



Quarterly Report
January – March 2020

Table of Contents

Table of Contents	i
1 Introduction	1
2 Overview	1
3 Complaint handling	2
4 Consultation and Information Provision	3
Hobart Review.....	3
Compliance Audit of Defence’s Super Hornet Operations at Amberley	4
Sunshine Coast Review	4
Systemic Review of Airservices’ community engagement systems	4
Airservices’ consultation on its draft Flight Path Design Principles	4
Attachment 1 Complaint Statistics	5
Attachment 2 Outstanding ANO recommendations.....	6

1 Introduction

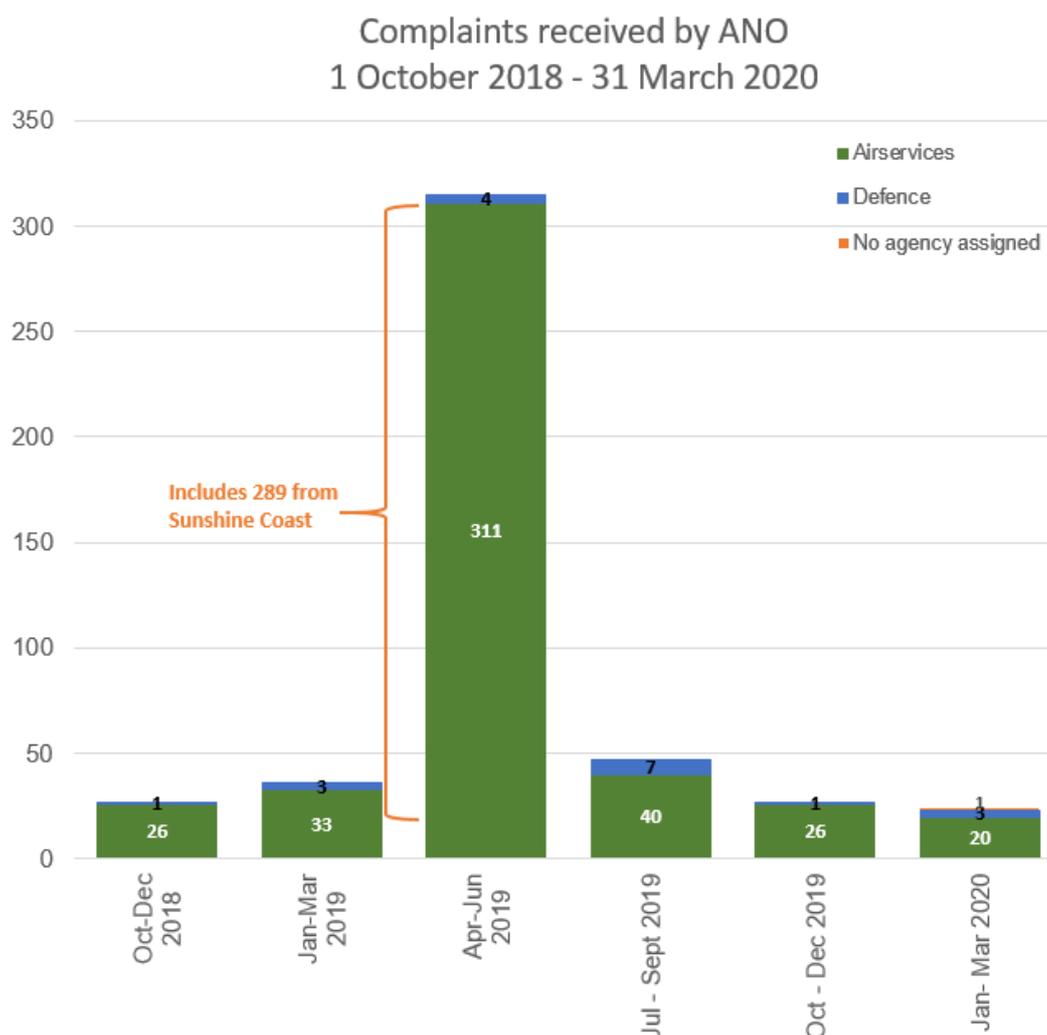
- 1.1 This report includes complaint statistics and a summary of Aircraft Noise Ombudsman (ANO) activities during the January – March 2020 quarter. It is structured around the three key functions of the ANO, these being the review and monitoring of Airservices Australia’s and the Department of Defence’s:
- a. complaint handling
 - b. community consultation processes
 - c. provision of information about aircraft noise.

2 Overview

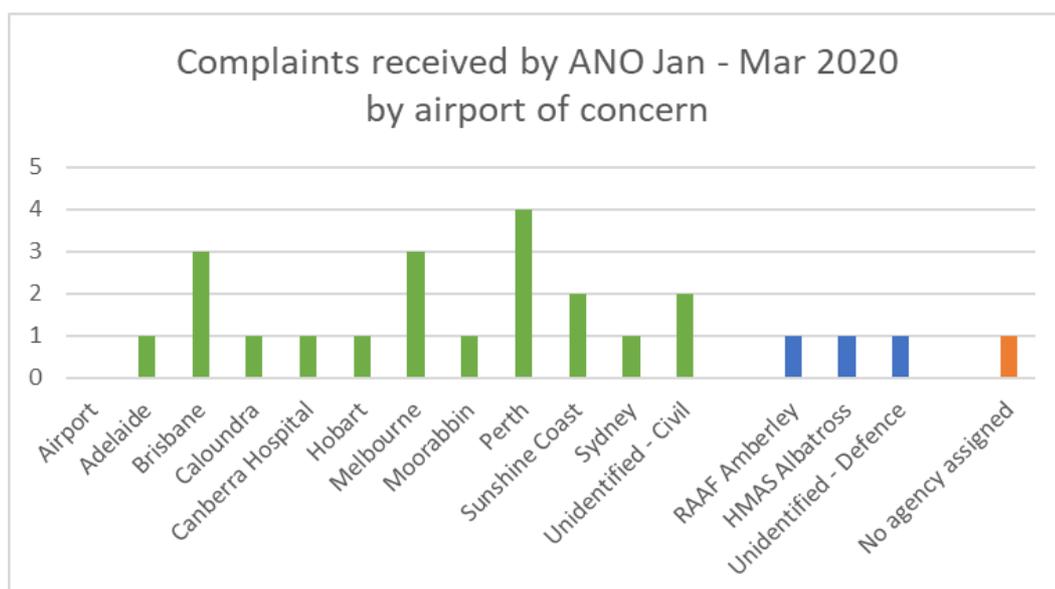
- 2.1 From the start of January to the end of March 2020, the ANO received a total of 24 complaints, three of which related to Defence’s management of military aircraft noise issues and 20 related to Airservices’ management of civilian aircraft noise issues. The final complaint did not include enough information to enable assignment to either agency and did not progress to review. **Attachment 1** provides detailed complaint statistics for the quarter.
- 2.2 The ANO completed two draft 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*. Airservices provided its responses to both reports on 9 April 2020 and these are being considered before the reports are finalised and sent to the Board. Both reports are expected to be finalised this quarter.
- 2.3 The ANO has closed the three remaining outstanding recommendations from the *Investigation into complaints about the introduction of new flight paths in Hobart (April 2018)*.
- 2.4 Defence has provided its remediation action plan to respond to the nine recommendations from the *Compliance Audit of Australian Super Hornet Flying Operations at RAAF Base Amberley (October 2019)*. Although no recommendations are yet closed, Defence has reported making progress on many aspects of its action plan.
- 2.5 In the face of the COVID-19 pandemic and Government guidance on actions to help minimise the spread, the ANO office has made appropriate arrangements for all staff to work from home. The office continues to operate at full capacity, with the only limitation being that calls to the office will go to voice message and be responded to later, rather than taken live.

3 Complaint handling

3.1 During the quarter, the ANO received 24 new complaints, three of which related to Defence's aircraft noise management and 20 related to Airservices' aircraft noise management. The remaining case was not reviewed and did not include enough information to assign to an agency. 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 24 complaints received this quarter, four related to the Perth Airport, three each related to Brisbane and Melbourne, two from Sunshine Coast and four were unidentified. We are aware that Perth Airport had its main runway closed for maintenance for an extended period through March. The remaining eight complaints were from six different civilian airports and two different Defence bases. The graph over the page shows the geographic spread of complaints by airport. The complaints with an 'unidentified - civil' airport include complaints about Airservices' consultations around its Draft Flight Path Design Principles, where no particular airport is relevant. The airports associated with the 'no agency assigned' and the 'unidentified - Defence' complaints could not be determined on the basis of the information provided and these complaints did not progress.



- 3.3 Twenty-two complaints were closed during the quarter, of which eleven were reviewed in detail and ten were referred back to the relevant agency for a direct response. The final one was the same one to which an agency could not be attributed and therefore it was out of charter at this point.
- 3.4 Of the twenty-two complaints closed during the quarter, one led to a change by Airservices (disclaimers providing more information about the accuracy and completeness of data were added to its website) and one led to changes by Defence in which it initiated a meeting with the local community and improved complaints handling systems at the Barracks in question.
- 3.5 At 1 April 2020, 342 complaints remain open. This reflects the large volume of complaints relating to the Sunshine Coast matter (299). These complaints will remain open until the multiple complaints investigation report is considered by the Airservices Board and a response can be provided to complainants.
- 3.6 Complaint statistics for the quarter are summarised at **Attachment 1**.

4 Consultation and Information Provision

Hobart Review

- 4.1 Airservices has presented additional information to demonstrate its actions to address the three recommendations that were outstanding from the ANO's *Investigation into complaints about the introduction of new flight paths in Hobart (April 2018)*. The ANO has considered this information and is now satisfied that the three recommendations can now be closed. A summary of the three closed recommendations is at **Attachment 2**.
- 4.2 A significant number of complaints about Airservices' environmental impact assessment and consultation regarding the introduction of new flight paths in 2018/19 remain open and under review.

Compliance Audit of Defence's Super Hornet Operations at Amberley

- 4.3 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.
- 4.4 Defence has made the necessary submissions to the Department of Agriculture, Water and the Environment including its remediation action plan to address the recommendations made by the ANO. It has also commenced actions in line with this plan.
- 4.5 A summary of the nine recommendations is also at **Attachment 2**.

Sunshine Coast Review

- 4.6 The ANO expects to finalise its report on the *Investigation into complaints about the introduction of new flight paths in Sunshine Coast* report this quarter for presentation to the Board.

Systemic Review of Airservices' community engagement systems

- 4.7 The ANO expects to finalise its report on the *Review of Airservices Australia's systems for community engagement* this quarter for presentation to the Board.

Airservices' consultation on its draft Flight Path Design Principles

- 4.8 The ANO participated in Airservices' national stakeholder consultation on draft Flight Path Design Principles (FPDP) during the quarter. The ANO attended an industry stakeholder panel and two public workshops as observers and also made a written submission to the process.
- 4.9 The ANO has received some complaints from members of the community about Airservices' community engagement process in relation to the draft FPDP.

Kieran Pehm
Aircraft Noise Ombudsman

28 April 2020

Attachment 1 Complaint Statistics

The following tables summarise the complaint statistics for the quarter.

AIRSERVICES	Jan 2020	Feb 2020	Mar 2020	Total for quarter
Complaints received:	9	4	7	20
Complaints closed:	9	2	9	20

Total complaints closed - not reviewed:	5	1	5	11
Complainant did not provide further information	0	0	1	1
Outside charter scope	0	0	0	0
Referred to Airservices to respond directly	5	1	4	10

Total complaints closed - reviewed:	4	1	4	9
No change possible - explanation provided	3	1	4	8
Change adopted by Airservices Australia	1	0	0	1
Change adopted by Airport operator	0	0	0	0
Change adopted by Aircraft operator	0	0	0	0

DEFENCE	Jan 2020	Feb 2020	Mar 2020	Total for quarter
Complaints received:	1	0	2	3
Complaints closed:	0	0	1	1

Total complaints closed - not reviewed:	0	0	0	0
Complainant did not provide further information	0	0	0	0
Outside charter scope	0	0	0	0
Referred to Defence to respond directly	0	0	0	0

Total complaints closed - reviewed:	0	0	1	1
No change possible - explanation provided	0	0	0	0
Change adopted by Defence	0	0	1	1

	Airservices	Defence	No agency assigned*	Total
Complaints carried forward on 1 Oct 2019	336	3	0	339
Complaints received	20	3	1	24
Complaints closed	20	1	1	22
Complaints open at 1 April 2020	336	5	0	341

* Complaint did not include enough information to enable assignment to either agency and did not progress to review

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 Hobart (April 2018)

Ongoing recommendations	ANO assessment of agency response
<p>Recommendation 3: Airservices should ensure that its additional analysis of social impact to form part of the Environmental Assessment:</p> <p>(a) includes a clearly defined purpose;</p> <p>(b) includes explicit commentary on social impact taking into account particular community history, context and sensitivities; and</p> <p>(c) incorporates a critically analytical assessment of the potential impact on the community of proposed change referring to both qualitative and quantitative values.</p>	<p><u>Closed</u> – Airservices has provided sufficient evidence of actions taken including:</p> <ul style="list-style-type: none"> • updating its National Operating Standard (V15, Jun 2019) to address these requirements • demonstrating this procedure in use through providing a recent example of a completed Environmental Assessment and Social Impact Analysis. <p>The ANO considers that Airservices has addressed this recommendation.</p>
<p>Recommendation 4: In undertaking its Environmental Assessments and preparing reports on those assessments, Airservices should:</p> <p>(a) ensure that all assessment criteria, for both EPBC Act purposes and for assessment of social impact, are clearly explained in its documentation in a way that makes clear their purpose, whether they are primary or secondary, the assessment methodology, and the consequences that follow if a threshold is exceeded;</p> <p>(b) explicitly document any assumptions made and explain the basis for each assumption;</p> <p>(c) explicitly document its consideration of change proposals against its stated criteria;</p> <p>(d) undertake a more nuanced assessment of whether a change is 'significant' in social impact or under the EPBC Act requirements, taking into account both quantitative and qualitative values so that a non-binary and more informative approach is taken to assessment against criteria; and</p> <p>(e) refer to or document all relevant information that forms the basis of its environmental assessment and conclusions in a single explanatory Environmental Assessment report.</p>	<p><u>Closed</u> – Airservices has provided sufficient evidence of actions taken including:</p> <ul style="list-style-type: none"> • updating its National Operating Standard (V15, Jun 2019) to address these requirements • demonstrating this procedure in use through providing a recent example of a completed Environmental Assessment and Social Impact Analysis. <p>The ANO considers that Airservices has addressed this recommendation.</p>

Ongoing recommendations	ANO assessment of agency response
<p>Recommendation 5: Airservices should access, through recruitment or otherwise, skilled and experienced subject matter expertise in the practice of community consultation. Leadership should give prominent support to this expertise so as to promote its influence and effect on Airservices' better performance in community consultation.</p>	<p><u>Closed</u> – Airservices has embedded the relevant skilled and experienced subject matter expertise through:</p> <ul style="list-style-type: none"> - completing 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 - recruiting a new Environment and Community Manager (at a senior management level) with extensive community engagement experience and skills. The new Manager commenced in this role on 30 March 2020 and will report directly to a member of the Executive - recruiting and appointing other community engagement staff with strong backgrounds in modern community engagement principles - increasing the capability of the Community Engagement Team through training and access to community engagement specialists, expertise, tools and technology. <p>The ANO considers that Airservices has addressed this recommendation.</p>

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

Ongoing recommendations	ANO assessment of agency response
<p>Recommendation 1 – 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>Recommendation 2 – 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>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>Recommendation 3 – Defence should:</p> <ul style="list-style-type: none"> 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; 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; c. set out clearly the changes compared to the version 3.0 Noise Management Plan and outline the reasons for these; and d. re-submit the revised version 4.0 Noise Management Plan for approval in line with Condition 8 of its approval 	<p><u>Ongoing</u> - Defence has prepared a remediation action plan and has commenced actions to address this recommendation.</p>
<p>Recommendation 4 – 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"> a. any foreseeable variations approved by the SADFO-Amberley; 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 c. the results of audits of compliance with its Conditions of Approval for Australian Super Hornet Flying Operations 	<p><u>Ongoing</u> - Defence has prepared a remediation action plan and has commenced actions to address this recommendation.</p>
<p>Recommendation 5 – 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>Recommendation 6 – 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>Recommendation 7 – 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> <ul style="list-style-type: none"> a. any changes to the Noise Management Plan and Noise Mitigation and Complaints Resolution Strategy; b. those arising through the complaints process detailed in the Noise Monitoring and Complaints Handling Strategy; and c. the results of audits of compliance with its Conditions of Approval for Australian Super Hornet Flying Operations. 	<p><u>Ongoing</u> - Defence has prepared a remediation action plan and has commenced actions to address this recommendation.</p>
<p>Recommendation 8 – 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>Recommendation 9 – 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> <ul style="list-style-type: none"> a. any changes to the Noise Management Plan and Noise Monitoring and Complaints Handling Strategy; b. those arising through the complaints process detailed in the Noise Monitoring and Complaints Handling Strategy; and c. the results of audits of compliance with its Conditions of Approval for Australian Super Hornet Flying Operations. 	<p><u>Ongoing</u> - Defence has prepared a remediation action plan and has commenced actions to address this recommendation.</p>