



Quarterly Report
April-June 2019

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1 Introduction

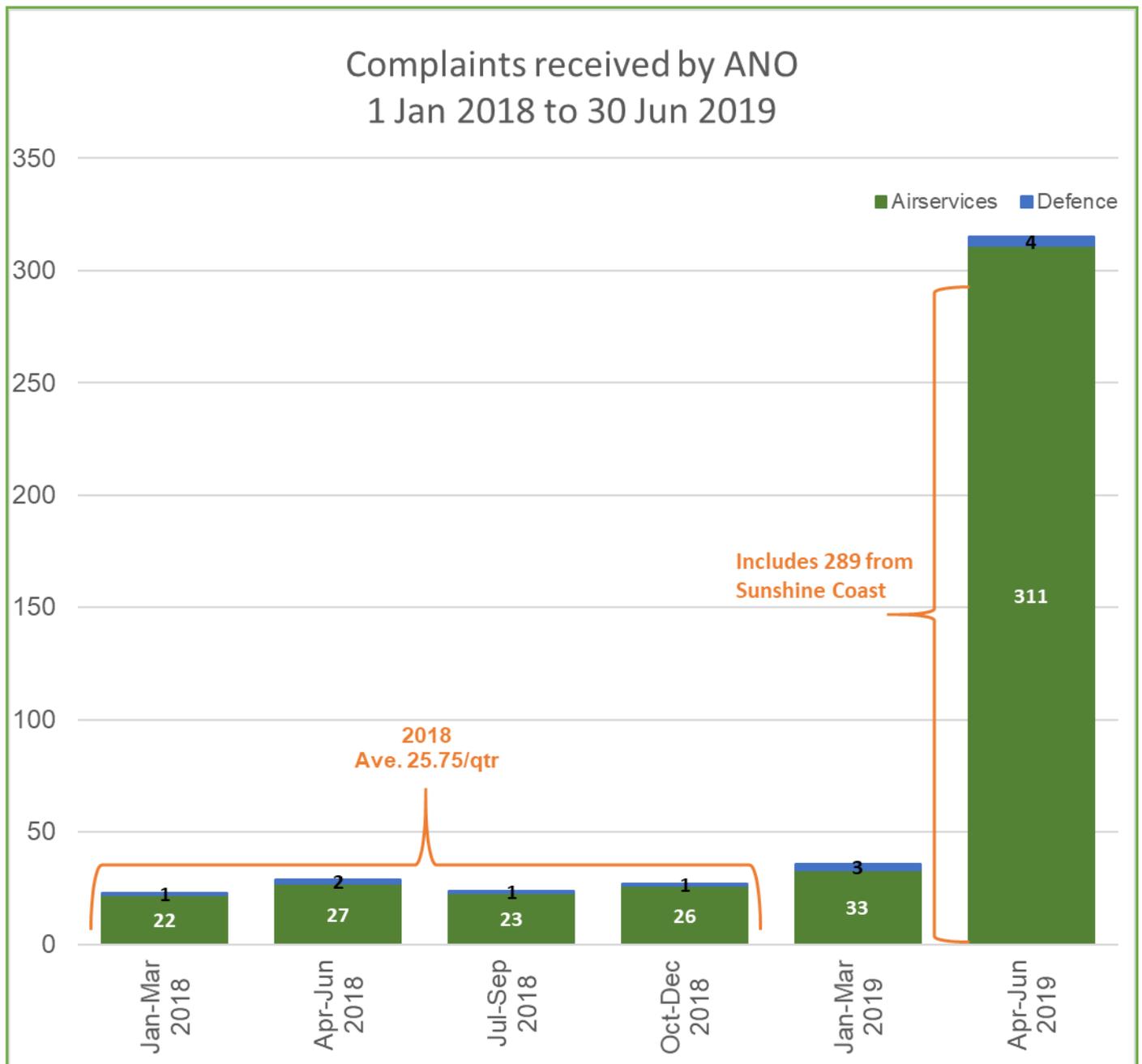
- 1.1 This report includes complaint statistics and a summary of ANO activities during the April to June 2019 quarter. It is structured around the three key functions of the ANO, these being the review and monitoring of Airservices Australia's and the Department of Defence's:
- a. complaint handling;
 - b. community consultation processes; and
 - c. provision of information about aircraft noise.

2 Overview

- 2.1 From the start of April to the end of June 2019, the ANO received a total of 315 complaints, including three about Defence's management of aircraft noise issues. **Attachment 1** provides detailed complaint statistics for the quarter.
- 2.2 The sharp increase in complaints reflects wide community dissatisfaction with Airservices' community engagement, information provision and complaint handling in connection with proposed flight path changes at Sunshine Coast Airport consequent to the planned new runway. To the end of June, we received a total of 289 complaints concerning Sunshine Coast.
- 2.3 Throughout the quarter, we continued to monitor Airservices' actions to address outstanding recommendations from our *Investigation into complaints about the introduction of new flight paths in Hobart (April 2018)*. In my last Quarterly Report (Q1 2019), I recorded having closed Recommendation 5 (Airservices should access, through recruitment or otherwise, skilled and experienced subject matter expertise in the practice of community consultation) on the basis that Airservices had recruited a Community Engagement Manager with extensive community engagement qualifications, experience and skills to lead the Engagement team. I understand that person left Airservices after a short time. Consequently, I have modified this Recommendation as "ongoing" until further recruitment is completed. Furthermore, given recent events on the Sunshine Coast and complaints about Airservices' conduct of community engagement there, I will be revisiting recommendations made following the Hobart investigation to ensure that progress made and recommendations found to have been met have not been negated in the context of Sunshine Coast.
- 2.4 Defence is still working to address the final recommendation from our *Review of Defence's Aircraft Noise Complaints Management System (November 2016)*, which is aimed at improving the aircraft noise information available through its website. We have also been busy during the quarter progressing a second compliance audit of Defence's *Australian Super Hornet Flying Operations, RAAF Base Amberley Project*.
- 2.5 **Attachment 2** provides a summary of action on all outstanding recommendations from both of the Reviews referred to above.

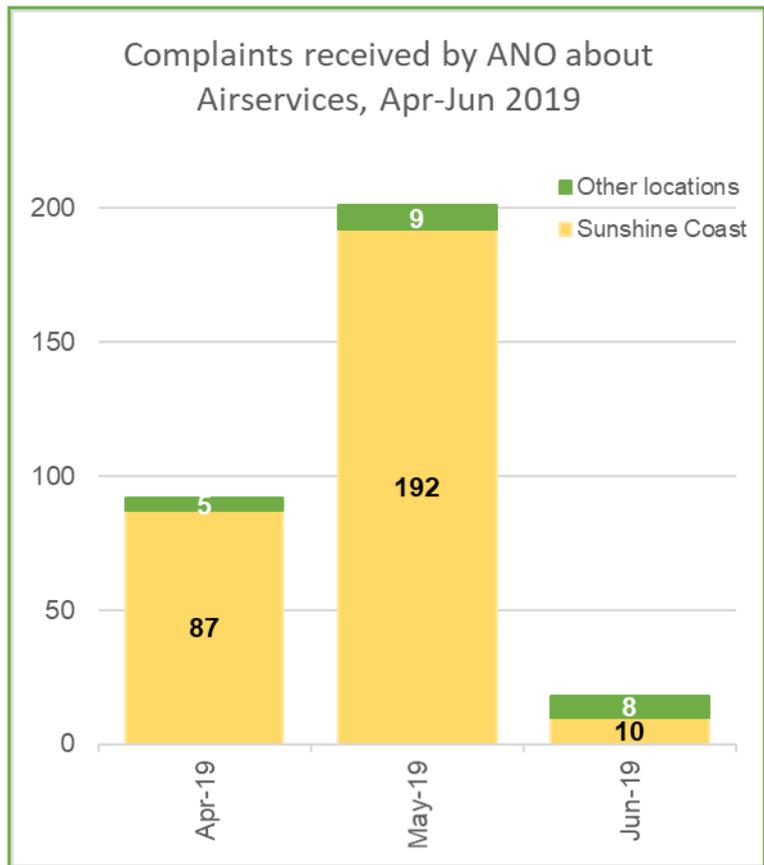
3 Complaint handling

3.1 During the quarter the ANO received 315 new complaints, four of which related to Defence's aircraft noise management. This is significantly above the quarterly average of the past calendar year, as shown in the graph below.

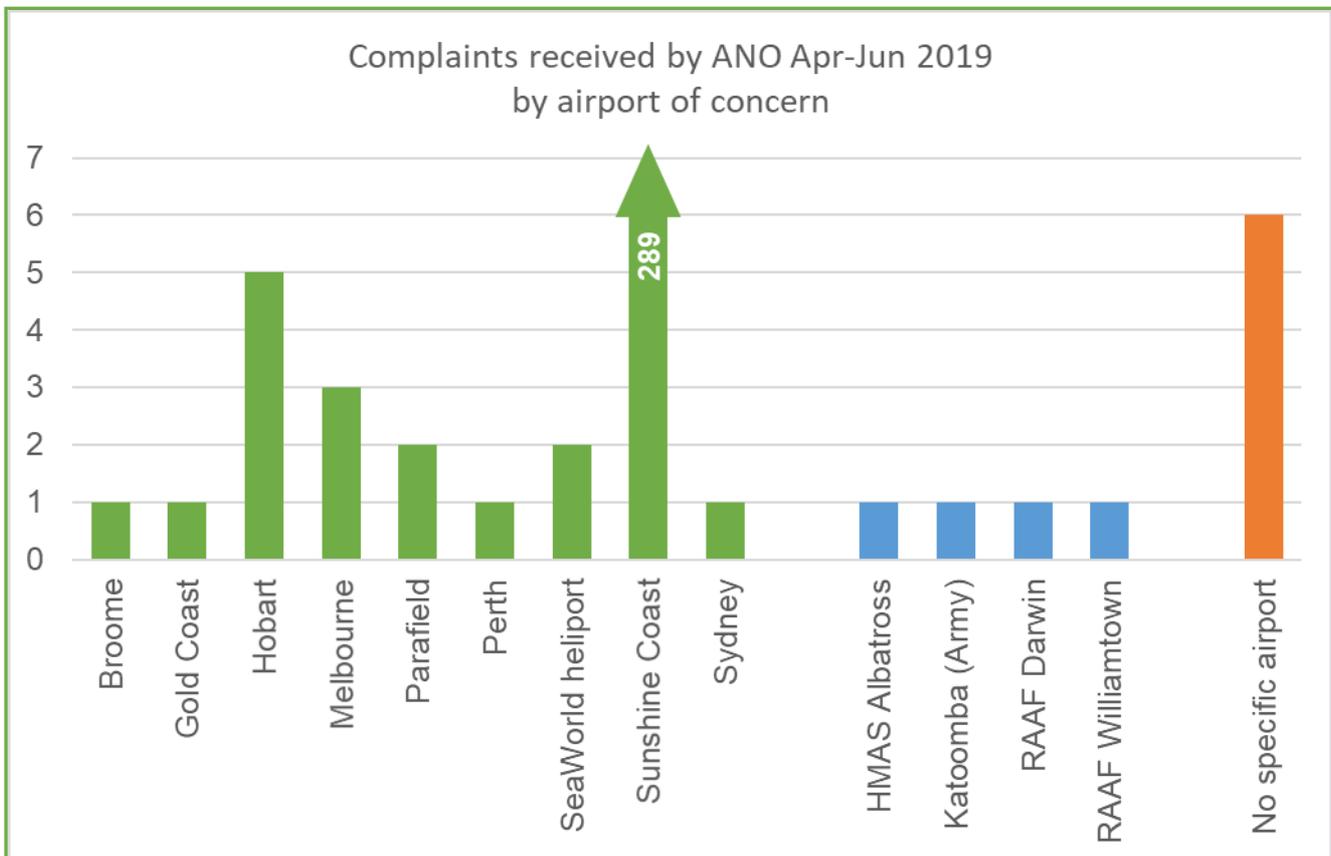


3.2 The sharp increase in complaints reflects wide community dissatisfaction with Airservices' community engagement, information provision and complaint handling in connection with proposed flight path changes at Sunshine Coast Airport consequent to the planned new runway. In the quarter, 289 complaints were received from Sunshine Coast residents concerned with the proposed flight path changes, although several were also about existing aircraft noise impacts.

3.3 The graph to the right shows the concentration of Sunshine Coast complaints that were submitted to the ANO in April and May. The public consultation period about the proposed flight path changes closed on 30 April, at the conclusion of which, complainants contacted the ANO with concerns about the consultation process, information provision, and the subsequent complaint handling by Airservices.



3.4 During the quarter, the ANO received complaints about 13 different airports and six complaints about activity that was not airport specific or the airport was not identified, as shown in the graph below.



- 3.5 Twenty one complaints were closed during the quarter, of which six were reviewed in detail and ten were referred back to the relevant agency for a direct response. Of the remaining five, three were outside the ANO Charter scope and two were closed when the complainant did not provide further requested information to allow a review to proceed.
- 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. This is 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".</p> <p>The ANO has sought an update and will continue to seek further information until a final decision is made.</p>

June 2017	Wagga Wagga: changes to circuit operations	The ANO received a complaint about Airservices not being able to pursue any changes to reduce the noise impacts of frequent circuit training flights over residential areas to the north of the airfield. The ANO sought advice from the airport operator, Wagga Wagga Council, about whether the sparsely populated area to the south could be used more often, when practical. The Council undertook to consider a change to the circuit direction and is developing a <i>Fly Friendly</i> procedure to accommodate this, subject to final approvals. The ANO has finalised its consideration of Airservices management of the noise issues. Any potential opportunities to reduce noise impacts now reside with Council to manage as appropriate.
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4 Consultation and Information Provision

4.1 Through its *Hobart Airspace Design Review*, it was evident Airservices had been implementing new strategies in light of the lessons learnt during its first implementation of the new flight paths in Hobart. While there were still some concerns from the community being expressed to the ANO office, as outlined in the previous Quarterly Report, there was positive progress and significant efforts being made.

4.2 Unfortunately, from late April, the ANO received an influx of complaints about Airservices' community engagement and provision of information in connection with proposed flight path changes at Sunshine Coast Airport consequent to the planned new runway. On 30 May 2019, I advised the Chairman of the Airservices Australia Board of my intention to conduct a multiple complaints investigation with a view to a report with recommendations. At this stage of the investigation, the following central issues have emerged about the nature of Airservices' community engagement:

- The timing of engagement with the community in view of deadlines for submission to CASA and completion of the runway;
- The "targeting" of a small proportion of the affected community and the limited reach of Airservices' consultation;
- Airservices' refusal to extend the consultation period when a large portion of the community became aware of the consultation only towards the end of the consultation period;
- The quality of the on-site consultation sessions, including format, information and the receptiveness of personnel;
- The quality of information generally about the social, aural, visual, environmental and economic impacts on all communities;
- Responses (or failures to respond) to those who asked questions about the proposed flight paths; and
- The division of responsibility and actions for community engagement between Airservices and Sunshine Coast Council.

- 4.3 In addition, more essential and far reaching questions arise in relation to the process that should be undertaken by Airservices where it designs flight paths subsequent to changes initiated by a third party. In particular:
- In relying on community engagement undertaken by a third party five years earlier, should Airservices satisfy itself as to the quality, extent, effectiveness and current relevance of that earlier consultation?
 - Where it elects to align subsequent designs with previous conceptual designs, to what extent should Airservices satisfy itself of the appropriateness of flight path concepts designed by third parties, with little or no input by Airservices, as part of an earlier EIS process?
 - What would be an appropriately proportional approach by Airservices to community engagement in the face of the passage of time and consequent changes to population, projected aircraft movements and technical developments?
 - Is the targeted environmental assessment undertaken by Airservices in 2019 in alignment with the 2014 EIS? Was the Airservices' targeted assessment sufficiently extensive and did it include social impact considerations?
 - Is a new and purpose-designed process of Airservices assessment and engagement required in cases where Airservices is not the proponent of flight path changes?
- 4.4 We continue to investigate and keep those who have contacted our office updated on progress.
- 4.5 In addition, I will be revisiting recommendations made following the Hobart investigation to ensure that progress made and recommendations found to have been met have not been negated in the context of Sunshine Coast.

Systemic review

- 4.6 As a result of these ongoing concerns regarding Airservices' community engagement in relation to specific flight path changes, and at the Board's request, the ANO has commenced a systemic review of the effectiveness of Airservices' community engagement systems. The Review will particularly focus on the organisation's readiness to engage effectively about aircraft noise issues:
- 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.
- 4.7 The ANO will report to the Airservices Board accordingly.

5 Closing remarks

The April to June quarter has been unexpectedly busy as we responded to the influx of contacts from Sunshine Coast while also juggling our other workload. In May, we welcomed Beth Baldwin to the team as Investigative and Administrative Officer and in late July, Jennifer Grimwade joined us as Senior Advisor, bringing our small team to full complement after an extended period at reduced capacity. I am very grateful to Kate Burmester, Senior Advisor, who, with me, kept our already small office afloat during this period. We recognise and appreciate the patience of those individuals affected by delays in our response times over the past six months.

Looking ahead, we will continue to investigate the key issues arising from the Sunshine Coast flight path changes and will consider emerging systemic issues in relation to Airservices' systems for community engagement. Following finalisation of the Defence audit, we look forward to supporting Defence to embed improved systems and processes in its complaints handling and aircraft noise management.



Narelle Bell
Aircraft Noise Ombudsman

23 August 2019

Attachment 1 Complaint Statistics

The following tables summarise the complaint statistics for the quarter.

AIRSERVICES	Apr 2019	May 2019	Jun 2019	Total for quarter
Complaints received:	92	201	18	311
Complaints closed:	6	7	7	20

Total complaints closed - not reviewed:	3	6	5	14
Complainant did not provide further information	1	0	0	1
Outside charter scope	0	1	0	1
Referred to Airservices to respond directly	2	5	5	12

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

DEFENCE	Apr 2019	May 2019	Jun 2019	Total for quarter
Complaints received:	1	3	0	4
Complaints closed:	1	0	0	1

Total complaints closed - not reviewed:	1	0	0	1
Complainant did not provide further information	1	0	0	1
Outside charter scope	0	0	0	0
Referred to Defence to respond directly	0	0	0	0

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

	Airservices	Defence	Total
Complaints carried forward on 1 Apr 2019	25	2	27
Complaints received	311	4	315
Complaints closed	20	1	21
Complaints open at 1 Jul 2019	316	5	321

Attachment 2 Outstanding ANO recommendations

The following table sets 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
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.	<u>Ongoing</u> – Defence has advised that it has made some changes already, including launching its online complaint form and reviewing its web information to address the issues identified in the review.

Airservices - Investigation into complaints about the introduction of new flight paths in Hobart (April 2018)

Ongoing recommendations	ANO assessment of agency response
Recommendation 2: Airservices should review its environmental assessment criteria to ensure they are appropriate as a quantitative measure for analysis against the EPBC Act requirements and for assessment of social impact.	<u>Ongoing</u> – Airservices has briefed the ANO on its actions to address this recommendation, including: <ul style="list-style-type: none"> - reviewing its environmental assessment referral criteria to ensure it is appropriate and aligned to the EPBC Act requirements; - developing a social impact criteria for aircraft noise management, to be completed by June 2019. - The ANO is considering the information provided to determine whether the actions are adequate to address the intent of this recommendation.

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 is considering the information provided to determine whether the actions are adequate to address the intent of 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>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 is considering the information provided 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 considers these actions, once completed, would address the recommendation.</p>
<p>Recommendation 8: Airservices should ensure that, before deciding to propose a change and to commence to engage with a community about that change, it has acquainted itself with the context and recent history of that community and takes those matters into account, as far as practicable, in its decision making and in its engagement design.</p>	<p><u>Ongoing</u> – Airservices has advised that its actions to address this recommendation are 'in progress', and that it has links to the development of social impact criteria.</p> <p>The ANO is considering the information provided to determine whether the actions are adequate to address the intent of this recommendation.</p>
<p>Recommendation 9: Airservices should, as part of its community consultation activity, approach the assessments and other material on which it bases its consultations from a critically analytical perspective so as to ensure that all relevant matters have been considered and the information provided to the community is timely, correct, relevant, transparent, comprehensive, consistent and logically sound.</p>	<p><u>Ongoing</u> – Airservices has advised that its actions to address this recommendation are complete.</p> <p>Airservices has provided additional evidence of its actions in response to this recommendation that the ANO is currently considering before determining whether this recommendation can be closed.</p>
<p>Recommendation 12: Where Airservices identifies through complaints inconsistencies in information provided to residents and other stakeholders, Airservices should take early action to correct information given.</p>	<p><u>Ongoing</u> – Airservices has advised that it has taken a number of actions that it considers address this recommendation, and that its response is the same as for Recommendation 7.</p> <p>Airservices has provided additional evidence of its actions in response to this recommendation that the ANO is considering before determining whether this recommendation can be closed.</p>