



Quarterly Report  
April - June 2020

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## 1 Introduction

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- 1.1 This report includes complaint statistics and a summary of Aircraft Noise Ombudsman (ANO) activities during the April - June 2020 quarter. It is structured around the key functions of the ANO, these being the review and monitoring of:
- a. complaint handling, and
  - b. community engagement and the provision of information about aircraft noise.

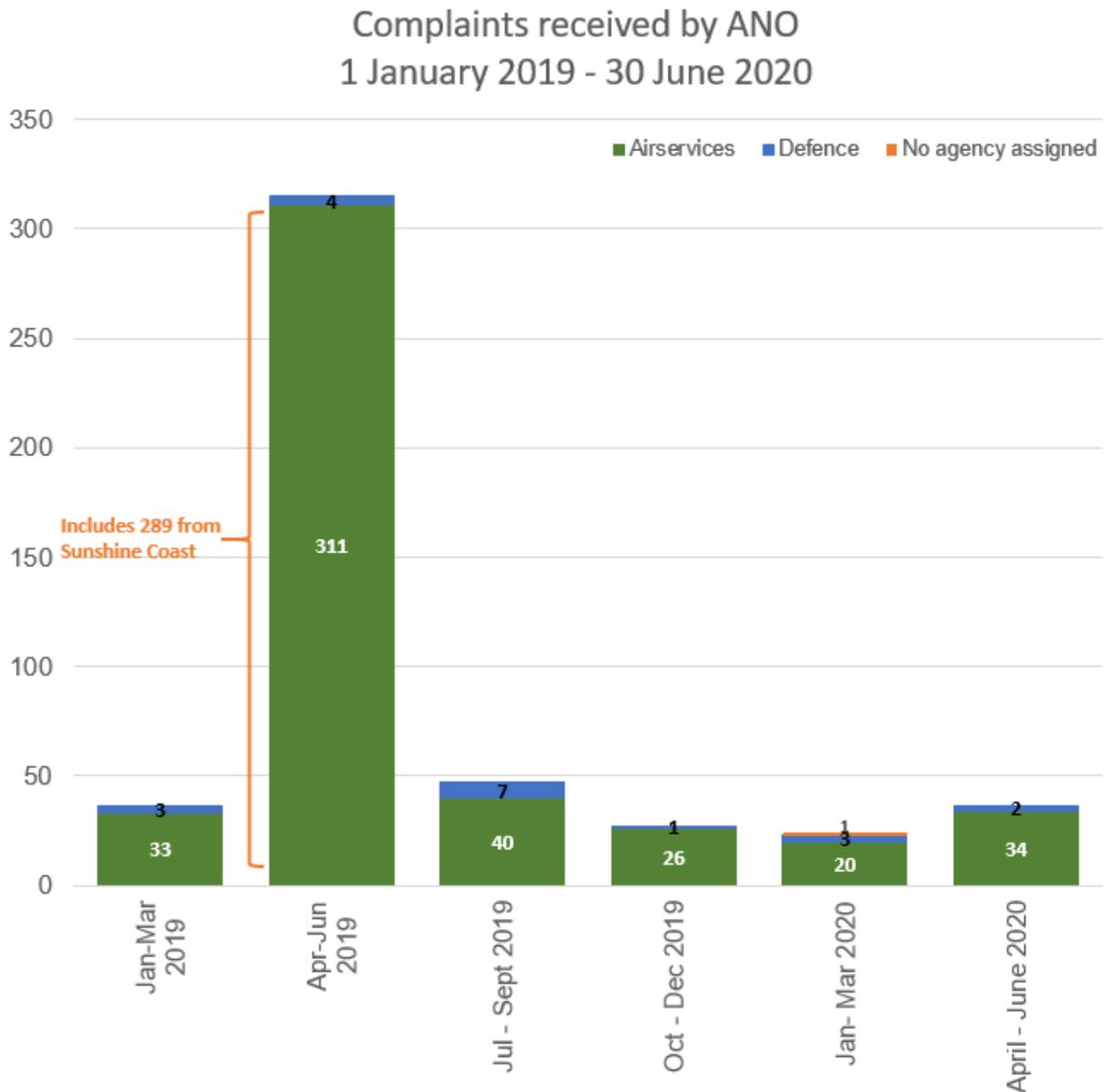
## 2 Overview

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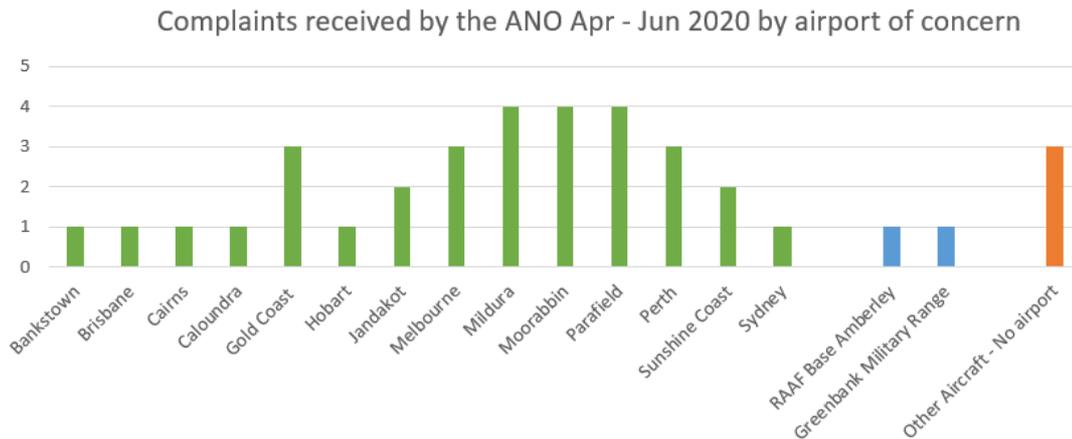
- 2.1 From the start of April to the end of June 2020, the ANO received a total of 36 complaints, 2 of which related to Defence's management of military aircraft noise issues and 34 related to Airservices' management of civilian aircraft noise issues. **Attachment 1** provides detailed complaint statistics for the quarter.
- 2.2 The ANO finalised two reports this quarter – the *Investigation into complaints about the introduction of new flight paths in Sunshine Coast* report and the *Review of Airservices Australia's systems for community engagement - Final Report*.
- 2.3 Defence has provided an update on the progress of its remediation action plan which responds to the nine recommendations from the *Compliance Audit of Australian Super Hornet Flying Operations at RAAF Base Amberley (October 2019)*. The ANO published an addendum to this report this quarter, clarifying the Compliance Findings categories.
- 2.4 The ANO office has continued its arrangements for all staff to continue to work from home during the COVID-19 pandemic, in line with Government guidance. The office has successfully managed to continue all of its operations with limited disruption.
- 2.5 During this quarter, the ANO office farewelled long-term staff member, Kate Burmester, Senior Advisor. Kate was a founding staff member of the Aircraft Noise Ombudsman's office at its establishment in 2010 and continued to make a significant contribution to the development and growth of the office over the ensuing 10 years. We would like to thank Kate for her considerable contribution to the ANO's success and wish Kate all the best for the future.

### 3 Complaint handling

3.1 During the quarter, the ANO received 36 new complaints, 2 of which related to Defence's aircraft noise management and 34 related to Airservices' aircraft noise management. The graph below shows that this is in line with the usual number of complaints received by the ANO office in a quarter.



3.2 Of the 36 complaints received this quarter, Mildura, Moorabbin and Parafield airports each received four complaints; Melbourne, Gold Coast and Perth airports each received three complaints; Jandakot and the Sunshine Coast airports each received two complaints; and the two complaints about Defence related to two different military bases – RAAF Base Amberley and Greenbank Military Range. The remaining six complaints were spread, one each, over eight different airports. Three complaints could not be assigned to an airport: one complaint about motorised hang gliders and two complaints regarding helicopter flights around the Gold Coast area. The graph below shows the spread of complaints by airport of concern.



3.3 While aviation operations slowed considerably over the quarter due to the COVID-19 pandemic, the ANO did receive quite a few inquiries and complaints about the continuing operations of flight training schools at various airports across Australia. These included flight training activities at the Gold Coast, Mildura, Moorabbin and Parafield airports.

3.4 Three hundred and forty-two cases were closed during the quarter, of which 299 were from the Sunshine Coast. As the Sunshine Coast Report recommendations have been accepted by Airservices and will lead to change, these were all reported as resulting in a change by Airservices. Two other complaints were also closed as a result of changes by Airservices.

3.5 Apart from Sunshine Coast, 43 complaints were closed during the quarter: 14 were reviewed in detail and 27 were referred back to the relevant agency for a direct response. One was out of charter scope and one complainant did not provide further information when requested.

3.6 At 1 July 2020, 35 complaints remain open. This return to more normal numbers reflects the large volume of complaints relating to the Sunshine Coast matter.

3.7 Complaint statistics for the quarter are presented at **Attachment 1**.

## Sunshine Coast

- 3.8 On 30 April 2020, the ANO completed its multiple complaints investigation into the new flight paths at Sunshine Coast airport and submitted its *Investigation into complaints about the introduction of new flight paths in Sunshine Coast* report to the Airservices Board.
- 3.9 The report made two recommendations for improving Airservices' community engagement framework and practices: that Airservices develop a robust and dependable framework for third party proposed changes and that Airservices use its post-implementation review process to re-engage with communities and consider community-suggested alternatives to the implemented flight paths.
- 3.10 On 25 June 2020, the Airservices Board provided its response to the report and accepted the ANO's recommendations and both the report and the response were published to the ANO website on 30 June 2020.
- 3.11 A summary of the recommendations is at **Attachment 2**.

## Hobart

- 3.12 The ANO is continuing to work through multiple complaints about Airservices' community engagement and implementation of new flight paths at Hobart Airport during 2018/19.

## 4 Community Engagement and Noise Information Provision

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### Review of Airservices' community engagement systems

- 4.1 On 30 April 2020, the ANO completed its systemic review of Airservices' community engagement and submitted its *Review of Airservices Australia's systems for community engagement – Final report* to the Airservices Board.
- 4.2 The report made six recommendations which were accepted by the Board. The report was published on the ANO website on 30 June 2020.
- 4.3 Further to the report's recommendations, Airservices has commenced a comprehensive review of its community engagement framework, policies and practices. The ANO is developing a constructive working relationship with Airservices as it undertakes this review, including advising on policies and procedures as they are developed.
- 4.4 A summary of the recommendations is at **Attachment 2**.

## Compliance Audit of Defence's Super Hornet Operations at Amberley

- 4.5 The ANO completed a comprehensive audit of Defence's compliance with the Conditions of Approval for its Australian Super Hornet Flying Operations at RAAF Base Amberley and submitted a report to the Chief of Air Force in late October 2019.
- 4.6 Defence has submitted evidence demonstrating that it has addressed some of the recommendations made by the ANO, as outlined in its remediation action plan. A summary of the nine recommendations and the Defence response is at **Attachment 2**.
- 4.7 The ANO prepared an Addendum to the October 2019 report in May 2020. This was in response to a Department of Agriculture, Water and the Environment request for the ANO to clarify findings that reference a compliance rating as "undetermined" to align with the updated *2019 Guidelines*' Compliance Finding categories.
- 4.8 The ANO determined that, in each case where an 'undetermined' finding had been made, the appropriate Compliance Finding in line with the updated *2019 Guidelines* is 'non-compliant'.
- 4.9 The Addendum has since been published on the ANO website.

Kieran Pehm  
Aircraft Noise Ombudsman

7 August 2020

## Attachment 1 Complaint Statistics

The following tables summarise the complaint statistics for the quarter.

<b>AIRSERVICES</b>	<b>April 2020</b>	<b>May 2020</b>	<b>June 2020</b>	<b>Total for quarter</b>
Complaints received:	17	6	11	<b>34</b>
Complaints closed:	19	12	306	<b>337</b>

Total complaints closed - not reviewed:	16	7	3	<b>26</b>
Complainant did not provide further information	0	1	0	<b>1</b>
Outside charter scope	0	1	0	<b>1</b>
Referred to Airservices to respond directly	16	5	3	<b>24</b>

Total complaints closed - reviewed:	3	5	303	<b>311</b>
No change possible - explanation provided	3	3	4	<b>10</b>
Change adopted by Airservices Australia	0	2	299	<b>301</b>
Change adopted by Airport operator	0	0	0	<b>0</b>

<b>DEFENCE</b>	<b>April 2020</b>	<b>May 2020</b>	<b>June 2020</b>	<b>Total for quarter</b>
Complaints received:	1	1	0	<b>2</b>
Complaints closed:	2	2	1	<b>5</b>

Total complaints closed - not reviewed:	2	1	0	<b>3</b>
Complainant did not provide further information	0	0	0	<b>0</b>
Outside charter scope	0	0	0	<b>0</b>
Referred to Defence to respond directly	2	1	0	<b>3</b>

Total complaints closed - reviewed:	0	1	1	<b>2</b>
No change possible - explanation provided	0	1	1	<b>2</b>
Change adopted by Defence	0	0	0	<b>0</b>

	<b>Airservices</b>	<b>Defence</b>	<b>No agency assigned*</b>	<b>Total</b>
Complaints carried forward on 1 April 2020	336	5	0	<b>341</b>
Complaints received	34	2	0	<b>36</b>
Complaints closed	337	5	0	<b>342</b>
Complaints open at 1 July 2020	33	2	0	<b>35</b>

## Attachment 2 Outstanding ANO recommendations

The following tables set out the status of outstanding recommendations made by the ANO and the ANO's assessment of action against each. Recommendations that were previously reported as complete have been removed.

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

Ongoing recommendations	ANO assessment of agency response
<p><b>Recommendation 1</b> – Airservices should develop a framework for third party proposed changes that:</p> <ol style="list-style-type: none"> <li>provides robust and dependable governance arrangements to manage its early and ongoing engagement with third parties</li> <li>establishes clear lines of accountability and documents these arrangements as they evolve</li> <li>ensures an effective consultative process, which includes monitoring the adequacy of any third party consultations being relied on.</li> </ol>	<p><u>Ongoing</u> – The Airservices Board accepted this recommendation and advised it is agreed as necessary. A Third Party Proposed Changes Framework is planned for implementation by 30 September 2020.</p>
<p><b>Recommendation 2</b> – Airservices should, as soon as practicable, design an effective post-implementation review (PIR) process for the Sunshine Coast flight path designs, that does not perpetuate design constraints requiring alignment with EIS concepts, and which encompasses:</p> <ol style="list-style-type: none"> <li>consideration of identified community-suggested alternatives</li> <li>a community engagement process that provides for genuine opportunities for community contributions to influence decisions</li> <li>application of the latest version of Airservices' National Operating Standard (NOS) Environmental Management of Changes to Aircraft Operations (AA-NOS-ENV-2.100).</li> </ol>	<p><u>Ongoing</u> – The Airservices Board accepted this recommendation and advised:</p> <ul style="list-style-type: none"> <li>a PIR Terms of Reference (TOR) will be developed for discussion and agreement with the ANO by September 2020</li> <li>to complete the PIR, it is necessary to gather 12 months of post-implementation operational data to enable assessment of actual operation against the assessed impact. It is therefore anticipated this PIR will be completed not later than 18 months after runway opening.</li> </ul>

## Airservices – Review of Airservices Australia's systems for community engagement – Final Report (April 2020)

Ongoing recommendations	ANO assessment of agency response
<p><b>Recommendation 1</b> – 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.</p>	<p><u>Ongoing</u> – the Airservices Board accepted this recommendation and advised the restructure has been completed and Airservices’ development of policies and procedures is well progressed with completion planned for 30 September 2020.</p>
<p><b>Recommendation 2</b> – 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.</p>	<p><u>Ongoing</u> – The Airservices Board accepted this recommendation and advised this recommendation is being addressed through Airservices’ new Community Engagement Framework due for completion 30 June 2020. In addition, the Airservices’ community engagement team has recently completed certificate training through the International Association for Public Participation (IAP2).</p>
<p><b>Recommendation 3</b> – 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.</p>	<p><u>Ongoing</u> – The Airservices Board accepted this recommendation and advised the Airservices’ Environment and Community Manager has established a program of regular meetings with the ANO, and discussions have progressed in this regard.</p>
<p><b>Recommendation 4</b> – Airservices should finalise and publish its <i>Community Engagement Framework</i> 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.</p>	<p><u>Substantially complete</u> – The Airservices Board accepted this recommendation and advised the Framework is being progressed as a priority and is due for completion by 30 June 2020. Airservices has consulted the ANO on a draft Framework and expects to publish the complete Framework in the next quarter.</p>
<p><b>Recommendation 5</b> – 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.</p>	<p><u>Ongoing</u> – The Airservices Board accepted this recommendation and advised the use of these networks is agreed as a positive action and internal discussions are progressing to develop appropriate processes to ensure this occurs.</p>

Ongoing recommendations	ANO assessment of agency response
<p><b>Recommendation 6</b> – Airservices should develop a framework for third party proposed changes that:</p> <ul style="list-style-type: none"> <li>a) provides robust and dependable governance arrangements to manage its early and ongoing engagement with third parties</li> <li>b) establishes clear lines of accountability and documents these arrangements as they evolve</li> <li>c) ensures an effective consultative process, which includes monitoring the adequacy of any third party consultations being relied on.</li> </ul>	<p><u>Ongoing</u> – The Airservices Board accepted this recommendation and advised this is agreed as necessary. A Third Party Proposed Changes Framework is planned for implementation by 30 September 2020.</p>

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

Ongoing recommendations	ANO assessment of agency response
<p><b>Recommendation 1</b> – Defence should establish robust administrative systems that ensure it obtains the required approvals for changes to its activities prior to implementing those changes. These systems should ensure annual reviews are conducted that would enable the identification and early rectification of any non-compliances.</p>	<p><u>Ongoing</u> - Defence has prepared a remediation action plan and has commenced actions to address this recommendation.</p>
<p><b>Recommendation 2</b> – Defence should re-instate or adopt new or additional record management practices to ensure it can demonstrate its compliance with the Conditions of Approval and the requirements of the plans and strategies required by these Conditions</p>	<p><u>Closed</u> - Defence has demonstrated it has put in place an internal audit process of its Aircraft Noise Management including reviewing the Australian Super Hornet Noise Management Plan and sub plans and advised that record management associated with the ASH Plans and Sub plans will be audited to ensure compliance with the Conditions of Approval.</p>

Ongoing recommendations	ANO assessment of agency response
<p><b>Recommendation 3</b> – Defence should:</p> <ul style="list-style-type: none"> <li>a. review its draft version 4.0 Noise Management Plan in light of the findings of this audit report, the questions and comments made to date by the Department of the Environment and Energy, and in consideration of any other changes or assumptions that may be now relevant;</li> <li>b. ensure the revised Noise Management Plan retains a level of detail that is appropriate to its purpose as a public account of Defence’s planned noise management activities and includes an appropriate requirement to regularly review the plan in light of any outcomes of its Noise Monitoring Program;</li> <li>c. set out clearly the changes compared to the version 3.0 Noise Management Plan and outline the reasons for these; and</li> <li>d. re-submit the revised version 4.0 Noise Management Plan for approval in line with Condition 8 of its approval</li> </ul>	<p><u>Ongoing</u> - Defence has prepared a remediation action plan and has commenced actions to address this recommendation.</p>
<p><b>Recommendation 4</b> – Defence should regularly review its Noise Management Plan, with consideration to be given to relevant matters, including but not limited to:</p> <ul style="list-style-type: none"> <li>a. any foreseeable variations approved by the SADFO-Amberley;</li> <li>b. any changes to Super Hornet flying operations limitations or planning assumptions, which occur as a result of evaluation of the noise monitoring outcomes and the complaints process detailed in the Noise Monitoring and Complaints Handling Strategy; and</li> <li>c. the results of audits of compliance with its Conditions of Approval for Australian Super Hornet Flying Operations</li> </ul>	<p><u>Ongoing</u> - Defence has prepared a remediation action plan and has commenced actions to address this recommendation.</p>
<p><b>Recommendation 5</b> – Defence should use its Annual Super Hornet Noise Reports to explicitly evaluate noise outcomes against the noise modelling undertaken for the Public Environment Report 2009, and also for any subsequent approved noise modelling undertaken</p>	<p><u>Ongoing</u> - Defence has prepared a remediation action plan and has commenced actions to address this recommendation.</p>

Ongoing recommendations	ANO assessment of agency response
<p><b>Recommendation 6</b> – Defence should table its Annual Super Hornet Noise Reports at the Amberley Consultative Working Group (ACWG) meetings and ensure this is minuted</p>	<p><u>Ongoing</u> - Defence has prepared a remediation action plan and has commenced actions to address this recommendation.</p>
<p><b>Recommendation 7</b> – Defence should regularly review its Noise Monitoring and Complaints Handling Strategy, with consideration to be given to relevant matters, including but not limited to:</p> <ol style="list-style-type: none"> <li>a. any changes to the Noise Management Plan and Noise Mitigation and Complaints Resolution Strategy;</li> <li>b. those arising through the complaints process detailed in the Noise Monitoring and Complaints Handling Strategy; and</li> <li>c. the results of audits of compliance with its Conditions of Approval for Australian Super Hornet Flying Operations.</li> </ol>	<p><u>Closed</u> - Defence has conducted its annual review of its Noise Monitoring and Complaints Handling Strategy and has published it on its website.</p>
<p><b>Recommendation 8</b> – Defence should identify and implement an effective method for publicly reporting on its actions in response to recommendations made in relation to its Conditions of Approval for Australian Super Hornet Flying Operations.</p>	<p><u>Ongoing</u> - Defence has prepared a remediation action plan and has commenced actions to address this recommendation.</p>
<p><b>Recommendation 9</b> – Defence should regularly review its Noise Monitoring and Complaints Handling Strategy, with consideration to be given to relevant matters, including but not limited to:</p> <ol style="list-style-type: none"> <li>a. any changes to the Noise Management Plan and Noise Monitoring and Complaints Handling Strategy;</li> <li>b. those arising through the complaints process detailed in the Noise Monitoring and Complaints Handling Strategy; and</li> <li>c. the results of audits of compliance with its Conditions of Approval for Australian Super Hornet Flying Operations.</li> </ol>	<p><u>Closed</u> - Defence has conducted its annual review of its Noise Monitoring and Complaints Handling Strategy and has published it on its website.</p>