No consideration given to any flight paths outside the EIS.

7.33 In recognition that the tool has the potential for improving information provision in support of community engagements in future, one individual posted on the Airservices interactive map within the Engage Airservices platform:

It would have been even better if I had this information, or at least been alerted to it, when the original EIS was done, as clearly this was when the decision making took place in relation to the route the flight paths would take

7.34 The platform had a moderation process which removed eight comments posted by individuals on the basis that they "contained profanities" (1), "identified a staff member by name" (1) or "were defamatory" (6). Some individuals complained to the ANO that they "were not allowed" to repost after receiving the advice that their post had been deemed defamatory. Airservices advised that individuals had to repost within the query period and only two did so. One complainant also took issue with the fact that this was the only direct communication he received from Airservices during the consultation process:

...they don't have time to respond to all the submission complaints about their flight path placements but they have time to let me know I am being censored it appears

- 7.35 The ANO also received complaints from some who used the interactive map that they had asked questions in their post but never received a response:

ASA invited residents to participate in an interactive map allowing them to place a 'pin' on their property position. Their interactive map also allowed for comments and questions and was set up about six months ago. To date there has been no response to mine nor any of the other hundreds of participants comments or questions put to them on this interactive map.

Airservices advised that:

Where it was clear that an individual had posed a question or raised a complaint Airservices responded to that individual by email.

Further representations

- 7.36 Airservices submitted its Airspace Change Proposal, based on its final design to CASA on 29 July 2019, but representations continued to be made by affected residents. Airservices conducted numerous briefings and technical workshops with community groups to assist the community with opportunities to ask questions to gain an understanding of what would be implemented.
- 7.37 Discussions in August 2019 between Airservices' technical specialists, the Buddina community representatives and their Member of Parliament raised alternative flight paths that would reduce the noise impacts on the community. Airservices determined, however, that there was not time to fully consider them until after the runway opening, but acknowledged it was worthy of further consideration and potentially registering on its 'Noise Improvements Register'.
- 7.38 Together with the one proposed alternative determined by the *Proposed Final Design and Consideration of Feedback* report, Airservices committed to future consideration of two alternative flight paths.

8 Complaints about the process

- 8.1 At a briefing on 1 May 2019 with senior Airservices officers, the ANO was advised that Airservices did not intend to respond to the complaints it had received and continued to receive, but had decided to treat all complaints received as 'feedback'.
- 8.2 The ANO continued to receive many complaints from community members that their inquiries and complaints had not been responded to by Airservices. On 13 June 2019, after Airservices had published its *Summary of Feedback – Part One* report, Airservices confirmed its processes had given priority to reviewing and analysing submissions. It advised:

We prioritised producing feedback reports because they will provide a chance for all participants to get a sense of a broader range of ideas and concerns that were raised during the consultation process and an understanding of how this feedback was considered in the final flight path design. Given we are working to the runway development project schedule, and the volume of feedback is significant this is considered the most practical alternative to responding to each submission received during the consultation.

- 8.3 In August Airservices advised the ANO that it intended to analyse all communications from the community to identify complaints and respond to them. Airservices advised that this analysis identified something in the order of 1000 submissions that included complaints and that responses would be sent to all complainants identified. From late August through to late September (five or more months after complaints were lodged) Airservices sent letters to these complainants, acknowledging the complaint, reiterating the consultation process, including referral to previously published documents, and recognising that:

we will not be able to please everyone in this process and there will remain some community members who are not satisfied with the outcome of the proposed flight path designs.

- 8.4 Complainants expressed disappointment at this response, for example:

ASA's response did acknowledge SCC's letterbox drops may not have reached all households. ASA's response also inferred that they are aware of the botched notification process, quote, "*We understand that you may not have been aware of, or received late notification regarding, Airservices consultation drop-in sessions.*"

ASA efforts in this entire process have been woeful and they are hiding behind the pretext of aircraft safety and operations, and bending to the will of the Sunshine Coast Council and airlines whom are only interested in money with little concern or consideration for the impact on residents and the environment whom live in the flight path areas and will be most affected.

I must admit I feel completely despondent and that no one in government is listening.

9 Conclusions

9.1 Airservices has an obligation to inform, consult and constructively engage with communities potentially affected by proposed flight paths before they are implemented. Airservices asserts that it can rely upon consultation undertaken by others in an EIS process to meet this obligation. Airservices must, however, turn its mind to whether such a consultation was adequate. In this case, Airservices took no part in the consultations that occurred as part of the EIS conducted in 2014/15 by the Sunshine Coast Council and did not conduct its own assessment of that process. It told the ANO that it accepted the approvals of the Queensland Coordinator General and the Commonwealth Minister for the Environment to be sufficient evidence that an appropriate process had taken place.

9.2 Airservices aligned its flight path designs with those in the EIS but also proposed variations to reduce overflight of some north-west and north-east communities. However, it was not open to further variations in other areas as proposed by the community, which could potentially deliver improved environmental outcomes. Airservices took the position, as described in its *Proposed Final Design and Consideration of Feedback Report*²⁹:

Alternative flight path designs submitted that were outside the approved EIS concept flight paths were not able to be progressed at this time.

9.3 While there had been a consultation process and approvals on the basis of the EIS, it was apparent from the EIS documentation that the flight paths it contained were concepts and potentially subject to change over time:

The changes proposed in this chapter represent the flight paths and airspace currently envisaged by SCA to be adopted for operations on the proposed runway. However, these concepts are preliminary and future developments in aircraft technology and navigation systems, as well as development of the Brisbane basin air traffic management network could result in changes to the proposed airspace.³⁰

9.4 Airservices' internal procedure (NOS)³¹ requires the re-assessment of the environmental impact of proposed flight paths if more than 18 months has passed since its last assessment. GHD's TEIA ensured this requirement was met. However, the point made in the NOS is that a lot can change over 18 months, let alone over 4 to 5 years and this applies equally to planning the stakeholder engagements as it does to considering the environmental impacts associated with a change. The level of population churn in the areas affected would have been one relevant consideration.

²⁹ *ibid*, p. 27

³⁰ Sunshine Coast Council, *Sunshine Coast Airport Expansion Project – Environmental Impact Statement*, 18 September 2014, p. D2-169

³¹ Airservices Australia, *NOS*, *op. cit.* - see paragraph 2.7 above

- 9.5 The consultative process carried out by Airservices in 2019, however, was conceived on the basis that the EIS consultations in 2014/15 largely satisfied its obligations and no further consultation by it was required with those people potentially affected by aircraft noise in the areas covered by the previous Sunshine Coast Council processes (the general area). Airservices determined to directly consult only those potentially affected in areas where it had made modifications to the 2014/15 concept flight path design (the target area). “Consultation” with those affected in the general area, described by Airservices as a community update program, and in Airservices’ SEP as “activities aimed to inform and update the community on the development and implementation of Runway 13/31”³², would be the responsibility of the Sunshine Coast Council, with Airservices providing support.
- 9.6 This apparent division of responsibilities, produced confusion as the process continued. Airservices and the Sunshine Coast Council each placed separate public notices about upcoming consultation activities and complaints show inconsistent information provided at community consultation sessions by representatives of the two parties. Airservices did not anticipate the extent of public interest and did take steps to respond to the changing circumstances. It also considered the feedback received from general as well as the target areas. However, Airservices’ decision to only consider varying its final design from its proposed design where suggested alternatives were aligned to the EIS concept paths meant that “consultation” with those in the general area was effectively consultation in name only. The complaints to the ANO demonstrate that public anger continued to grow through the process and remained after the consultation period had closed.
- 9.7 Standards of best practice consultation for major infrastructure projects require that those consulted have at least some potential to influence the outcome and contribute to the final position. The International Association for Public Participation (IAP2)’s *Quality Assurance Standard for Community and Stakeholder Engagement*³³ adopts the IAP2’s Core Values for public participation, state that public participation:
- is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process
 - includes the promise that the public’s contribution will influence the decision
 - promotes sustainable decisions by recognising and communicating the needs and interests of all participants, including decision makers
 - seeks out and facilitates the participation of those potentially affected by or interested in a decision
 - seeks input from participants in designing how they participate
 - provides participants with the information they need to participate in a meaningful way
 - communicates to participants how their input affected the decision.

³² Airservices Australia, *SEP*, op. cit, p.6

³³ International Association for Public Participation, *Quality Assurance Standard for Community and Stakeholder Engagement*, 2015, p. 10

- 9.8 There was never any realistic prospect that residents in the general area, despite the chance to provide their feedback, had any significant opportunity to influence the proposed flight paths. This quickly became apparent to them during the process and was the fundamental basis of the complaints to the ANO.
- 9.9 Airservices' evaluation of the feedback, in separate reports for the general and target area, was that the consultation was "successful" based on the number of activities and volume of response. This in itself gave rise to further complaints. Complaints to Airservices about the consultation process were put to one side and eventually responded to well after the end of the consultation period.

10 Recommendations

10.1 When Airservices becomes involved in changed flight path design as a result of another party's project, such as for a proposed runway, its obligation to consult with the community about the environmental effects of aircraft operations remain. Although this obligation may be discharged in cooperation with others, the lack of effective coordination between Airservices and Sunshine Coast Council in this case, makes it clear that any future assessment of and consultation on environmental impact by Airservices involving another party will require more careful consideration and, if joint assessment is to occur, much more careful planning, commitment and attention from those involved as well as effective governance mechanisms to ensure that relative responsibilities are adequately discharged. To avoid similar challenges in the future, Airservices needs to engage early in the planning stages of third party-initiated projects and maintain an ongoing interest as the projects progress.

Recommendation 1: Airservices should develop a framework for third party proposed changes that:

- (a) provides robust and dependable governance arrangements to manage its early and ongoing engagement with third parties
- (b) establishes clear lines of accountability and documents these arrangements as they evolve
- (c) ensures an effective consultative process, which includes monitoring the adequacy of any third party consultations being relied on.

10.2 In considering the wide range of submissions it received and accepting further representations after the consultation period closed, Airservices acknowledged that there were some community-suggested alternatives that may offer better noise outcomes and are worthy of further investigation. In the short timeframe it had to finalise its designs for CASA approval ahead of the scheduled implementation date, these could not be properly assessed. However, Airservices committed to further considering these options as part of its Post Implementation Review process.

Recommendation 2: Airservices should, as soon as practicable, design an effective post-implementation review (PIR) process for the Sunshine Coast flight path designs, that does not perpetuate design constraints requiring alignment with EIS concepts, and which encompasses:

- (a) consideration of identified community-suggested alternatives
- (b) a community engagement process that provides for genuine opportunities for community contributions to influence decisions
- (c) application of the latest version of Airservices' National Operating Standard (NOS) *Environmental Management of Changes to Aircraft Operations (AA-NOS-ENV-2.100)*.

10.3 The ANO also acknowledges that some complaints it received raised concerns about the effectiveness of Airservices' noise impact assessment processes. As many noted, the recommendations made by the ANO in its *Investigation into complaints about the introduction of new flight paths in Hobart (April 2018)* had not been fully implemented at the time Airservices undertook its activities in the Sunshine Coast. Given this, and that those recommendations have now been addressed by a substantially updated NOS, the ANO has not made further recommendations on this issue, but continues to monitor Airservices' progress towards improved environmental assessment procedures and practices.