



Quarterly Report

October – December 2020

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1 Overview

- 1.1 The Aircraft Noise Ombudsman (ANO) carried forward 36 complaints from the previous quarter. During this quarter, the ANO received 151 new complaints, closed 73 complaints, and therefore, carries forward 114 complaints to January 2021.
- 1.2 The ANO commenced a multiple complaints review into the flight paths at Brisbane Airport after an influx of complaints from the community.
- 1.3 The ANO continues to monitor the one outstanding recommendation arising out of its *Investigation into complaints about the introduction of new flight paths in Sunshine Coast* report.
- 1.4 The ANO continued its interaction with Airservices Australia (Airservices) in the monitoring of Airservices' community engagement processes, in particular in relation to the Post Implementation Review (PIR) process for the Sunshine Coast flight paths.
- 1.5 The ANO continued its regular liaison with Defence over the quarter. All open and new complaints about Defence were closed with no Defence complaints open as at 1 January 2021. Further, given all recommendations relating to the ANO's *Compliance Audit of Australian Super Hornet Flying Operations at RAAF Base Amberley* were closed in the last quarter, there are currently no outstanding Defence recommendations.
- 1.6 In line with Government guidance, the ANO's office is commencing a partial return to the office after working from home during the COVID-19 pandemic. This is subject to any further changes.

2 Complaint handling

2.1 During the quarter, the ANO received 151 complaints comprising 147 relating to Airservices, 1 relating to Defence and 3 where a relevant agency could not be identified.

2.2 **Figures 1 and 2** below show that the number of complaints being received by the ANO continues to rise since the last quarter.

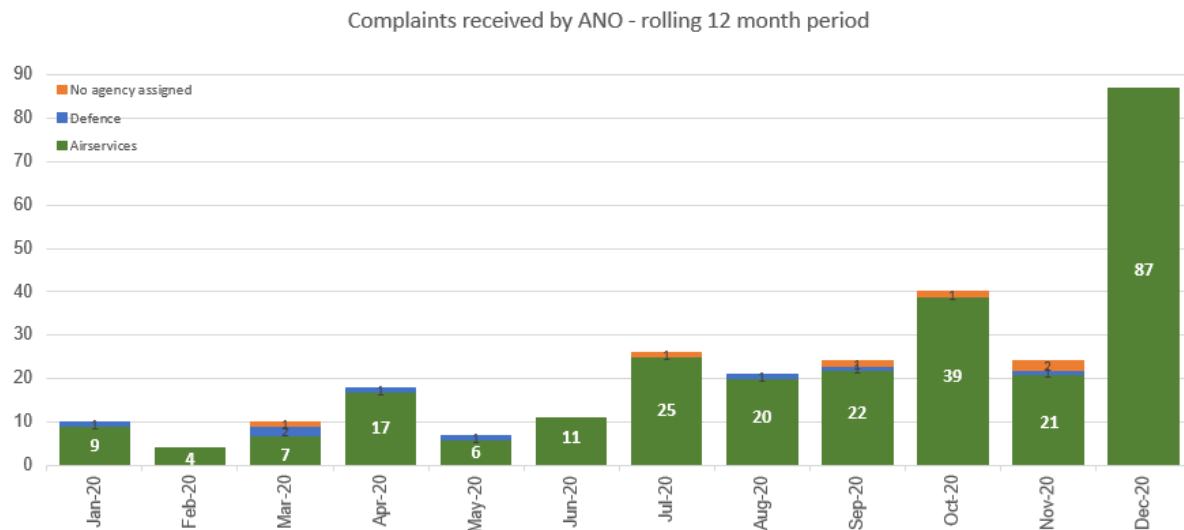


Figure 1 - Complaints received by month by the ANO during 2020

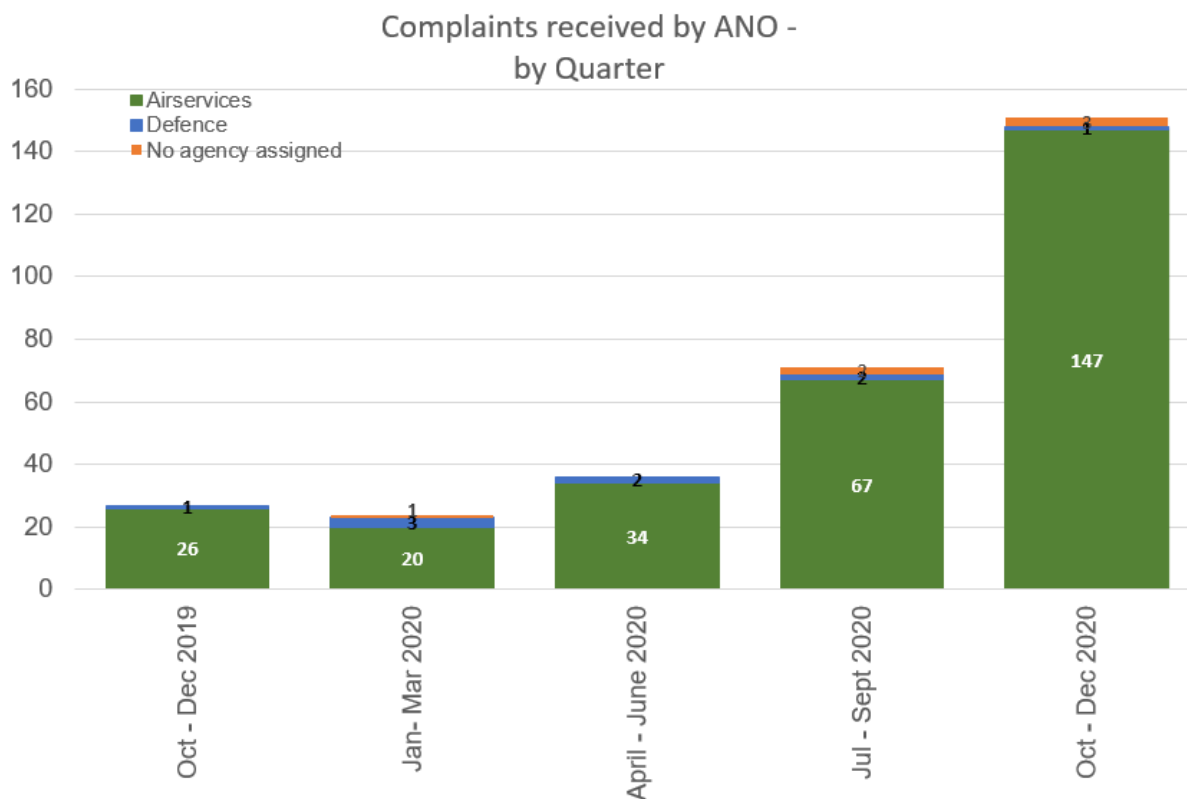


Figure 2 - Complaints received by quarter Oct 2019 - Dec 2020

2.3 The majority of complaints continue to be attributed largely to the opening of two new runways in Queensland, with 95 complaints relating to Brisbane Airport and 20 relating to the Sunshine Coast Airport in the period October-December 2020.

2.4 Complaints received by Airport for the quarter are shown in **Figure 3** below:

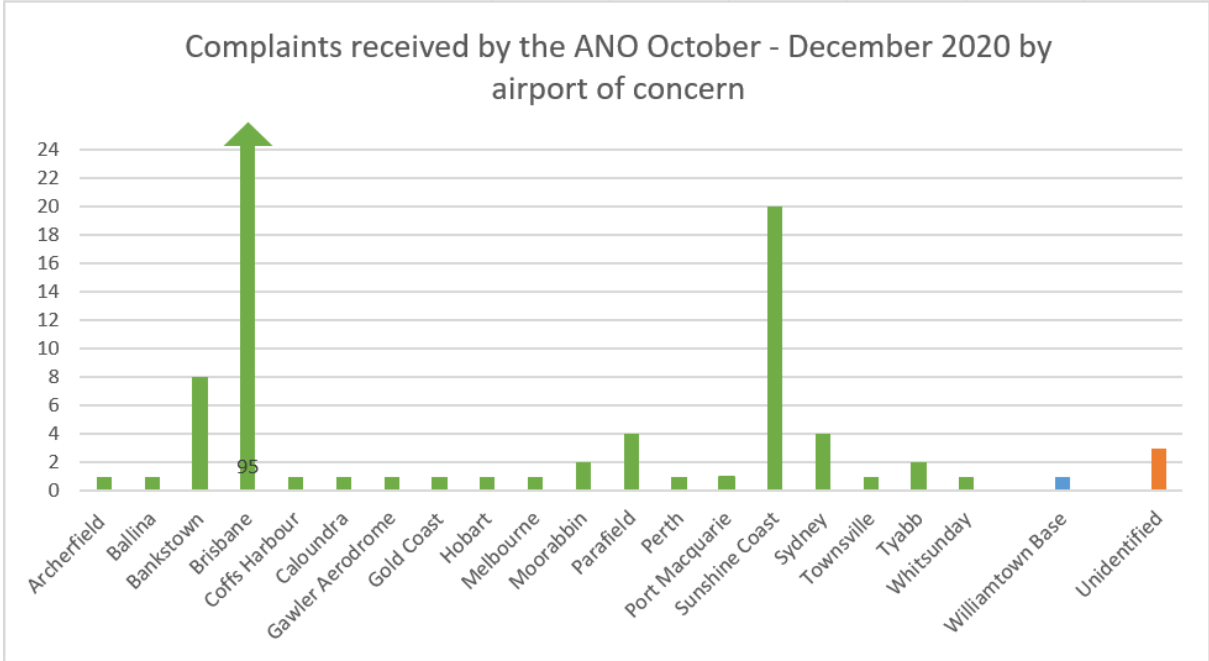


Figure 3 - Complaints received by the ANO Oct - Dec 2020 by Airport of concern

2.5 The ANO closed 73 cases for the quarter, 66 relating to Airservices, 3 relating to Defence and 4 with no agency identified. Of the 66 cases relating to Airservices, 1 was outside the ANO’s scope; 9 resulted in no change possible; 54 were closed as the complainants had either not yet complained to, or finalised their complaint with Airservices and 2 resulted in a change being adopted by Airservices.

2.6 The 2 cases that resulted in a change being adopted by Airservices were closed as a result of Airservices accepting feedback from the ANO’s office and undertaking to provide further information to specific complainants or to take feedback on board for future complainants.

2.7 As at 1 January 2021, 114 complaints remain open. These include complaints that have formed part of the ANO’s multiple complaints review of the Brisbane flight paths and long-standing complaints about Hobart flight paths, which are under investigation.

2.8 Full complaint data for the quarter are presented at **Attachment 1**.

Multiple Complaints Review – Brisbane

2.9 In December 2020, the ANO commenced a multiple complaints review as provided for in clause 47 of the ANO Charter. This review was instigated due to the large number of complaints the ANO's office received about Airservices since the opening of the new runway and the new flight paths at Brisbane Airport. The scope of this review will include the following in so far as they relate to aircraft noise:

- Airservices' environmental assessment of the impact of the flight paths associated with the new runway at Brisbane Airport
- Airservices' engagement with the community as part of the flight design process.

This review is ongoing.

Hobart investigation

2.10 The ANO is continuing its investigation into complaints about Airservices' implementation of new flight paths at Hobart Airport during 2018/19.

East Melbourne investigation

2.11 Over the quarter, the ANO continued its investigation into complaints about aircraft noise over east Melbourne and provided an assessment of the matter to Airservices.

2.12 Under clause 57 of the ANO Charter, the ANO is required to give Airservices a reasonable opportunity to resolve the matter before any further action is taken.

3 Community Engagement and Noise Information Provision

Sunshine Coast

3.1 The ANO made two recommendations in the report of its *Investigation into complaints about the introduction of new flight paths in Sunshine Coast* (released on 30 June 2020). The one recommendation that remains outstanding relates to Airservices' Post-Implementation Review (PIR) process. The Airservices Board's response to this recommendation at the time stated that the PIR Terms of Reference would be developed and agreed with the ANO.

3.2 During the quarter, the ANO engaged intensively with Airservices regarding the PIR Terms of Reference, however, on 29 January 2021 (since the end of the last quarter) the ANO issued a statement on its website advising that:

The... ANO has received a large number of representations from the public regarding Airservices Australia's (Airservices') Terms of Reference for the Post Implementation Review of the flight paths at Sunshine Coast Airport. These representations appear to have occurred following a resolution by the Board of Airservices Australia (the Board) that the Terms of Reference be agreed between Airservices and the ANO.

The ANO has advised the Board that it will be neither agreeing nor disagreeing with Terms of Reference drafted by Airservices as doing so would be inconsistent with the ANO Charter.

Agreement or disagreement would compromise the independence of the ANO by making it part of Airservices' decision-making and would prejudice the ability of the ANO to deal with relevant complaints about Airservices. The Board accepts the ANO decision in this matter.

3.3 As the Terms of Reference and the Community Engagement Plan for the PIR were still subject to community engagement processes during the quarter, this recommendation remains open. A summary of the recommendation is at **Attachment 2**.

ANO Monitoring Activities

3.4 The ANO Charter requires the ANO to monitor and report on Airservices' and Defence's community engagement processes and the presentation and distribution of aircraft noise related information.

3.5 The ANO continued to work with Airservices this quarter liaising with Airservices staff on engagement projects as they are delivered. The ANO has been involved in approximately 30 substantial interactions with Airservices, in particular, in relation to:

- Airservices' Sunshine Coast PIR process and Terms of Reference. The ANO also attended, as an observer, Airservices' Sunshine Coast Flight Path Changes Post Implementation Review Community Meeting on 8 December 2020
- Airservices' development of *Third Party Proposed Flight Path and Airspace Change – Environmental assessment and Community engagement procedure*.

- 3.6 The ANO also revised the terms of reference for its monitoring role of Airservices, which were approved by the Airservices Board in December 2020.

Staffing

- 3.7 Ms Jennifer Grimwade has resigned from the ANO effective 26 February 2021. The ANO is seeking expressions of interest for a Senior Advisor Position. Jennifer has been a thoroughly professional member of staff and her loss will have a significant impact on the office. I wish her all the best for the future.
- 3.8 The influx of complaints from Queensland has strained the administrative capacity of the office and the ANO has also sought expressions of interest for temporary assistance.

Kieran Pehm
Aircraft Noise Ombudsman

11 February 2021

Attachment 1 Complaint Statistics

The following tables summarise the complaint statistics for the quarter.

AIRSERVICES	Oct 2020	Nov 2020	Dec 2020	Total for quarter
Complaints received:	39	21	87	147
Complaints closed:	22	24	20	66

Total complaints closed - not reviewed:	20	21	14	55
Complainant did not provide further information	0	0	0	0
Outside charter scope	0	0	1	1
Referred to Airservices to respond directly	20	21	13	54

Total complaints closed - reviewed:	2	3	6	11
No change possible - explanation provided	2	2	5	9
Change adopted by Airservices Australia	0	1	1	2
Change adopted by Airport operator	0	0	0	0

DEFENCE	Oct 2020	Nov 2020	Dec 2020	Total for quarter
Complaints received:	0	1	0	1
Complaints closed:	0	3	0	3

Total complaints closed - not reviewed:	0	2	0	2
Complainant did not provide further information	0	0	0	0
Outside charter scope	0	0	0	0
Referred to Defence to respond directly	0	2	0	2

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

TOTAL COMPLAINTS TO ANO	Airservices	Defence	No agency assigned*	Total
Complaints carried forward on 1 October 2020	33	2	1	36
Complaints received	147	1	3	151
Complaints closed	66	3	4	73
Complaints open at 1 January 2021	114	0	0	114

*"No agency assigned" - includes a foreign aerodrome, uncontrolled aerodrome, insufficient information to identify an aerodrome and source of aircraft noise not identified.

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>Recommendation 2 – Airservices should, as soon as practicable, design an effective post-implementation review (PIR) process for the Sunshine Coast flight path designs, that does not perpetuate design constraints requiring alignment with EIS concepts, and which encompasses:</p> <ul style="list-style-type: none"> a) consideration of identified community-suggested alternatives b) a community engagement process that provides for genuine opportunities for community contributions to influence decisions c) application of the latest version of Airservices' National Operating Standard (NOS) Environmental Management of Changes to Aircraft Operations (AA-NOS-ENV-2.100). 	<p>Ongoing: After considerable community engagement, Airservices finalised the terms of reference for the PIR on 1 February 2021. The ANO advised the Board that it will be neither agreeing nor disagreeing with terms of reference drafted by Airservices as doing so would be inconsistent with the ANO Charter and would compromise the independence of the ANO.</p> <p>Airservices continues to seek community comments on its Community Engagement Plan (CEP) for the PIR process.</p> <p>Airservices has advised that it will commence immediately on the short-term noise monitoring site feasibility study to enable engagement with the community on appropriate locations to occur in the near future, so that it can mobilise quickly when air traffic volumes return to representative levels.</p> <p>Airservices has also stated it will focus in the short term on finalising the CEP with the community, after which it will call for community suggested alternative submissions to the flight paths.</p>