



Quarterly Report

October – December 2019

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1 Introduction

- 1.1 This report includes complaint statistics and a summary of Aircraft Noise Ombudsman (ANO) activities during the October – December 2019 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.

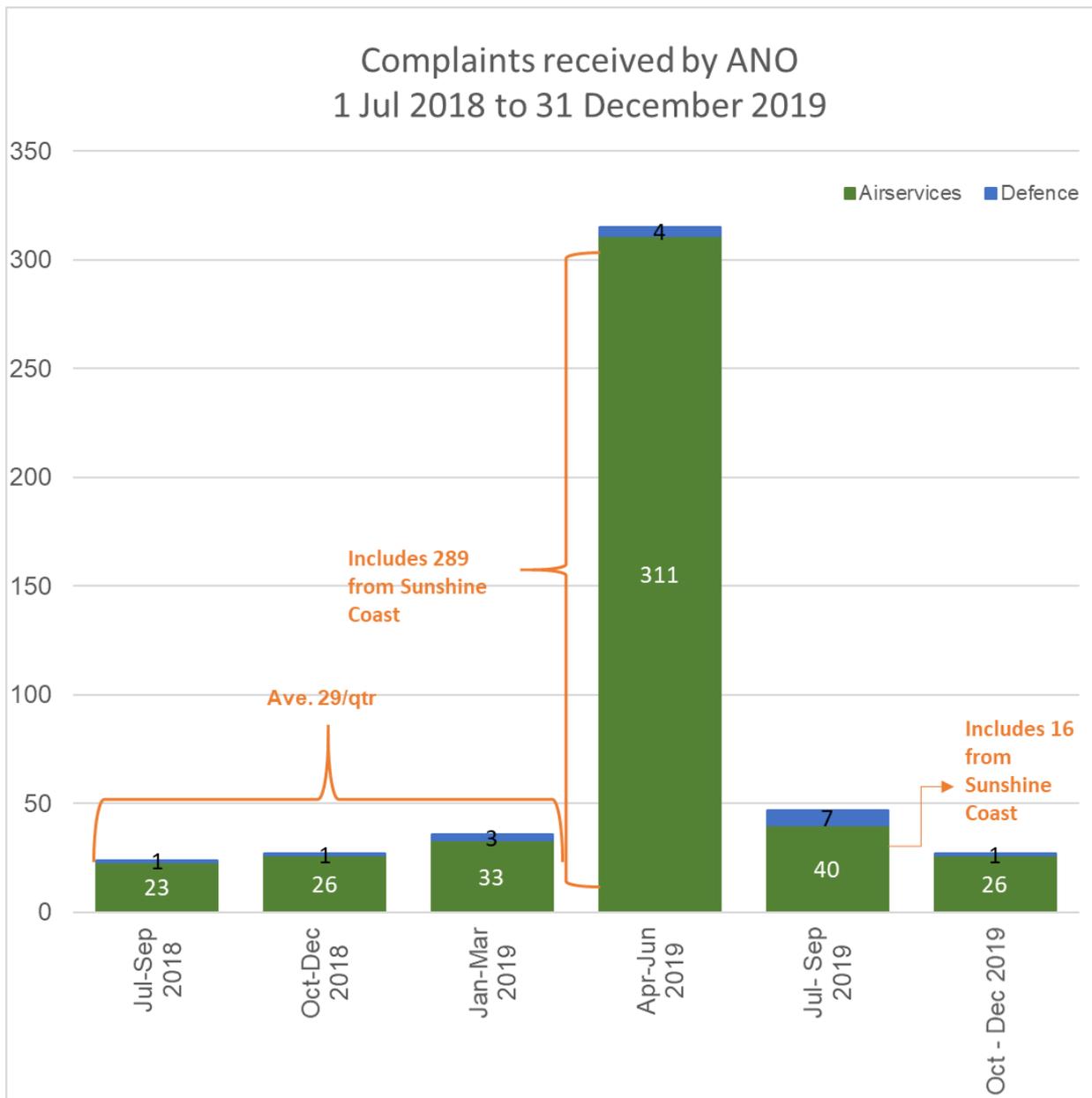
2 Overview

- 2.1 From the start of October to the end of December 2019, the ANO received a total of 27 complaints, one of which related to Defence’s management of military aircraft noise issues and 26 related to Airservices’ management of civilian aircraft noise issues. **Attachment 1** provides detailed complaint statistics for the quarter.
- 2.2 The number of complaints received this quarter (27 complaints) indicates a return to average levels of complaints for the ANO. During the previous quarter – July to September 2019 – the ANO had continued to receive a slightly higher rate of complaints (a total of 47 complaints) due to community concerns regarding proposed flight path changes at Sunshine Coast Airport. The ANO has not received any new complaints about Sunshine Coast Airport further to the 299 reported in the July-September Quarterly Report, although it continues to receive information and insights about related issues, which are being considered as part of the multiple complaints review.
- 2.3 The ANO is continuing the multiple complaints investigation into Airservices’ management of aircraft noise in connection with the proposed flight path changes at Sunshine Coast and is aiming to provide the investigation report to the Airservices’ Board early this year.
- 2.4 The ANO has continued work on its systemic review of the effectiveness of Airservices’ community engagement systems. An Interim Report was submitted to the Airservices’ Board in November 2019 and a Final Report will be submitted to the Airservices’ Board in the first half of this year.
- 2.5 Airservices provided further information as evidence of its actions to address the three remaining outstanding recommendations from our *Investigation into complaints about the introduction of new flight paths in Hobart (April 2018)*.
- 2.6 The ANO closed the final recommendation from its *Review of Defence’s Aircraft Noise Complaints Management System (November 2016)*, which was aimed at improving the aircraft noise information available through its website.
- 2.7 The ANO completed the second compliance audit of Defence’s *Australian Super Hornet Flying Operations, RAAF Base Amberley Project*, submitting to the Chief of Air Force in late October 2019. The report made nine recommendations aimed at improving Defence’s compliance but considered

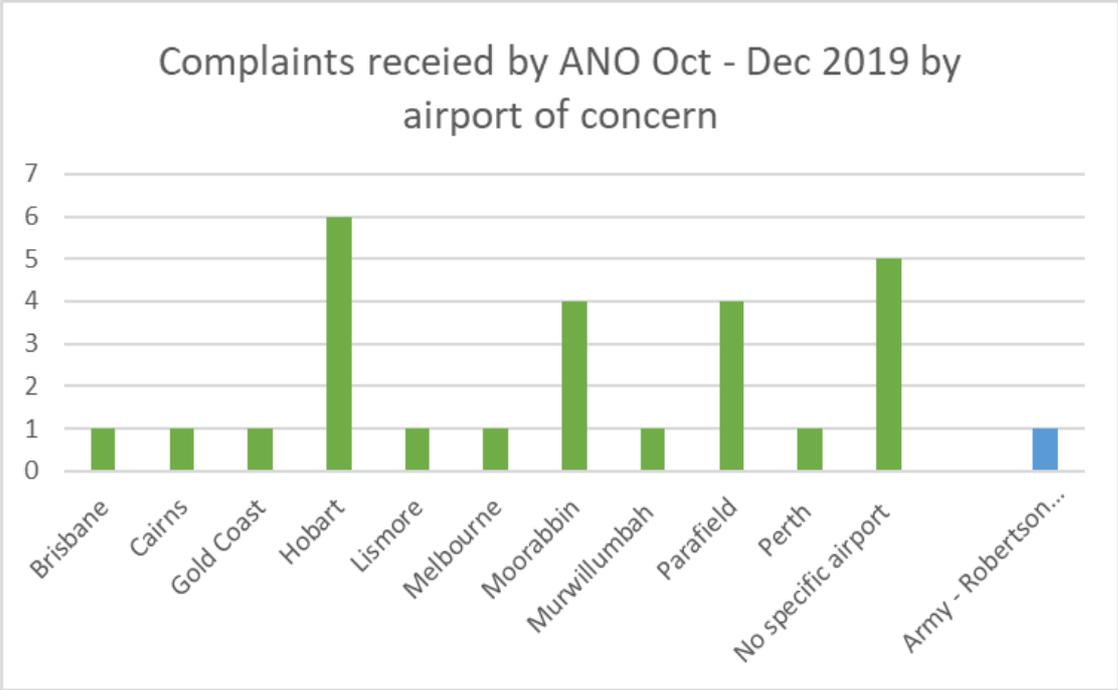
overall that Defence had complied with the intent of the Conditions of Approval in relation to managing the effects of aircraft noise on the community and the environment.

3 Complaint handling

3.1 During the quarter the ANO received 27 new complaints, one of which related to Defence's aircraft noise management and 26 related to Airservices' aircraft noise management. As there were no new complaints relating to the expansion of the Sunshine Coast Airport, this reflects a return to average levels of complaints for the quarter.



3.2 Of the 27 complaints received by the ANO, six related to the Hobart Airport, five had no specific airport identifiable and one related to the Army – Robertson Barracks in Darwin. Moorabbin and Parafield received four complaints each and the remaining seven complaints were from seven different civilian airports. The Hobart-based complaints reflect community concerns about the new flight path arrangements introduced in November 2019 and Airservices’ response to complaints about the process it undertook to implement these new flight paths.



3.3 Twenty-eight complaints were closed during the quarter, of which sixteen were reviewed in detail and eight were referred back to the relevant agency for a direct response. Of the remaining four, two were outside the scope of the ANO Charter and two were closed when the complainant did not provide further requested information to allow a review to proceed.

3.4 Of the twenty-eight complaints closed during the quarter, three complaints led to a change being adopted by Airservices. These changes included a requested holding pattern change being placed on the Air Traffic Services (ATS) change program for consideration at an appropriate time when workloads allow; the provision of further information in the form of a complete response to a complainant by Airservices after their communication was overlooked; and the prompting of an internal complaints handling review.

3.5 There are 339 complaints still open as at 1 January 2020. This remains a reflection of the large volume of complaints relating to the Sunshine Coast matter (299). These complaints will remain open while the multiple complaints investigation continues.

3.6 Complaint statistics for the quarter are summarised at **Attachment 1**.

Noise improvement opportunities

- 3.7 Complaints reviewed by the ANO sometimes raise opportunities to improve noise outcomes. Sometimes a complainant will suggest a particular change which may in turn prompt consideration of additional options for improved outcomes. Generally, the practical opportunities for change arising from complaints received by the ANO are limited due to it commonly being the case that there are no feasible, practical and safe alternatives available. In addition, Airservices and Defence may have already identified and implemented the available change opportunities.
- 3.8 However, even when no noise improvement can be achieved, the reflection on alternatives and provision of detailed and logical reasons for decisions not to pursue one or all of the alternatives considered promotes good decision-making. Occasionally, it highlights an opportunity that has not been fully explored.
- 3.9 The table below reports on the noise improvement opportunities that the ANO continues to pursue with Airservices, arising from ANO reviews of complaints about the agency's complaint handling.

Complaint received by ANO	Description of initiative	Current status
June 2017	Perth: changes to northern smart tracking approach path to reduce noise impacts for residents	<p>This suggestion was first raised by residents during the consultation exercise prior to the new path being introduced in Sept 2015. At that time Airservices elected to implement the path as designed and undertook to look at the opportunity to reduce noise impacts as part of an upcoming post-implementation review. In the PIR, Airservices again deferred consideration of the change pending other change initiatives and referral to the Airport's technical noise working group.</p> <p>Since that time, the ANO has continued to seek updates from Airservices. In early 2018, Airservices advised that its noise modelling and a targeted environmental assessment indicated its proposed modification to the smart tracking approach would provide the best overall aircraft noise outcome. However, it elected to not pursue the change immediately, pending Perth Airport's finalisation of its Master Development Plan for the new parallel runway. Airservices advised that this was "to enable a proper assessment of the impact of the MDP, and its associated new runway flight paths, on the proposed Smart Tracking approach modification." This approach, Airservices advised, "ensures the proposed modification is not completed in isolation from the proposed flight paths for the new runway in Perth, potentially resulting in a requirement to further modify the Smart Tracking approach and unnecessarily burdening the community". At the time, the anticipated timeframe for Perth's MDP approval was the first quarter of 2019.</p> <p>The ANO sought an update from Airservices and was advised that "Based on Ministerial approval of the new parallel runway MDP by the end of 2019, and subject to any caveats placed by the Minister on the associated airspace management plan for the new runway, Airservices aims to implement the smart tracking change in the second half of 2020. The change is currently active in the Airservices flight path change pipeline, with relevant pipeline activities underway towards achieving an implementation timeline of the second half of 2020."</p>
July 2019	Lismore: changes to holding pattern	<p>During the course of investigating a complaint about the noise from the existing holding pattern of small planes approaching Runway 15 at Lismore Airport, Airservices agreed that further consideration could be given to whether the opportunities exist to move the holding pattern away from the more populated areas.</p> <p>This proposed change has now been placed onto Airservices' ATS change program for consideration when workloads allow. Airservices advised the ANO that it will correspond directly with the complainant with updates as the change consideration process progresses. The ANO will not be monitoring further.</p>

4 Consultation and Information Provision

Sunshine Coast Review

- 4.1 The ANO team has made substantial progress in its Sunshine Coast Review and is on track to provide its report to the Board of Airservices early this year. The report considers the issues arising from complaints received and draws on the insights, observations and feedback provided by many in the community, as well as the ANO's independent research undertaken and the information and answers to questions provided by Airservices. The ANO is grateful for all contributions received.
- 4.2 The ANO is aware that CASA approved the proposed changes to airspace classification during the last quarter of 2019 and acknowledges that some in the community are disappointed by this. Subject to any unforeseen occurrences, the runway will open this year and new flight paths will be adopted. This will bring significant changes to the aircraft noise experience for many communities. The issues being considered in the review and any recommendations that result will not stop this change. The ANO's report will examine how effectively Airservices performed its community engagement, information provision and complaints handling with respect to managing the aircraft noise issues arising from these major changes. The recommendations will go to what Airservices should do to best manage these issues, both specifically in the Sunshine Coast context and more broadly in its future undertakings of this kind at other locations.

Hobart Review

- 4.3 Airservices' has presented additional information to demonstrate its actions to address the three recommendations that remain outstanding from the ANO's *Investigation into complaints about the introduction of new flight paths in Hobart (April 2018)*. The ANO is currently considering this information and has sought some clarifications. A summary of the outstanding recommendations is at **Attachment 2**.

Systemic Review of Airservices' community engagement systems

- 4.4 The ANO submitted its *Review of Airservices Australia's systems for community engagement – Interim Report (November 2019)* to the Airservices Board in November 2019. This Airservices Board requested review was established as a result of ongoing concerns regarding Airservices' community engagement in relation to specific flight path changes.
- 4.5 The ANO is continuing work on this review and a Final Report will be submitted to the Airservices Board in the first half of this year.

Compliance Audit of Defence's Super Hornet Operations at Amberley

- 4.6 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. Defence has made the necessary submissions to the

Department of the Environment and Energy and is finalising a remediation plan in response to the findings and recommendations.

- 4.7 The ANO found that Defence was compliant with four of the eight Conditions of Approval, non-compliant with three and one Condition was not applicable. The report is available at the ANO website and sets out the detailed review the ANO undertook together with its findings. The ANO made nine recommendations aimed at improving Defence's compliance with the Conditions of Approval and the requirements of the plans and strategies required by these Conditions. Further, two suggested improvements have been identified to enhance Defence's public reporting on its aircraft noise management more broadly.
- 4.8 In summary, the ANO considers that Defence has complied with the intent of the Conditions of Approval in relation to managing the effects of aircraft noise on the community and the environment. However, it has some work to do to establish effective systems to facilitate the necessary administrative, records management and reporting frameworks required to substantiate its performance against these Conditions.
- 4.9 A summary of the nine recommendations is at **Attachment 2**.

Review of Defence's Aircraft Noise Complaints Management System

- 4.10 The ANO closed the final recommendation from its *Review of Defence's Aircraft Noise Complaints Management System (November 2016)*.
- 4.11 That review, delivered in November 2016, assessed the effectiveness of Defence's handling of complaints about aircraft noise against the requirements for 'Operation of the Complaint Management System' set out in Chapter 8 of the Australian/New Zealand Standard 10002:2014 'Guidelines for complaint management in organisations'.
- 4.12 This final recommendation was for 'Defence to review and improve web based information on aircraft noise'. The ANO closed this recommendation after Defence provided evidence it is taking consistent action to address the issues with the website and that a full review will be conducted by Defence in due course.
- 4.13 A summary of this closed recommendation is at **Attachment 2**.

5 Closing remarks

The October to December quarter has continued at pace as we worked through the backlog of complaints from our previously mentioned period of reduced staffing. At the same time, we progressed two major investigations and reviews – the Sunshine Coast flight path changes and the Airservices Board requested systemic review of the effectiveness of Airservices' community engagement systems. We also finalised the second compliance audit of Defence's Australian Super Hornet Flying Operations, RAAF Base Amberley – a major project. At the time of writing, the ANO is also working hard to meet the deadline for feedback on the Airservices' draft Flight Path Design Principles and to provide input into another important Board initiated review.

This small office of just four part time people, including the Ombudsman, has an output that exceeds what might be expected from its modest resources.

This will be my last Quarterly report before I conclude my three year term as Aircraft Noise Ombudsman on 8 February 2020. I am sure that the incoming Ombudsman, who will commence in the role on 9 February, will find the work of the ANO as fascinating, challenging and rewarding as I have.

Over the last three years the ANO's primary focus, in addition to complaints management and general issues in aircraft noise management, has been Airservices' engagement with the community. Our first major investigation and report with this as our focus was prompted by complaints received in relation to the introduction of flight path changes at Hobart. Now we are finalising our Sunshine Coast investigation with a continued focus on Airservices' engagement with the community. Our Final Report on our systemic review of the effectiveness of Airservices' community engagement systems will round off our concentration on this function that is so important to the social licence on which aviation, and Airservices, depends.

Over the last three years we have also seen Defence develop and embed improved complaint handling approaches and processes in response to recommendations made in 2016. It has been heartening to see Defence's increasingly sophisticated and effective response to complainants and to have now closed all of our recommendations from our *Review of Defence's Aircraft Noise Complaints Management System*.

In the last three years we have undergone an external governance and resourcing review that resulted in a three year funding model, enhancing our independence and resourcing certainty. Our staff establishment was also reviewed externally and, since July 2019, we have had a full complement of dedicated, skilled and experienced people.

It is the talent, hard work and collegiality of these people that have made my tenure as Aircraft Noise Ombudsman such a rewarding experience. The original team of Kate Burmester, Tim Abberton and Kristy Ryan gave me the support and aviation related knowledge I needed to begin to be effective in this role. I will always be grateful to them. The ANO's current team of Jennifer Grimwade, Beth Baldwin and, happily, the human lynchpin that is Kate Burmester is pure pleasure to work with. I will miss their intelligence, diligence, warmth and humour.

Finally, I am grateful for the privilege of having served in this role and I thank all at Airservices Australia, Defence and in the wider aviation industry with whom I have had the opportunity to converse, consider and work over the last three years. These are times of unprecedented change and development in aviation. I wish all involved in meeting the challenges of these times the very best. I also thank the many individuals and communities who have devoted hundreds, perhaps thousands, of hours of unpaid time and effort to contributing to better aircraft noise outcomes. I have witnessed some impressively skilled and informed efforts to ensure that communities' voices were heard. I hope we have demonstrated that we have listened.

A handwritten signature in cursive script that reads "Narelle Bell".

Narelle Bell
Aircraft Noise Ombudsman

7 February 2020

Attachment 1 Complaint Statistics

The following tables summarise the complaint statistics for the quarter.

AIRSERVICES	Oct 2019	Nov 2019	Dec 2019	Total for quarter
Complaints received:	10	5	11	26
Complaints closed:	11	4	9	24

Total complaints closed - not reviewed:	7	0	5	12
Complainant did not provide further information	2	0	0	2
Outside charter scope	1	0	1	2
Referred to Airservices to respond directly	4	0	4	8

Total complaints closed - reviewed:	4	4	4	12
No change possible - explanation provided	3	2	4	9
Change adopted by Airservices Australia	1	2	0	3
Change adopted by Airport operator	0	0	0	0
Change adopted by Aircraft operator	0	0	0	0

DEFENCE	Oct 2019	Nov 2019	Dec 2019	Total for quarter
Complaints received:	0	0	1	1
Complaints closed:	0	0	4	4

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	4	4
No change possible - explanation provided	0	0	4	4
Change adopted by Defence	0	0	0	0

	Airservices	Defence	Total
Complaints carried forward on 1 Oct 2019	334	6	340
Complaints received	26	1	27
Complaints closed	24	4	28
Complaints open at 1 Jan 2020	336	3	339

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.

Defence Complaints System Review (November 2016)

Ongoing recommendations	ANO assessment of agency response
<p>Recommendation 3 – Defence should review the Defence Aircraft Noise web information and, taking account of comments in this report, make improvements to information provision, presentation and functionality.</p>	<p><u>Closed</u> – Defence has advised that it is maintaining the Defence Aircraft Noise Website as a business as usual practice. It has launched its online complaint form, has reviewed and updated its web information and fixed any links to address the issues identified in the review.</p> <p>Defence's new practice is to check a random page once a week and fix links and make updates as required. Defence bases are also regularly updating the information on their individual pages.</p> <p>Defence advised that a full review of its website will be conducted in due course.</p>

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>Ongoing</u> – Airservices has briefed the ANO on its actions to address this recommendation, including:</p> <ul style="list-style-type: none"> - it has amended its Environmental Assessment template to document the more detailed social impact information required; - its subsequent stakeholder engagement plans will incorporate the appropriate social impact analysis and context; - it has contracted a social impact specialist firm to strengthen its community engagement planning; - this focus is already included in the re-engagement with Hobart stakeholders and the community. <p>The ANO notes Airservices' latest version of its National Operating Standard addresses these requirements and has sought evidence of the procedure in use. Airservices has provided some information that the ANO is considering to determine whether the actions are adequate to address the intent of this recommendation.</p>

Ongoing recommendations	ANO assessment of agency response
<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>Ongoing</u> – Airservices has advised that its actions to address this recommendation are 'in progress', and that its response is the same as for Recommendation 3.</p> <p>The ANO notes Airservices' latest version of its National Operating Standard addresses these requirements and has sought evidence of the procedure in use. Airservices has provided some information that the ANO is considering to determine whether the actions are adequate to address the intent of 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>Reopened and Ongoing</u> – Airservices has:</p> <ul style="list-style-type: none"> - engaged a community engagement consultant to provide social impact and consultation advice for the duration of the Hobart Airspace Design Review; - recruited a Community Engagement Manager with extensive community engagement experience and skills to lead the Engagement team. <u>However, the departure of this Manager soon after her appointment means this action remains to be implemented;</u> - recruited other engagement staff with strong backgrounds in modern community engagement principles; - increased the capability of the community engagement team through training and access to community engagement specialists and expertise. <p>The ANO awaits evidence from Airservices that demonstrates it has re-acquired and embedded the relevant skilled and experienced subject matter expertise to address the recommendation.</p>

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 advised that it is preparing a remediation plan which will be submitted to the Department of the Environment and Energy (DoEE) and the ANO in due course.</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 advised that it is preparing a remediation plan which will be submitted to the DoEE and the ANO in due course.</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 <p>re-submit the revised version 4.0 Noise Management Plan for approval in line with Condition 8 of its approval</p>	<p><u>Ongoing</u> - Defence has advised that it is preparing a remediation plan which will be submitted to the DoEE and the ANO in due course.</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 <p>the results of audits of compliance with its Conditions of Approval for Australian Super Hornet Flying Operations</p>	<p><u>Ongoing</u> - Defence has advised that it is preparing a remediation plan which will be submitted to the DoEE and the ANO in due course.</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 advised that it is preparing a remediation plan which will be submitted to the DoEE and the ANO in due course.</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 advised that it is preparing a remediation plan which will be submitted to the DoEE and the ANO in due course.</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 <p>the results of audits of compliance with its Conditions of Approval for Australian Super Hornet Flying Operations.</p>	<p><u>Ongoing</u> - Defence has advised that it is preparing a remediation plan which will be submitted to the DoEE and the ANO in due course.</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 advised that it is preparing a remediation plan which will be submitted to the DoEE and the ANO in due course.</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 <p>the results of audits of compliance with its Conditions of Approval for Australian Super Hornet Flying Operations.</p>	<p><u>Ongoing</u> - Defence has advised that it is preparing a remediation plan which will be submitted to the DoEE and the ANO in due course.</p>