



Review of Airservices Australia's systems for community engagement

Final Report (April 2020)

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1 Executive Summary

Introduction

The Board of Airservices Australia (Airservices) requested the Aircraft Noise Ombudsman (ANO) to undertake a review of Airservices' systems for community engagement generally and specifically in the context of pending major airport infrastructure developments.

Best practice and international approaches

The ANO reviewed best practice Australian and international guidelines on effective community engagement, which emphasise the importance of effective community engagement to the overall success of infrastructure development. Two international approaches to community engagement with airport developments are examined: the United Kingdom's highly regulated approval process and the deliberative engagement approach employed in Toronto, Canada.

The review suggests that one new and emerging method of a best practice approach to community engagement is deliberative engagement, the essential feature of which is that the community is engaged early in the development process and contributes to the decisions made. Deliberative engagement is a method that should be considered, where relevant, as part of any multi-tool engagement approach. The features of such a process are examined in the report.

Stakeholder feedback

The review also includes the results of surveys of relevant industry and community stakeholders. The key messages are that Airservices' community engagement could be improved through ensuring all potentially impacted community members are reached within an appropriate period of time, all information provided is comprehensive and the engagement process is transparent.

Airservices

Airservices' approach to community engagement has been undergoing significant change over the last 18 months, including a program of continuous improvement and introduction of new, contemporary engagement practices and frameworks. Following ANO reviews of flight path changes at Perth and Hobart airports, Airservices has made progress in improving its community engagement capacity. There has been an internal restructure with the Airports and Environment team, Community Engagement team and Flight Path Design team all reporting to the same Environment & Community Manager and relevant experience and expertise acquired through new appointments. Airservices is also reviewing its applicable policy and procedural documents although the pace of this is dependent to an extent on the bedding down of its restructure.

Pending major airports developments

There are serious challenges posed by the major airport infrastructure developments planned for the next decade. One of the biggest challenges for Airservices is managing the complex relationship with other entities that arise from third party

initiated flight path changes. In the Sunshine Coast matter, the community engagement exercise was split between the local Council and Airservices. It lacked effective coordination, which was confusing for the affected residents and gave rise to a significant number of complaints. Airservices needs to develop and document a framework for its engagement with the developers of airports, which ensures early involvement by Airservices and clearly sets out relative responsibilities for community engagement, and has appropriate governance and risk minimisation mechanisms.

The review makes the following recommendations:

Recommendation 1: Airservices should finalise its internal review and restructure of its Environment and Community Group including establishing a fully developed and settled suite of procedures and policies for community engagement, with a scheduled review and evaluation mechanism.

Recommendation 2: Airservices should continue to strive to ensure its community engagement practice is in line with modern standards and methods of community engagement and draws on experience in other industries and countries. In particular, Airservices should consider emerging methods of community engagement such as ‘deliberative engagement’ as an effective tool on the broader spectrum of community engagement.

Recommendation 3: Airservices should meet with the ANO on a quarterly basis in relation to its community engagement activities and its presentation and distribution of aircraft noise related information.

Recommendation 4: Airservices should finalise and publish its *Community Engagement Framework* as a matter of priority to reflect its improved community engagement processes including (but not limited to) better planning and timing, reach and reasons for decisions.

Recommendation 5: Airservices should use its existing network of aviation industry meetings and groups to engage and coordinate more with the aviation industry on planned community engagement activities, in particular accessing the industry’s knowledge of local conditions and concurrent community engagement activities.

Recommendation 6: 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.

2 Introduction

- 2.1 The Board of Airservices Australia (Airservices) requested the Aircraft Noise Ombudsman (ANO) conduct a systemic review of the effectiveness of the community engagement systems of Airservices. The review examines Airservices' readiness to engage effectively with communities about aircraft noise issues:
- arising through its own change initiatives
 - resulting from its own business as usual activities
 - specifically in the context of major airport infrastructure projects scheduled over the next decade.
- 2.2 Since its inception, the ANO has been monitoring, reviewing and reporting on the general effectiveness of Airservices' consultation processes relating to aircraft noise and monitoring and reporting on the effectiveness of the presentation and distribution of aircraft noise-related information¹.
- 2.3 In April 2018, the ANO published its review of Airservices' introduction of new flight paths in Hobart (the Hobart Review)². This review was conducted in response to significant community concern about the introduction of flight path changes at Hobart Airport and the lack of prior consultation with affected residents and business owners.
- 2.4 As a result of that review, the Board requested the ANO identify systemic issues inherent in Airservices' systems for community engagement and refer these to the Board with proposed terms of reference for a systemic review of Airservices' systems for community engagement.
- 2.5 In December 2018, the Board requested that the ANO review these issues and make recommendations as appropriate. Significant work being undertaken by Airservices, largely in response to the recommendations in the Hobart Review, meant that the time for reporting for this review was extended by the Board.
- 2.6 The agreed terms of reference for this review are set out in **Appendix A**.

Methodology

- 2.7 To enable an independent assessment of Airservices' systems for community engagement, the ANO:
- reviewed all material relating to Airservices' current and draft (future) policies, procedures, processes and systems relating to community engagement. It also referenced materials from ANO investigations

¹ Aircraft Noise Ombudsman Charter (November 2016), clause 61

² Aircraft Noise Ombudsman, *Investigation into complaints about the introduction of new flight paths in Hobart April 2018*

including the Perth, Hobart and Sunshine Coast matters and incorporated feedback provided by Airservices on the Interim Report

- requested specific information and answers to questions about other routine and targeted community engagement activities conducted by Airservices – this involved reviewing project-specific engagement plans for projects in Melbourne, Townsville and Brisbane
- invited and considered feedback in the form of answers to an ANO designed questionnaire from a sample of community and industry stakeholders about the effectiveness of Airservices' community engagement
- observed community engagement activities through previous attendance at Airservices' engagement activities during the Perth and Hobart matters, attending routine Community Aviation Consultation Group (CACG) meetings and attending community and industry engagement for Airservices' draft Flight Path Design Principles
- researched and referred to contemporary standards and best practice principles of community engagement within Australia and internationally.

3 Recent History

- 3.1 The ANO has reviewed Airservices' community engagement practices in the Perth, Hobart and Sunshine Coast matters. A brief summary of those three matters is below.

Perth

- 3.2 During the course of 2015, Airservices proposed three significant changes to the management of air traffic to and from Perth airport (two of these changes proceeded to implementation and the third was not implemented). The aim was to deliver improvements in the management of aircraft noise over residential areas.
- 3.3 The ANO found that a number of aspects of the development of the proposals, their presentation to the public and the analysis of the possible benefits and impacts could be improved.
- 3.4 The ANO made 25 recommendations, the majority of which related to the effectiveness of Airservices' community engagement processes and presentation and distribution of aircraft noise-related information. The Airservices Board accepted all of the recommendations.

Hobart

- 3.5 The ANO stated in its Annual Report 2015-2016 that, by adopting the Perth recommendations, the ANO expected that Airservices would manage noise improvement changes better in the future. However, in September 2017, numerous complaints were made to the ANO from Hobart residents about new flight paths introduced there. The changes included a Standard Instrument Departure (SID) and a Standard Arrival Route (STAR) for each end of the main runway, altering many residents' experience of aircraft noise in the broader Hobart area.
- 3.6 The complaints included concerns about the quality and effectiveness of Airservices' community engagement and information provision in relation to the introduction of new flight paths as well its handling of complaints and general response to complainant concerns.
- 3.7 In April 2018, the ANO published its Hobart Review, which culminated in 13 recommendations for action by Airservices with five recommendations specifically relating to community engagement. Those recommendations were for Airservices to develop and support a more sophisticated approach to community engagement in line with and informed by modern standards of community engagement.
- 3.8 The Airservices Board accepted all of the recommendations from the ANO's Hobart Review.

Sunshine Coast

- 3.9 From late April 2019, the ANO again received numerous complaints about Airservices' community engagement and provision of information in connection with proposed flight path changes at Sunshine Coast Airport as a result of the planned new runway.
- 3.10 On 30 May 2019, the ANO advised the Chairman of the Board that a multiple complaints investigation would be conducted with a view to a report with recommendations.
- 3.11 The Sunshine Coast matter concerned the development of a new runway where the Environmental Impact Statement (EIS) and subsequent community engagement was carried out by the Sunshine Coast Council, as developer of the airport. Airservices went to community engagement regarding the impact of proposed flight paths some four to five years after the consultation conducted by the Council. Airservices relied on the earlier consultation without making its own assessment of its adequacy and its later consultation rested on a Council led 'community update program' with most affected residents and direct consultation by Airservices was only with a target area in which its final flight path designs varied from the original EIS concepts. Airservices' community engagement was conducted together with the Council and, while planned jointly, the division of responsibilities was not well coordinated, which confused affected residents and gave rise to a significant number of complaints to the ANO.

4 Contemporary Community Engagement

Term of reference 1 – reviewing relevant Airservices’ policies, procedures, processes and systems relating to community engagement by reference to best or common practice

Best or common practice

What is community engagement?

- 4.1 Community engagement is ‘an intentional process with the specific purpose of working across organisations, stakeholders and communities to shape the decisions or actions of the members of the community, stakeholders or organisations in relation to a problem, opportunity or outcome’³.
- 4.2 International Association for Public Participation (IAP2) lists the defining elements of community engagement as:
- Purposeful
 - Intentional and mostly-planned process
 - Shaping of decisions and actions of communities and/or organisations
 - Recognition of the interrelationship between the decisions and actions of organisations, stakeholders, communities and individuals
 - Recognition of the rights and responsibilities and roles of organisations, stakeholders, communities and individuals.⁴
- 4.3 IAP2 lists the benefits of timely community and stakeholder engagement and separates them as benefits for the three different elements of a community engagement process - the community, the organisation and the project:

Benefits for the community

- allows the community to have a say
- helps build long-term relationships and trust in government
- enables consumers to express their expectations
- demonstrates the organisation’s commitment to listening to, and serving, its customers
- can assist in building the capacity and the strengthening of communities
- harnesses the collective power of volunteers to support community-led endeavours

Benefits for the organisation

- helps to look outwards – organisations need to engage in order to innovate and be successful

³ International Association for Public Participation Australasia, *Engagement Essentials*, November 2018, p.9

⁴ *ibid*

- offers alternatives – complex problems need community input to find a new way forward
- helps organisations move beyond a focus on complaints to working with people to ensure services meet needs
- builds an organisation’s reputation and helps develop or restore trust in communities
- can remove barriers and enhance the decision-making process
- internally, may provide early insight, technical and cultural support to project planning and engagement design.

Benefits for the project

- brings more perspective and expands options for decision making
- can save money in the long run – good community engagement may require an investment of time and money, but poor engagement can cost a lot more
- can mitigate or reduce project risk factors.⁵

4.4 While this is beneficial for communities and other stakeholders, it has long-term and ongoing benefits for Airservices itself through a stronger reputation, deep and lasting trust from the community and is financially strategic and sound. In fact, it can cost Airservices more *not to engage properly* – in terms of reputation, credibility and resources – and responding to the outcomes of poorly conducted engagement processes.

4.5 IAP2 describes the potential range of public participation (see diagram below).

		INCREASING IMPACT ON THE DECISION				
		INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL		To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
	PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

(Reproduced with permission from IAP2.org)

⁵ *ibid*, p.14

4.6 According to IAP2, effective community and stakeholder engagement practice requires five elements that together form the platform for the design of an engagement process:

- Understand context – examine the background and history
- Scope project – scope and define the project focus for engagement
- Understand people – understand the people and stakeholders to be engaged
- Set purpose – set and agree the purpose and goals for engagement
- Shape influence – identify the roles and influence in the engagement process.⁶

4.7 Contemporary community engagement relies on a sophisticated and nuanced approach to these elements, each of which requires considerable thought and research. As can be seen from the diagram above, ‘informing’ communities is on the IAP2 spectrum as a valid form of public participation. However, a community’s influence on a decision increases as the form of public participation moves on from ‘inform’ to other methods such as ‘consult’, ‘involve’ and ‘collaborate’. Therefore, it is important to be honest in any community engagement process as to how much influence the community actually has.

APS Framework for Engagement and Participation

4.8 In November 2019, the Australian Government published a framework for engagement and participation that describes the principles and standards that underpin effective engagement with the objective of consolidating and improving existing practice⁷. The framework says that it ‘sets a vision, charting a course for engagement to help meet the APS’ challenges in the 21st century’.

4.9 The framework goes on to say that:

...engagements should not focus solely on ‘managing’ citizens and stakeholders and their expectations, and looking to minimise opposition. Rather, public servants should see the public as a source of expertise, and that engaging with them can forge a partnership to overcome complexity.⁸

4.10 The framework defines four ways of engaging with the public – share, consult, deliberate and collaborate. The way to collaborate will depend on consideration of the following issues:

- the complexity of the problem, whether the problem has already been framed, if there is a shared understanding of the problem
- what is in scope for influence, and what has already been decided
- who will be involved in delivering the solution.⁹

⁶ Ibid, p.15

⁷ Australian Government, *The Australian Public Service Framework for Engagement and Participation*, November 2019, <https://www.industry.gov.au/sites/default/files/2019-11/aps-framework-for-engagement-and-participation.pdf>

⁸ Ibid, p.ii

⁹ Ibid, p.9

Deliberative Engagement

- 4.11 One emerging method of best practice used to achieve better consultation with communities is 'deliberative public engagement'. Deliberative public engagement is 'a distinctive approach to involving people in decision-making. It is different from other forms of engagement in that it is about giving participants time to consider and discuss an issue in depth before they come to a considered view'¹⁰.
- 4.12 The use of deliberative methods of community engagement has increased in the last 30 years, partly in response to public discontent with previous public participation experiences and a decrease in the trust of government decisions without (meaningful) community input.¹¹
- 4.13 Deliberative engagement is being used increasingly across Australia particularly at various levels of government to facilitate citizen participation in the development of public services and policy solutions¹². In general, it involves randomly selecting a large group of community representatives that are representative of the demographics of the broader community. This group is then given time, access, information and resources to discuss and make recommendations about a topic or question.
- 4.14 The ANO is aware that Sydney Airport has used deliberative engagement in some of its recent community consultation and found it an effective means of engagement. In particular, deliberative engagement is found to be beneficial when there are competing opinions in the community about a particular issue because, if well facilitated, a deliberative panel tends to self-moderate and develop solutions and ideas that all community members can accept, rather than having obvious 'winners' and 'losers'.
- 4.15 A deliberative engagement panel is more genuinely representative of what the broader community thinks and is more capable of reaching a conclusion on issues than committees or forums that do not have such a diverse representation of community members. 'Community representatives' on existing committees and forums may or may not be in line with the broader community's thinking. A deliberative panel could, for example, include a membership comprising people who are concerned about noise; people who are not concerned about noise; people whose opinions are shaped by their experience as an airline passenger and those who recognise the jobs created by the airport.
- 4.16 Further, the *APS Framework for Engagement and Participation* highlights the importance of deliberative engagement as a way of genuinely seeking the input of the community. The framework describes deliberate engagement as follows:

¹⁰ National Consumer Council, *Deliberative Public Engagement: Nine Principles*, June 2008, p.1, https://www.involve.org.uk/sites/default/files/uploads/Deliberative-public-engagement-nine-principles_0.pdf

¹¹ NSF Consulting, *Deliberative Engagement Methods*, 2019, <http://nsfconsulting.com.au/deliberative-community-engagement-methods/> (accessed on 17 November 2019)

¹² Moore, Nichola, *Engaging Citizens through Co-design and Deliberative Engagements*, ACT Legislative Assembly Library 2019 Fellowship Paper, April 2019, p.3

In a 'Deliberate' engagement people are asked to help identify and frame an issue and/or develop a strategy that the government commits to deliver. Participants discuss to find common ground and collectively arrive at an agreement. Participants need to be able to support their lived experiences with evidence and facts. Government must be willing to trust the process to deliver recommendations it could work with.

The promise to the public can take the form of: 'We will look to you for advice and innovation in formulating solutions. Subject to the boundaries and rules set by the engagement plan, we will incorporate your advice and recommendations into final decisions to the maximum extent possible'.¹³

- 4.17 It is acknowledged that the appropriate approach to community engagement must remain flexible, scalable and commensurate with the nature, size and scope of the change. Deliberative engagement is a method that should be considered, where relevant, as part of any multi-tool engagement approach.

Why is community engagement important?

- 4.18 Like all industries with significant social impacts, aviation operates and may only continue to grow with the cooperation and support of the community, often termed a 'social licence'. The community needs what aviation gives it in the form of movement of people and goods, its facilitation of broad economic growth and the economic opportunities it provides in concentration around airports. However, aviation does not operate in a vacuum. It needs permission, through regulatory mechanisms and through government infrastructure, to operate and develop. It also needs the permission of the community whose withdrawn permission can give rise, through political action, to tighter regulation and other limits on operation.
- 4.19 The direct impact of increasing aviation activity is not imposed equally across the community and conflict can arise when the desired growth comes at a cost to some, particularly when they do not benefit. That creates a tension that can erupt and threaten to undermine the existing accommodation. This may be so even when changes imposed on the community are made for reasons of safety and protection.
- 4.20 For aviation to continue on its path of development and expansion, its social licence, and the accommodation it affords, must be actively fostered. The alternative may result in restrictions on aviation activity and growth. An extreme expression of this kind of restriction is the curfew. Another expression of it is an onerous regulatory regime such as the United Kingdom's Civil Aviation Procedure (CAP) 1616, discussed further below.
- 4.21 The social licence has to be constantly negotiated, recalibrated and discussed. The only thing that is certain is that things will continue to change – technology, international standards and infrastructure. Community desire and capacity to engage is increasingly sophisticated and mobilised through improved communication and social media. Noise impacts are better measured through more research into annoyance and health.

¹³ Ibid, p.14

- 4.22 Consequently, the aviation social licence will always need to be the subject of an ongoing conversation. That conversation is at the heart of community engagement. The quality of the community engagement and the conversation it embodies will determine the quality and efficacy of the social licence.
- 4.23 Just as this broader conversation about aviation is important, conversations with the community about particular impacts of aviation or about particular changes or increases in impact must also be had, fostered and encouraged. Failure to engage in this way and failure to consult effectively with the community will erode the social licence that allows aviation to grow and, in particular, allows Airservices to do its important work, ensuring safety in the air. Effective community consultation is the necessary glue for the important relationship between Airservices and the community – and between the community and aviation generally.
- 4.24 The stress on the relationship between Airservices and the community will be tested by planned developments at Melbourne and Perth airports, the planned airport at Western Sydney, as well as the nearly completed new parallel runway at Brisbane Airport (all within the next decade). These developments will demand a level of community engagement awareness, understanding and expertise not demonstrated in the past by Airservices. Airservices must equip itself to deal with these additional challenges by committing to a program of continuous improvement in this area.

Community engagement in other industries

- 4.25 Community engagement is increasingly recognised by the private sector and by government as absolutely necessary for any project's success. In December 2017, the University of Melbourne Next Generation Engagement Project published its report on Australia's largest national study into community engagement in infrastructure to date.
- 4.26 The report noted that in the last decade, it is estimated that 'community opposition has contributed to the suspension, abandonment or mothballing of at least \$20 billion in infrastructure projects across Australia's East Coast alone within the past decade'¹⁴.
- 4.27 The report went on to explain the costs to all parties involved in any major infrastructure project including staff, communities and organisations:

Opposition is not only costly to the infrastructure sector, it is costly to communities. Many of those who oppose projects do so in their own time, as volunteers working on behalf of other locals. Studies in psychology show us that oppositional relationships take a toll, in terms of increased stress levels, possible time away from paid work, reduced resilience and a sense of things happening beyond one's control. Poorly executed projects also often bear an environmental cost that can be experienced by communities via a loss of visual amenity, through lost land access or substantial changes to an environment they call home. The resulting 'solistalgia'—a sense of distress induced by environmental change and a longing for the landscape that existed before—is very real.

¹⁴ Melbourne School of Government, *Next Generation Engagement: Informing community engagement for Australia's infrastructure sector*, December 2017, p.12

The stresses of community engagement in oppositional environments bear further costs for the individuals tasked with relating directly with communities on behalf of developers. Stories from the field indicate more openly hostile interactions with community members (especially via social media), longer hours managing crises, high staff turnover levels and, in certain instances, threats to physical security.¹⁵

4.28 There are clearly parallels between major infrastructure projects and airspace design reviews involving new or changed flight paths and the challenges faced by all parties when community engagement is required. The report goes on to say:

Today's projects need to consider the combined perspectives of project proponents, community members and community engagement professionals. This is complicated but crucial. The current climate around infrastructure represents the growing importance of community input into project selection and design, and suggests the centrality of strong engagement to successful project delivery.¹⁶

International perspectives

Independent Commission on Civil Aviation Noise (UK)

4.29 The Independent Commission on Civil Aviation Noise (ICCAN) was established by the UK Government in January 2019 as an 'independent non-statutory advisory arms-length body asked to act as the credible and impartial voice on all matters relating to civil aviation noise'¹⁷. ICCAN says its aim is to improve public confidence and trust in the management of aviation noise.¹⁸

4.30 In its Corporate Strategy, ICCAN has undertaken to publish, by April 2020, best practice guidance on how airports should consult more generally on aviation noise.

4.31 Of particular interest to ICAAN is the CAP 1616 regime. CAP 1616 was introduced by the UK Civil Aviation Authority (CAA) in 2017 to address the need for a sound, consistent, transparent process for the introduction of airspace changes. The introduction to the interactive Guide to the CAP 1616 states:

The CAA has reformed the airspace change process to ensure that it meets modern standards for regulatory decision making, and is fair, transparent, consistent and proportionate. The process must be impartial and evidence based, and must take account of the needs and interests of all affected stakeholders.

While not everyone will agree with every potential decision that changes the UK's airspace design, we want the methods used to reach those decisions to be well understood and respected.

To ensure that the needs of all stakeholders are met, the process emphasises the importance of engagement. Engagement is the catch-all term we use to mean developing relationships with stakeholders, covering a variety of activities. Consultation, or a formal, notified period seeking input from stakeholders on proposals, is one element of engagement within the process,

¹⁵ Ibid, p.6

¹⁶ Ibid, p.6

¹⁷ Independent Commission on Civil Aviation Noise, *Corporate Strategy 2019-2021*, https://drive.google.com/file/d/1Rfb5jA8z4LplxV0p-YfN2dZIXcMH6_-J/view

¹⁸ Independent Commission on Civil Aviation Noise, 'Home', <https://iccan.gov.uk/> (accessed on 13 November 2019)

but engagement can also mean information provision, regular and one-off meetings and fora, workshops, and 'town hall' discussions and other contact with third parties. We refer to the overall programme as the change sponsor's 'consultation strategy'. The CAA takes a prominent role in approving the change sponsor's consultation strategy.¹⁹

4.32 The document then goes on to summarise the seven-stage airspace change process as follows:

The seven-stage airspace change process

The seven-stage process begins with the change sponsor preparing a Statement of Need setting out what issue or opportunity it is seeking to address and meeting the CAA to discuss it. This is followed by engagement by the change sponsor with those potentially affected by the proposed change on the underlying design principles (**Stage 1** – completion of the 'Define' gateway). At this point, the CAA will agree with the change sponsor the timeline against which we can accept the proposal, having regard to submissions by other parties. This is essential if we are to give certainty to the timescales set out in this guidance.

Continuing to liaise with stakeholders, the change sponsor develops one or more options and carries out an initial appraisal of the impacts, both positive and negative (**Stage 2** – completion of the 'Develop and assess' gateway). The change sponsor then prepares a consultation and assesses who should be consulted (**Stage 3** – Steps 3A and 3B – completion of the 'Consult' gateway). The change sponsor consults with those interested parties, including, where appropriate, local communities (**Stage 3** – Step 3C). In the light of responses (categorised in **Stage 3** – Step 3D), the change sponsor may modify the proposals before making a formal submission of the proposal to the CAA for a decision (**Stage 4**).

The CAA assesses the proposal, may hold a Public Evidence Session, may issue a draft decision and subsequently will issue a final decision, or alternatively a 'minded to' decision at the request of the Secretary of State who may have 'called in' the proposal (**Stage 5**). If the proposal is approved, and after it has been implemented (**Stage 6**), the CAA carries out a review of the change (**Stage 7**), usually after 12 months of operation.²⁰

4.33 Each of the above stages involves a gateway requiring the CAA's approval to proceed.

Toronto Pearson Airport (Canada)

4.34 The Greater Toronto Airports Authority (GTAA) in Toronto, Canada, is the operator of the Toronto Pearson Airport, which is the largest airport in Canada, and its international passenger traffic ranks second in North America²¹.

4.35 Toronto Pearson services the Greater Toronto and Hamilton Area and it is estimated that by 2040, the population of the area will increase by almost 50% or by 3 million residents²². This population growth will increase the demand on the region's airports and the GTAA is engaging in long-term planning for this

¹⁹ Civil Aviation Authority, *Airspace Design: Guidance on regulatory process for changing airspace design including community engagement requirements*. CAP1616, November 2018, p.9.

²⁰ *Ibid*, p.16

²¹ Toronto Pearson, *Growing Responsibly: Noise Management Action Plan 2018-2022*, p.1

²² Toronto Pearson, *The report of the Toronto Pearson Residents' Reference Panel on Airport Growth and Noise Fairness, Final Report*, October 2017, p.6

growth. Toronto Pearson carries responsibility for noise management and noise mitigation and manages all noise complaints.

- 4.36 In the last few years, Toronto Pearson embarked on an extensive community engagement exercise the purpose of which was to inform its Noise Management Action Plan.
- 4.37 The GTAA assembled a Residents Reference Panel on Airport Growth and Noise Fairness in order to engage with a cross-section of residents in the Greater Toronto area. The GTAA saw this as a deliberative exercise and, as such, the Panel was comprised of 36 residents selected randomly from across the Greater Toronto Area, including (but not limited to) neighbourhoods affected by airport operations.
- 4.38 The GTAA mailed 20,000 Civic Lottery invitations to the approximately 7.2 million people in the Greater Toronto Area. From amongst those who received an invitation in the mail, a fraction was interested in participating and was available to attend four Saturday Panel meetings. From those who volunteered, 36 were selected.
- 4.39 The Panel members learned from a range of experts and stakeholders and used information collected from meetings with stakeholders, public workshops, an extensive noise-fairness survey of Greater Toronto Area residents and information sessions to put forward recommendations for Toronto Pearson to take into consideration.
- 4.40 In October 2017, the Panel submitted their final report on Airport Growth and Noise Fairness²³. The report detailed recommendations to ensure the airport grows in a responsible and sustainable way.²⁴
- 4.41 Toronto Pearson reviewed the recommendations the Panel made in their report and went on to reflect the proposed principles, values and recommendations made by the Panel in a number of important projects. These included Toronto Pearson's 2018-2022 Noise Management Action Plan²⁵ and their Master Plan 2017-2037²⁶.
- 4.42 The Chair of the Panel stated in the final report that:

With so many technical studies and ideas under consideration, as well as a new growth plan under development, the GTAA believed it was also important to hear directly from residents. ... the Reference Panel was designed to provide the GTAA with the considered view of people from across the region who would work together to find common ground and speak with one voice.

²³ Toronto Pearson, *The report of the Toronto Pearson Residents' Reference Panel on Airport Growth and Noise Fairness, Final Report*, October 2017

²⁴ Greater Toronto Airports Authority, *Topic: Airport Growth and Noise Fairness*, 2017, <https://www.torontopearson.com/en/community/get-involved/community-conversations/airport-growth-noise-fairness> (accessed on 17 November 2019)

²⁵ Toronto Pearson, *Growing Responsibly: Noise Management Action Plan 2018-2022*, p.3

²⁶ Toronto Pearson International Airport, Master Plan 2017-2037 – Growing Responsibly, <https://tpprocdnep.azureedge.net/-/media/project/pearson/content/corporate/our-future/pdfs/gtaa-master-plan.pdf?modified=20190228235920&la=en&hash=6C155E44692A278979B42F1F976A7456D7F2D53F>

This required listening to one another and carefully scrutinizing the many plans, assumptions, and evidence that were provided by the airport and by more than twenty experts and guests.

Working as volunteers, I believe the members of the Reference Panel have shown that substantive and productive dialogue with citizens is an asset to the GTAA, as it should be to any airport.²⁷

International Civil Aviation Organisation

4.43 A recent article in the *International Airport Review*²⁸ states that Airports Council International (ACI) and Civil Air Navigation Service Organisation (CANSO) have called for the International Civil Aviation Organisation (ICAO) to formally recognise community engagement as an integral part of the ICAO Balanced Approach to Aircraft Noise. ICAO is a UN specialised agency, established by States in 1944 to manage the administration and governance of the *Convention on International Civil Aviation* (Chicago Convention).

4.44 Currently, the four principal elements of ICAO's Balanced Approach to Aircraft Noise Management are (in priority order):

1. Reduction of Noise at Source (Technology Standards)
2. Land-use Planning and Management
3. Noise Abatement Operational Procedures
4. Operating Restrictions.

4.45 The article says that 'the complexity of managing aircraft-related noise, its impact on stakeholder groups and the challenges posed by new technological developments call for a more practical, global approach to noise management ... and that noise discussions and solutions are more effective when developed using community feedback'.

4.46 The article says that even though initiatives such as reduced noise of individual aircraft and noise insulation programs have been introduced worldwide, more individuals and communities are expressing negative attitudes towards airports and aviation activities. This in turn could impede the aviation industry's ability to grow so it is imperative that all the factors, which contribute to community concern, are fully understood and plans and policies address them.

4.47 ACI and CANSO believe community engagement should 'become more codified as a cross-cutting element which supports the implementation of the ICAO Balanced Approach'.

²⁷ Op cit, p.6

²⁸ Harper, Rachael. International Airport News, 2 August 2019, <https://www.internationalairportreview.com/news/104121/new-approach-called-community-engagement-noise/>

5 Airservices' approach to community engagement

Term of reference 1 – reviewing relevant Airservices' policies, procedures, processes and systems relating to community engagement by reference to best or common practice

Airservices' policies, procedures, processes and systems

Airservices' Corporate Plan

5.1 The current *Airservices 2019-2020 Corporate Plan* identifies six key trends impacting the aviation industry. One of these is:

Environmental and community consequences of aviation operations

Community awareness and expectations continue to grow around minimising the effects of aviation on communities and the environment.

Increasing traffic growth, flight path changes to support the introduction of new technology and airport infrastructure, and the increasing prevalence of quicker aircraft all impact on community experience of aircraft noise.²⁹

5.2 The Corporate Plan goes on to say that:

Our five year strategy explores the opportunities and challenges these trends bring to our customers, industry and the community. Our programs and deliverables are tailored to capitalise on opportunities to ensure we deliver on our purpose and ambition.³⁰

Current framework

5.3 Airservices' current legislative requirements are contained in section 10 of the *Airservices Act 1995*, which provides:

AA must consult and cooperate

In the performance of its functions and the exercise of its powers, AA must, where appropriate, consult with government, commercial, industrial, consumer and other relevant bodies and organisations (including ICAO and bodies representing the aviation industry).

5.4 The Minister's Statement of Expectations for Airservices says:

Stakeholder Engagement

I expect Airservices will continue to:

(d) Undertake effective and productive engagement with the community and industry based on mutual understanding and respect.³¹

5.5 Airservices' *National Operating Standard (NOS) Environmental Management of Changes to Aircraft Operations (AA-NOS-ENV-2.100)* is the internal procedure that prescribes the requirements for environmental impact assessment (EIA),

²⁹ Airservices Australia, *2019-2020 Corporate Plan*, p.11

³⁰ *ibid*

³¹ Michael McCormack, Minister for Infrastructure, Transport and Regional Development, *Statement of Expectations for Airservices Australia for the Period 1 July 2019 to 30 June 2021*, June 2019.

social impact analysis (SIA) and community engagement that must be met, prior to implementing changes to aircraft operations.

- 5.6 The *Environmental Protection and Biodiversity Conservation Act 1999* requires referral to the Environment Minister of any projects that are likely to have a significant impact on the environment (broadly defined). Airservices has (in consultation with the Department of the Environment and Energy) devised its own criteria for determining significant impact.
- 5.7 A further aspect of the regulatory landscape is the approval required from Civil Aviation Safety Authority (CASA) for airspace change proposals (ACPs). CASA's website advises that:

The ACP must contain the safety case that is driving the proposal. Other key information includes evidence of consultation with the relevant stakeholders.³²

- 5.8 In assessing an ACP, CASA does not appear to assess the quality of community engagement undertaken nor does it appear to seek or provide feedback on any community engagement proposals. A recent posting on the CASA website concerning the changes to the Sunshine Coast related airspace states:

CASA does not assess flight paths as part of an airspace change proposal. The design of flight paths, environmental considerations and the conduct of public consultation are the responsibility of Airservices and the Sunshine Coast Airport.³³

- 5.9 The regulatory regime clearly requires Airservices to consult with the community. However, it does not define how consultation must be done, other than it be effective and productive and based on mutual understanding and respect.

Airservices' internal review of its community engagement

- 5.10 Airservices has been responsive to the ANO's recommendations relating to community engagement in the Perth and Hobart matters. Airservices also completed its own internal review of its aircraft noise management processes after identifying deficiencies and areas for improvement relating to the Hobart flight path changes³⁴. As a result, it is acknowledged that Airservices has increased the capability of its community engagement team through recruitment, training and access to community engagement specialists and expertise as well as tailoring its engagement strategies to the individual circumstances of proposed flight path changes.
- 5.11 Airservices has also recently undertaken an internal restructure of its teams responsible for flight path design and community engagement.

³² Civil Aviation Safety Authority, Airspace change process, What does an ACP contain? <https://www.casa.gov.au/airspace/airspace-regulation/airspace-change-process> (accessed on 22 November 2019)

³³ Civil Aviation Authority Australia, Airspace Regulation: Sunshine Coast Airspace, <https://www.casa.gov.au/airspace/airspace-regulation> (accessed on 15 November 2019)

³⁴ Airservices Australia, *Review into processes associated with aircraft noise management*, December 2017, p.1

- 5.12 This restructure has established a new Community and Environment Branch within the Air Navigation Services Group. The Flight Path Design team and the Airports and Environment team moved into this branch to work alongside the Community Engagement team. The Noise Complaints and Information Service (NCIS) is now part of the Community Engagement unit. Two new roles have been created within the Community Engagement unit – a ‘Change Lead’ which focuses on managing specific key consultation activities and the Community Engagement Manager, who will lead the new unit.
- 5.13 Further, all of these units – Flight Path Design team, Airports and Environment team and the Community Engagement team – now report to the same Environment & Community Manager which is a new role established to manage this new broader structure. The Environment & Community Manager is at a senior management level and reports directly to a member of the Executive. The new manager commenced in this role on 30 March 2020 and has extensive community engagement experience and skills.
- 5.14 Airservices has also recruited and appointed other community engagement staff with strong backgrounds in modern community engagement principles and increased the capability of the Community Engagement Team through training and access to community engagement specialists, expertise, tools and technology.
- 5.15 This new structure and appointment of new staff demonstrates Airservices intends to design flight paths with a more internally integrated approach that involves Community Engagement team members at first instance and keeps them involved through an iterative process.
- 5.16 Airservices has advised the review of improvements implemented since the Hobart Review, including:
- improved community engagement information and artefacts, including interactive maps for flight path changes, digital engagement options, use of infographics to present complex messages in a way that are accessible to Culturally and Linguistically Diverse (CALD) communities, community specific fact sheets, timelines, surveys, videos, direct correspondence updates, regular website updates, FAQs and newspaper visual advertisements instead of Public Notices
 - the introduction of Feedback, Analysis and Decision Reports, including summary of Feedback Reports, consideration of Feedback (analysis) Reports and final Flight Path Design reports for public comment
 - post-consultation ongoing engagement, including community update programs, and ongoing engagement with community groups after the consultation period has been completed.
- 5.17 Airservices has also been reviewing its suite of policies and procedures relating to community engagement.

Internal documents

- 5.18 The current key **internal** documents relating to community engagement include:

- *ENV-PROC-0011 Community Engagement Change to Aircraft Operations Version 1* (4 July 2019)
- *ENV-PROC-0012 Community Engagement Queries, Feedback and Complaints Management Version 1* (4 July 2019)
- *AA-NOS-ENV-2.100 Environmental Management of Changes to Aircraft Operations Version 15* (29 June 2019) (the NOS)
- *ENV-GUIDE-0028 Environmental Impact Assessment of Changes to Aircraft Operations Version 1* (1 July 2019)

5.19 In July 2019, Airservices invited the ANO to provide comments on the document *Community Engagement Queries, Feedback and Complaints Management Version 1*, after its internal publication on 4 July 2019. The ANO provided extensive comments at the time but a revised version of this document has yet to be produced.

5.20 The ANO notes the NOS has been revised several times since the ANO last looked at it in the Hobart review in 2018 and the latest version, effective July 2019, is a considerable improvement on previous versions.

External documents

5.21 The current **external** documents relating to community engagement are:

- *Airservices Commitment to Aircraft Noise Management* (2013)³⁵
- *Communication and Consultation Protocol* (July 2016) (the Protocol)³⁶.

5.22 The Protocol is Airservices' current external policy on community consultation and is published on its website. While some aspects of the Protocol are still relevant, given this public document is central to Airservices' community engagement, it clearly needs updating.

5.23 In June/July 2019, Airservices consulted the ANO on a new document intended to replace the Protocol. The new document is entitled *Community Engagement Framework* (the Framework). The ANO provided extensive comments on the Framework.

5.24 Airservices advised the ANO in August 2019 that the ANO feedback on the Framework would be considered as the document matures and that Airservices would provide the ANO with the final draft version of it prior to release. In April 2020, Airservices advised that the Framework remains under development so that it can be supplemented with learnings from the ANO systemic review before it is published.

Summary

5.25 The new internal structure and the updated internal community engagement policies and procedures demonstrate a commitment by Airservices to improving

³⁵ Airservices Australia, *Airservices Commitment to Aircraft Noise Management*, November 2013

³⁶ Airservices Australia, *Communication and Consultation Protocol*, July 2016, <http://www.airservicesaustralia.com/publications/corporate-publications/communication-and-consultation-protocol/>

its community engagement. However, some aspects have progressed more slowly than desirable.

5.26 Best or common practice would be to keep all policies and procedures continuously updated to reflect Airservices' evolving approach to community engagement. While this appears to be happening with internal documents, Airservices' external documents have not been updated for many years. The *APS Framework for Engagement and Participation* states the objectives of its framework is threefold:

- It provides guidance and support to the APS, to enhance engagement with community expertise to improve policy, program and services, and deliver better outcomes for citizens
- It publicly communicates the quality and types of engagements the public can expect from the APS
- It reaffirms the commitment of the APS to being accountable to the public and transparent in its operation.³⁷

5.27 Therefore, it would be best practice for Airservices to continue to update and publish its external documents on a regular basis to ensure it is communicating its evolving community engagement approach to the public and demonstrating its commitment to transparency and accountability.

Airservices' routine and targeted community engagement practices

Term of reference 2 – assessing Airservices' routine and targeted community engagement practices through reviewing project-specific engagement plans and by attending and observing a sample of Airservices' routine and targeted engagement activities

5.28 The ANO has assessed Airservices' routine and targeted community engagement practices by:

- having regard to previous multiple-complainant reviews conducted by the ANO of significant Airservices community engagement practices by Airservices in the Perth, Hobart and Sunshine Coast matters
- reviewing project-specific engagement plans not previously reviewed by the ANO including Townsville, Melbourne and Brisbane
- attending and observing a sample of Airservices' routine and targeted engagement activities.

Townsville Airport

5.29 Airservices and the Department of Defence had been implementing changes for arriving and departing flights at Townsville Airport and since May 2017 this included high altitude flight path changes, changes to traffic management procedures, and re-aligning the satellite-based area navigation approach

³⁷ Ibid, p.1

(RNAV) to Runway 19 for aircraft landing at the airport when approaching from the north.

- 5.30 The final stage of the Traffic Management Plan was the proposed implementation of SIDs and STARs. Airservices conducted community consultation for a six-week period between 26 October 2018 and 7 December 2018.
- 5.31 The ANO notes that the Townsville matter is an older matter from 2018, and predates many of the reforms that have been since implemented. The ANO received a complaint from a resident that community members in affected areas were not aware there were any changes being implemented at Townsville Airport.
- 5.32 The ANO reviewed Airservices' *Stakeholder Engagement Report – Townsville Traffic Management Plan – Final Stage – SIDS and STARs (Version 1, 18 December 2018)* (SER). In that report the completed communication and engagement activities were outlined and included: fact sheets and information on the Airservices website; correspondence with state and Federal MPs and Townsville City Council; correspondence with all affected hospital and schools (sensitive sites); newspaper advertisements; presentation to Townsville Community Aviation Consultation Group (CACG); and industry briefing given to airlines and Defence.
- 5.33 The ANO notes the following:
- **Reach** – no actual community members or residents in any of the affected or potentially affected areas were directly consulted in this community engagement process. There was one newspaper advertisement placed in the local newspaper on one day during the six-week consultation period. The only proposed method of seeking individual contact with potentially affected residents was to write to residents already registered with the NCIS database i.e. residents who had made complaints about noise in the past. Past experience of noise would not include areas affected by new flight paths. There were no residents in the potentially affected areas registered with the NCIS database. Also, while briefings were given to the CACG as part of the community engagement activities, there were no community representatives on the CACG.
 - **Planning** – concerns were raised internally by Airservices staff about Airservices' insufficient community consultation in the planning stages of this matter. An email in the National Request for Change (NRFC) database dated 3 October 2018 advises that in late August 2018 staff were instructed to pull the SIDS and STARs changes due to a concern that sufficient community consultation was not complete. Airservices advises that, in particular, a fact sheet and website update, correspondence to MPs and sensitive sites and a newspaper advertisement had not been completed in the planned timeframe but were completed at a later date.
- 5.34 As noted above Airservices has advised, and the ANO accepts, that it now has better systems in place to address these issues.

Melbourne Airport Runway Mode and Flight Path Changes

- 5.35 Airservices consulted the community between 15 January 2019 and 12 March 2019 about a proposal to change how some runways were used for arrivals to Melbourne Airport.
- 5.36 The ANO reviewed Airservices' *Stakeholder Engagement Plan (v.3, 22 February 2019)*, *Stakeholder Engagement Report – Melbourne Airport Runway Mode and Flight Path Changes (v.1, effective 22 March 2019)* and *Summary of Community Feedback*.
- 5.37 The ANO notes the following:
- **Reach** – this matter demonstrated that Airservices had moved away from using the CACGs as a primary site of community consultation. However, the only direct communication Airservices had with residents in any of the affected or potentially affected areas was with those already registered with the NCIS. As with Townsville, such contact was with complainants about past noise, not potential future noise from altered flight paths.
 - **Timing** – Airservices received feedback from the community that the timing of on-site drop in sessions should be earlier in the consultation period and the sessions needed to be better promoted. Airservices has advised that this feedback has been incorporated into its current practices.
 - **Decision** – the decision regarding the outcome of this matter was published as a one-sentence statement on Airservices' website. The decision was not communicated to any stakeholders or stakeholder groups directly at that time. However, Airservices has advised that a community update program was undertaken in January 2020 where direct correspondence was sent to elected representatives and community members who took part in the consultation, advertisements were placed in local newspapers, an article was included in the My Melbourne Airport newsletter and further correspondence was provided to the CACG.

Brisbane Airport Corporation – New Parallel Runway

- 5.38 Brisbane Airport Corporation Limited (BAC) is currently constructing a New Parallel Runway (NPR), with an anticipated completion date of mid-2020. The development of the new runway involves the introduction of new flight paths into and out of Brisbane Airport that will be used once the new runway is operational.
- 5.39 Airspace design for the NPR was undertaken as part of a Major Development Plan (MDP) and accompanying Environmental Impact Statement (EIS), and both documents were approved by the Australian Government in September 2007. The ANO understands BAC conducted public consultation on the NPR in 2006-2007, 2008-2009 and again during public consultation on the 2014 BAC Master Plan.

- 5.40 BAC and Airservices have collaborated on this project through the joint Parallel Runway Operations Implementation Group (PROSIG). PROSIG agreed to conduct engagement activities collaboratively, to meet both the approval conditions and the Airservices community consultation and engagement requirements.
- 5.41 Consultation and communication activities were conducted between June 2016 and May 2018 through coordination with the PROSIG Communications Working Group, and included explanation of the airspace volume changes as described in the EIS/MDP.
- 5.42 On 31 October 2018, CASA approved the ACP and the final airspace design, including changes to airspace architecture and routes. Since then neither the airspace architecture nor associated flight paths can be modified. Therefore, the consultation phase of the engagement activities has been completed. BAC and Airservices are now implementing the Community Update Program (CUP), the purpose of which is to inform, educate and update the community on the new parallel runway, airspace design, flight paths, approaches, expected aircraft noise and noise minimization strategies
- 5.43 The Support Plan for the CUP states that:
- Community engagement will be iterative, and may be adjusted and/or extended according to feedback received during engagement activities. It is important to note that feedback cannot inform the design but may inform engagement activities, collateral and locations.³⁸
- 5.44 This matter is an example of an airspace change initiated by a third party, BAC, as distinct from airspace changes that are initiated by Airservices itself. In this case, BAC has led (and continues to lead) the community engagement activities and Airservices supports these activities. It is noted Airservices was the proponent for the airspace change and lodged the Airspace Change Program submission to CASA in 2018.
- 5.45 The ANO has reviewed Airservices' *Stakeholder Engagement Program ACP Submission (3 July 2018)*, *Brisbane NPR Interim SER (24 April 2019)* and the *Support Plan – Brisbane New Runway Community Update Program V1*.
- 5.46 It is clear from these documents that Airservices has played a supporting role in this stage of the community engagement activities providing technical experts (e.g. air traffic controllers) at on-site engagement locations; supporting development of 'collateral'; and undertaking internal BAC staff engagement activities and Airservices staff engagement activities.
- 5.47 The true test of the effectiveness of the community engagement undertaken will be when flights start on the new runway and the community deals with reality of the new flight paths.

³⁸ Airservices Australia, *Brisbane Airport Corporation's New Parallel Runway Community Update Program (November 2018-August 2020)*, *Airservices Support Plan*, Version 1, 24 April 2019

Attending and observing

5.48 The ANO attended and observed a sample of Airservices' routine and targeted engagement activities. These included:

- previously attending community engagement activities during the Perth and Hobart matters
- attending recent routine CACG meetings (Canberra, Brisbane and Hobart) where Airservices staff presented information relating to those particular geographic areas
- attending community and industry engagement activities associated with Airservices' community engagement on the draft Flight Path Design Principles.

5.49 The ANO has also observed Airservices' Flight Path Changes page on its main website and its online engagement portal, *Engage*³⁹.

Summary

5.50 The ANO notes the following specific issues after having regard to previous multiple-complainant reviews; reviewing more recent project-specific engagement plans; by attending and observing engagement activities; and taking into account complaints received.

- **Planning and Timing** – communities had insufficient time prior to proposed changes to ensure substantial and appropriate consultation and time was not allowed for unanticipated developments.
- **Reach** – not all communities were reached in Airservices' community consultation activities. Direct contact with affected and potentially affected residents and community members was not made a priority for stakeholder engagement planning and was not an area of review in stakeholder engagement reports. There was a reliance on CACGs and government representatives as a form of engagement with the community in lieu of having direct contact with actual residents. There was a reliance on having direct contact only with those registered with the NCIS and no attempt to identify and contact residents potentially affected by future noise.
- **Reasons for Decisions** – previously Airservices did not provide communities with any form of 'decision statement' or reasons for decisions. In some cases a one sentence statement on the website advising that a change will be implemented on a certain date was the only notification of a decision. However, from early 2019, Airservices has provided detailed decision statements, including: Summary of Feedback Reports, Consideration of Feedback Reports and Final Design Reports. Where the changes is less complex, the Summary of Feedback report will also contain the Consideration of Feedback.

³⁹ Airservices Australia, *Engage Airservices*, <https://engage.airservicesaustralia.com/>, accessed 26 April 2020.

Term of reference 3 – considering community feedback about the effectiveness of Airservices’ community engagement, based on an assessment of complaints received by the ANO and Airservices and through inviting targeted feedback.

- 5.51 The ANO contacted community and industry stakeholders inviting feedback on the features and characteristics of good community engagement, specifically in relation to community consultation processes surrounding aircraft noise issues. The ANO also considered any relevant complaints received about community engagement.
- 5.52 The ANO chose a sample of 24 community groups and industry stakeholders. The ANO sought feedback from Airlines for Australia and New Zealand (A4ANZ), inquiring as to whether they would be interested in commenting on behalf of their members. At the time of writing, a response from A4ANZ had not been received.
- 5.53 The ANO received responses from 11 organisations – three community groups, four CACGs and four industry groups. A summary of these responses is outlined below.

Community feedback

- 5.54 Community groups expressed an overarching concern that there is an economic cost to communities by participating in flawed community engagement over time – including lost income, legal fees, Freedom of Information (FOI) request fees, cancelled and deferred tourism development projects, decrease in property values, impacts on health and reduction in amenity. Similarly, community groups highlighted that there is significant financial and reputational cost, as well as internal damage, to Airservices not consulting properly with communities.
- 5.55 The **key themes** arising from the community feedback, included:
- **Timing** – timing for consultation must allow an appropriate period of time for the community to understand and consider the issues involved; consultation must be conducted early, when the policy objectives and different approaches to flight path establishment, design or flight path change are being contemplated and still under consideration; changes to airspace and flight paths should be planned well in advance and community engagement scheduled as early as possible in the development process; in some cases multiple consultations may need to occur across a period of several years; avoidance of school holidays and public holiday periods for scheduled activities.
 - **Reach** – all communities who are likely to be affected by change should be consulted, not just communities near airports; consultation should embrace individual community members affected by aircraft noise, as well as community groups, environmental groups and other interest groups; notification of community engagement activities should include direct mail to residents in all communities potentially affected by changes to airspace and not only restricted to areas under proposed flight paths; consider community members who are technologically or physically

challenged or who do not subscribe to media publications due to financial issues and ensure accessibility for all; CACGs are not inclusive of all stakeholders and should not be used as a conduit for addressing community concerns.

- **Participation** – provide the community with sufficient notice of scheduled community engagement activities; be transparent about the process and the community’s ability to influence the outcome; advise community of the process including key dates, public comment periods, feedback windows, cut-off dates for comment; advise who is accountable for which decisions in the process; advise how final decisions will be made; communities should be given opportunity to collaborate on a range of flight path options and be given information regarding the design and development process; do not hide behind the consideration of safety.
- **Engagement activities** – a range of activities are required including face-to-face, online and public meetings; specialists and experts should form panels and any Questions on Notice should be published online within 7 days; engagement activities should be live streamed for remote communities with accessibility issues and for residents who cannot attend; sessions should be available online and searchable by topic so communities can engage multiple times with the information in order to fully understand it.
- **Information provision** – ensure there is a clear distinction between ‘engagement’ and ‘information delivery’; explain fully the context of the change; provide information that is not ‘over-simplistic’ and includes technical information (which may be internal documentation); information (including direct mail) should include maps and/or visuals and graphics showing intended flight path locations and airspace change parameters; consistent information needs to be provided across all areas to ensure different communities are not receiving different information.
- **Taking impact seriously** – aircraft noise can be life changing – being placed under a concentrated flight path is not just an inconvenience; reductions in amenity, property values, regular sleeping patterns, and an increase in stress can be devastating; consultation should be undertaken with sensitivity and tolerance, and activities designed with this in mind.
- **Transparency** – Airservices to be transparent and accountable for its engagement process and outcomes – advise the community of a complaints procedure and review process at the beginning of the engagement process; conduct an analysis of feedback from communities rather than a simple description of activities; community engagement must be transparent about the realities of the situation, the process being undertaken and what opportunities and limitations exist for change.

Community Aviation Consultation Groups

5.56 The CACGs had an overarching comment that when communities feel their interests have been taken seriously, even when the result may not be to their liking, they are better able to absorb any impacts and accept them. Good community engagement can also uncover opportunities for improvement and ideas, which can be explored to mitigate negative impacts. A concerted approach to community engagement is more effective in managing community expectations and will avoid the potential for complaints and escalation of matters that can be addressed at the early community engagement stage.

5.57 **Key themes** arising from the CACGs' feedback include:

- **Timing** – there must be sufficient time for the community to hear, absorb, adapt and prepare - last minute engagement is a mistake
- **Reach** – every effort must be made to reach all impacted people, including all relevant demographics and locations
- **Information** – must be transparent, understandable (plain language), simple and yet detailed; communicate a clear, concise purpose of the engagement process and the expected outcomes; provide community with a good understanding of matters relating to aircraft noise (including what aspects are not possible to control)
- **Engagement activities** – must be multiple methods of engagement including community meetings, letterbox drops, paid advertising, telephone calls, surveys, focus groups, interviews, online newsletters, digital tools, websites
- **Transparency** – provide community with feedback on the engagement process or findings from any data collected; be transparent about the true impacts that changes to aircraft operations will have on the community; explain rationale for decisions; keep communities informed throughout the engagement process of their input and how it will be used to shape specific outcomes.

Term of reference 4 – *considering feedback from industry stakeholders about the effectiveness of Airservices' community engagement, based on interviews, where practicable, and through inviting targeted feedback.*

Industry feedback

5.58 Industry groups acknowledged the support provided by local Airservices staff of various industry activities offering the community and industry their knowledge and expertise. It was also acknowledged that Airservices' online portals were valuable to local communities.

Overarching comments:

- Airservices needs to have a greater focus on airports in future consultation processes and place a high priority on engaging airports first, using their deep knowledge of local conditions to achieve mutually beneficial outcomes

- Airservices needs to be sensitive to concurrent consultation processes being run by airports in order to ensure communities are not confused or suffer from ‘consultation fatigue’
- the quality of community engagement can directly affect the social licence of the airport sector in Australia. Contrary messaging or inaccurate information from third party organisations can easily damage the level of trust between airports and communities
- the aviation industry – including airports, airlines and Airservices – must work together to protect its social licence to operate and its reputation; robust community engagement is critical to maintaining the industry’s social licence
- Airservices should utilise and engage more extensively with the ANO to ensure it benefits from the ANO’s expertise and experience.

5.59 Other **key themes** arising from the industry feedback include:

- **Timing** – consultation should commence as soon as possible. Airservices must provide appropriate and timely responses to queries raised during the course of a consultation process; do not conduct a consultation process over holidays such as the Christmas/New Year period
- **Reach** – all those potentially impacted should be provided with the opportunity to participate in the consultation process; airports should be included in any engagement
- **Information** – ensure all information and communications are provided in a plain English (non-technical) manner with informative graphics so that the community is provided with a clear understanding of the process and relevant information; ‘aviation safety’ should not be used as the trump card to stifle genuine communications; ensure information and staff are consistent; the process should not try to sell a project or plan to the community but provide the information that allows communities to make up their own minds; employ multiple methods of engagement to cater to the broad population – public meetings, letterbox drops, advertising in newspapers and telephone calls, online newsletters, surveys, and portals accessible from smartphones
- **Engagement activities** – present the community with a suite of consultation options providing the maximum opportunity for interested party participation having regard for the nature of the project, potential impact and participant friendly timeframes and/or presentation locations; Airservices must strive to demonstrate that it has considered all possible options and is prepared to show why certain options must be discounted.

5.60 Airservices advises that it has regular engagement with aviation stakeholders through formal regular executive level engagement, project steering and working groups, operations forums and other direct engagement. These existing avenues should be used for better consultation with aviation stakeholders on upcoming/planned community engagement activities.

Summary

5.61 Similar themes arose out of the feedback from community groups, CACGs and industry stakeholders. The key message in the feedback was that community engagement could be improved through ensuring all potentially impacted community members are reached within an appropriate period of time; all information provided is comprehensive and thorough; and the engagement process is transparent.

6 Major airport infrastructure projects

Term of reference 5 – giving consideration to the specific challenges posed by the major airport infrastructure developments planned across the country in the next decade

- 6.1 There will be specific challenges posed by the major airport infrastructure developments planned across the country in the next decade. These include new runways at Brisbane, Melbourne and Perth airports and the new airport at Western Sydney.
- 6.2 It will be vital that Airservices is committed to continuous improvement of its community engagement approach and maintains sufficient flexibility to adapt to a variety of different scenarios over the coming decade.
- 6.3 One of the biggest challenges for Airservices will come from third-party initiated flight path changes that result in complex relationships with other entities that will need to be managed through effective governance processes.
- 6.4 Other challenges to be prepared for are the need for thorough environmental assessments relating to the airspace changes and clear lines of communication between community engagement and complaint handling.

Third party initiated flight path changes

- 6.5 Third party initiated flight path changes constitute a significant issue in the current climate of unprecedented airport infrastructure development. Airservices will continue to play a role in these developments but that role may vary from one development to another. As a result, Airservices needs to be clear as to its responsibilities and obligations in this evolving climate.
- 6.6 The ANO's Sunshine Coast investigation related to third party initiated changes and demonstrates the pitfalls of a joint approach to community engagement where the relative responsibilities of Airservices and the third party are not clearly defined or effectively coordinated.
- 6.7 Airservices has advised that, when flight paths are initiated by a third party, its process for community engagement varies depending on a range of factors including the nature of the project and the applicability of Commonwealth or state legislated requirements. Where a third party initiates a change, Airservices' involvement in community engagement is determined by mutual agreement with the proponent on a case-by-case basis. Airservices says its primary consideration is to ensure it satisfies its obligations under the Airservices Act, EPBC Act, Ministerial Directions and the Statement of Expectations. Airservices assesses this and may rely on a third party to carry out relevant community engagement where it is satisfied that its obligations will be met.

- 6.8 Airservices' *National ATS Administration Manual* outlines Airservices' procedures for third party changes. That manual states that any design, environmental assessment and community engagement activities where a third party is involved are to follow 'an agreed process with the third party'⁴⁰.
- 6.9 While it is acknowledged that it is difficult to prescribe specific project plans for future arrangements with third parties, further governance of the 'agreed process' will be crucial to successful management of major airport infrastructure developments. This will involve more specific guidelines outlining clearly:
- the process to be undertaken for community engagement when flight path changes are initiated by a third party
 - how the division of responsibility for community engagement is determined between Airservices and the third party
 - the timelines for community engagement factoring in liaison and coordination with the third party
 - any variations to documentation, policies and procedures including environmental impact assessments, social impact analyses, community engagement plans, community engagement reports, website and social media strategies
 - how complaints about the adequacy of the consultative process will be managed.

Environmental assessments

- 6.10 There is a close inter-relationship between environmental assessments and community engagement strategies. Engagement strategies and materials draw on environmental assessments. A flawed environmental assessment process will produce a flawed community engagement strategy. A flawed community engagement strategy, based on incomplete, poorly reported or ill-conceived assessment or materials will promote suspicion and distrust in the community.
- 6.11 If an environmental assessment contains an approach or a conclusion that is out of step with or at odds with community perceptions or experience then, to the extent that the environmental assessment informs the community engagement strategy, the engagement with the community will be similarly out of step or at odds with the community.
- 6.12 Similarly, if an environmental assessment (or the report documenting it) does not adequately describe the steps taken in the assessment and the bases on which assessment conclusions were reached, this will also impact on the effectiveness of the community engagement because engagement materials draw on the environmental assessment analysis to inform communities about the change.

⁴⁰ Airservices Australia, *National ATS Administration Manual (version 40) 15 August 2019*, section 6.2.1.1 (b)

- 6.13 The ANO made recommendations in its Hobart Review in April 2018 relating to the importance of the environmental assessment process to community engagement. Airservices accepted these recommendations and updated its internal documents to ensure an additional analysis of social impact forms part of the environmental assessment and that stakeholder engagement plans will incorporate the social impact analysis. In particular, Airservices updated the NOS, which is the internal procedure that prescribes the requirements for environmental impact assessment, social impact analysis and community engagement that must be met, prior to implementing changes to aircraft operations.
- 6.14 This demonstrates that Airservices has acknowledged that environmental impact assessments are crucial to determining the reach of affected or impacted residents and any stakeholder engagement plans are dependent on a robust and thorough environmental assessment process. Ongoing implementation of the NOS and continuous improvement of the associated processes will assist Airservices in navigating future major airport infrastructure developments.

Community engagement and complaint management

- 6.15 Community engagement and complaint management are the public face of Airservices, the connection between the agency, its core activities and the community it, ultimately, serves. Where an airport takes a major role in a consultative process, both it and Airservices must operate with a high level of skill, experience and respect for the community, and each must support and reinforce the approaches and messages of the other.
- 6.16 In the context of the Perth flight path changes in 2015, the ANO noted in its report that the complaints received by NCIS were professionally handled. The report said that the timely development of a series of responsive management strategies to support effective communications with the high numbers of contacts from Perth residents showed a maturity in complaints handling. However, the ANO went on to raise concerns about the quality and accuracy of the materials in Airservices' consultation processes and said that while the ANO was on the whole satisfied with the materials used in complaint-handling it was concerned that some of the information downplayed the aircraft noise impacts of the preferred runways change.
- 6.17 When the Hobart flight path changes were introduced and complaints followed, those complaints were managed and responded to by the NCIS. As noted above, there had been a lack of effective community engagement prior to the changes being introduced. However, as in Perth, the NCIS responded rapidly, drawing together a set of key messages to enable consistent responses in a timely professional way (although the ANO did note some concerns in its Hobart Review with some of these key messages).
- 6.18 Subsequent actions by Airservices in Hobart aimed at addressing the community's concerns resulted in an inconsistency between the messages given by the community engagement team in their engagement activities with those of the NCIS and vice versa.

- 6.19 The situation became more complex when it was decided and complainants were advised that complaints about proposed future Hobart flight path changes would not be dealt with by the NCIS and would, instead, be referred to another, unidentified section of Airservices. No contact details were provided to complainants and no time frame for dealing with complaints was provided.
- 6.20 Similarly, when significant numbers of complaints were made about the Sunshine Coast flight path changes, Airservices initially decided to treat them as feedback and then responded to them well after the consultation period had closed.
- 6.21 Complaint management is a significant skill that is governed by recognised standards and employs best practice. Complaint management is the public face of any organisation and needs to be skilfully managed.
- 6.22 The ANO understands that the organisation of these two interdependent functions – the consistent coordination of community engagement and complaint management – is evolving as part of Airservices’ continuous improvement program.
- 6.23 Airservices is responsible for complaints relating to existing aircraft noise. Complaints about potential future noise or about Airservices’ consultation procedures regarding proposed flight path changes have been handled both as complaints and treated as feedback. Treating such complaints as feedback may not be inappropriate but in managing them Airservices should follow good complaint handling procedures and utilise the skills of its complaint handling staff in the NCIS.
- 6.24 Major new aviation infrastructure poses a further challenge, well illustrated by BAC. BAC wants to manage complaints about noise after the opening of its new runway in July 2020. While Airservices and the ANO have formal roles regarding noise complaints there appears to be no impediment to them being managed by BAC in the first instance. Complaints are generally best resolved at the local level and airports are in the best position to do this. There does, however, need to be clear and public protocols between Airservices and airports who wish to deal with noise complaints directly, so that complainants are not confused about how their complaint is being dealt with. A similar level of accountable governance as will need to be developed for joint consultation on future noise impacts needs to be brought to the management of complaints about noise once operations commence.

Summary

- 6.25 Airservices should maintain a flexible approach to its community engagement on airspace changes related to the planned future major airport infrastructure developments. Each development will need to be assessed on a case-by-case basis and Airservices will need to engage in continuous improvement in its community engagement to ensure it can keep up with the demands and scrutiny that will arise. In the case of major airport projects it can be anticipated that the airports will want a major role in community consultation on environmental impact including noise and Airservices will need to consider how best to discharge its obligations to consult in this context.
- 6.26 While flexibility is desirable, Airservices needs to develop a governance framework through which its relationships with airports regarding responsibility for community engagement and consultation and complaint handling are clearly set out and the relative responsibilities of both parties is clearly defined.

7 Findings and recommendations

Term of reference 6 – report on findings and, where appropriate, making recommendations for improving the effectiveness of Airservices' community engagement systems

Findings

- 7.1 Airservices' approach to community engagement is evolving through a continuous improvement program and it is recognised that Airservices has taken steps towards better community engagement and is working to further develop its capacities in this area.
- 7.2 The recent internal restructure with the Airports and Environment unit, Community Engagement unit and Flight Path Design unit all reporting to the same Environment & Community Manager and the ongoing acquisition of experience and expertise through new appointments demonstrates Airservices' management's commitment towards better community engagement and support for those at the frontline. These changes will allow flight paths and other changes to aircraft operations to be designed with a more internally integrated approach that involves community engagement team members at first instance and keeps them involved through an iterative process.
- 7.3 The review and development of policies and procedures will assist in bedding down a new and more collaborative approach to community engagement in line with best or common practice. Taking into account the feedback from community and industry stakeholders, the areas for improvement include:
- **Planning and Timing** – to give communities sufficient time prior to proposed change and to allow for unanticipated developments. Airservices needs to commence the timing of its community consultation periods early enough to ensure substantial and appropriate consultation can be conducted. Airservices needs to employ methods to better promote all aspects of community engagement activities and to share information about the change with the community.
 - **Reach** – direct contact with affected and potentially affected residents and community members needs to be a priority for community engagement planning and an area of review in community engagement reports. It is important to guard against overreliance on CACGs and government representatives and to ensure identification of and direct contact with affected individuals in the community (beyond those registered with the NCIS) through use of the full range of contact and dissemination methods.
 - **Reasons for Decisions** – Airservices' current *Communication and Consultation Protocol (July 2016)* states that Airservices commits to communicating decisions and the reasons for them. Airservices has advised that from early 2019 it has provided detailed decision statements including: Summary of Feedback Reports, Consideration of Feedback Reports and Final Design Reports. Where the changes are less complex,

the Summary of Feedback report will also contain the Consideration of Feedback.⁴¹

- It is expected Airservices' improvements to community engagement will be reflected in its new *Community Engagement Framework*, replacing the Protocol.

7.4 The ANO has considered the specific challenges posed by the major airport infrastructure developments planned for the next decade. One of the biggest challenges for Airservices will be the complex relationships with other entities that arise from third-party initiated flight path changes. As stated above, Airservices' consultation in the Sunshine Coast matter was a third party initiated change that did not go smoothly in part because the division of responsibilities was not well coordinated, which confused affected residents and gave rise to a significant number of complaints. This is a timely reminder that Airservices needs to fully develop and document principles for governance and risk minimisation of partnerships with third party change proponents.

7.5 The potential cost to Airservices of failing to effectively engage includes reputational cost; financial cost of necessary remedial action; the personal cost to those who work on the frontlines as the public face of Airservices; and the consequent cost to the organisation of loss of expertise and experience.

⁴¹ It is noted that in its recent community engagement on the draft Flight Path Design Principles, Airservices indicated that, once the new FPDP are in place, it intends to provide the public with its reasons for flight path design decisions.

Recommendations

- **Term of reference 1** – reviewing relevant Airservices’ policies, procedures, processes and systems relating to community engagement by reference to best or common practice
- **Term of reference 2** – assessing Airservices’ routine and targeted community engagement practices through reviewing project-specific engagement plans and by attending and observing a sample of Airservices’ routine and targeted engagement activities

Recommendation 1: Airservices should finalise its internal review and restructure of its Environment and Community Group including establishing a fully developed and settled suite of procedures and policies for community engagement, with a scheduled review and evaluation mechanism.

Recommendation 2: Airservices should continue to strive to ensure its community engagement practice is in line with modern standards and methods of community engagement and draws on experience in other industries and countries. In particular, Airservices should consider emerging methods of community engagement such as ‘deliberative engagement’ as an effective tool on the broader spectrum of community engagement

Recommendation 3: Airservices should meet with the ANO on a quarterly basis in relation to its community engagement activities and its presentation and distribution of aircraft noise related information.

- **Term of reference 3** – considering community feedback about the effectiveness of Airservices’ community engagement, based on an assessment of complaints received by the ANO and Airservices and through inviting targeted feedback.
- **Term of reference 4** – considering feedback from industry stakeholders about the effectiveness of Airservices’ community engagement, based on interviews, where practicable, and through inviting targeted feedback.

Recommendation 4: Airservices should finalise and publish its *Community Engagement Framework* as a matter of priority to reflect its improved community engagement processes including (but not limited to) better planning and timing; reach; and reasons for decisions.

Recommendation 5: Airservices should use its existing network of aviation industry meetings and groups to engage and coordinate more with the aviation industry on planned community engagement activities, in particular accessing the industry’s knowledge of local conditions and concurrent community engagement activities.

- **Term of reference 5** – *giving consideration to the specific challenges posed by the major airport infrastructure developments planned across the country in the next decade*

- Recommendation 6:** Airservices should develop a framework for third party proposed changes that:
- (e) provides robust and dependable governance arrangements to manage its early and ongoing engagement with third parties
 - (f) establishes clear lines of accountability and documents these arrangements as they evolve
 - (g) ensures an effective consultative process, which includes monitoring the adequacy of any third party consultations being relied on.

8 Appendix A

REVIEW OF AIRSERVICES AUSTRALIA'S SYSTEMS FOR COMMUNITY ENGAGEMENT TERMS OF REFERENCE	
Objectives	<p>To review the effectiveness of Airservices' community engagement systems, with particular attention on the organisation's readiness to engage effectively about aircraft noise issues:</p> <ul style="list-style-type: none"> • arising through its own change initiatives; • resulting from its own 'business as usual' activities; and • specifically in the context of major airport infrastructure projects scheduled over the next decade.
Scope	<p>The ANO's review will include:</p> <p>reviewing relevant Airservices' policies, procedures, processes and systems relating to community engagement by reference to best or common practice;</p> <p>assessing Airservices' routine and targeted community engagement practices through reviewing project-specific engagement plans and by attending and observing a sample of Airservices' routine and targeted engagement activities;</p> <p>considering community feedback about the effectiveness of Airservices' community engagement, based on an assessment of complaints received by the ANO and Airservices, and through inviting targeted feedback;</p> <p>considering feedback from industry stakeholders about the effectiveness of Airservices' community engagement, based on interviews, where practicable, and through inviting targeted feedback;</p> <p>giving consideration to the specific challenges posed by the major airport infrastructure developments planned across the country in the next decade; and</p> <p>reporting on findings and, where appropriate, making recommendations for improving the effectiveness of Airservices' community engagement systems.</p>
Reporting	<p>Interim report – December 2019</p> <p>Final report – March 2020</p>