

OFFICIAL



Quarterly Report

July-September 2022

Contents

1 Overview	3
2 Complaint handling	4
2.1 Complaints managed in quarter	4
Closed cases	6
2.2 Issues raised in complaints	6
2.3 Brisbane investigation	8
2.4 East Melbourne investigation	9
2.5 Gold Coast investigation.....	9
2.6 Liaison with Noise Complaints Information Service (NCIS).....	9
2.7 Liaison with Defence	9
3 Community Engagement and Noise Information Provision	10
4 Key performance indicators	10
4.1 Acknowledgement of complaints	11
4.2 Determination of complaints	11
4.3 Progress reports to complainants	11
4.4 Time taken to finalise complaints	12
Attachment 1 Complaint Statistics	13
Attachment 2 Outstanding ANO recommendations.....	14
Attachment 3 Key performance indicators for ANO complaint handling.....	16

1 Overview

The Aircraft Noise Ombudsman (ANO) carried forward 13 complaints on 1 July 2022. During this quarter (July-September 2022), the ANO received 140 new complaints, closed 140 complaints, and therefore carries forward 13 complaints to October 2022.

During this quarter, the ANO has continued to see an increase in complaints across a variety of airports, reflecting the increase in aircraft operations across Australia. However, the bulk continued to relate to Brisbane Airport with 91 complaints.

The ANO continued to monitor Airservices Australia's (Airservices') community engagement processes in line with clause 71 of the ANO Charter, including in relation to the Post Implementation Review (PIR) process for the flight paths associated with the Sunshine Coast and Brisbane airports. Regular monthly meetings have been ongoing between the ANO senior advisors and Airservices senior community engagement staff. The ANO will also continue to review and suggest improvements to the NCIS' existing complaint handling processes and hold monthly meetings with the NCIS' Line Leader.

In this quarter, the ANO received 5 Defence complaints and closed 5 cases. Three Defence case remained under review at the end of the quarter.

2 Complaint handling

2.1 Complaints managed in quarter

During the quarter, the ANO received 140 complaints - 133 relating to Airservices, 5 related to Defence. A further 2 complaints had no agency identified due to either insufficient information provided by complainants, or the complaint related to an agency other than Airservices or Defence¹. Figures 1 and 2 below show the number of complaints received by agency. Complaints received have reduced noticeably compared to the previous two quarters.

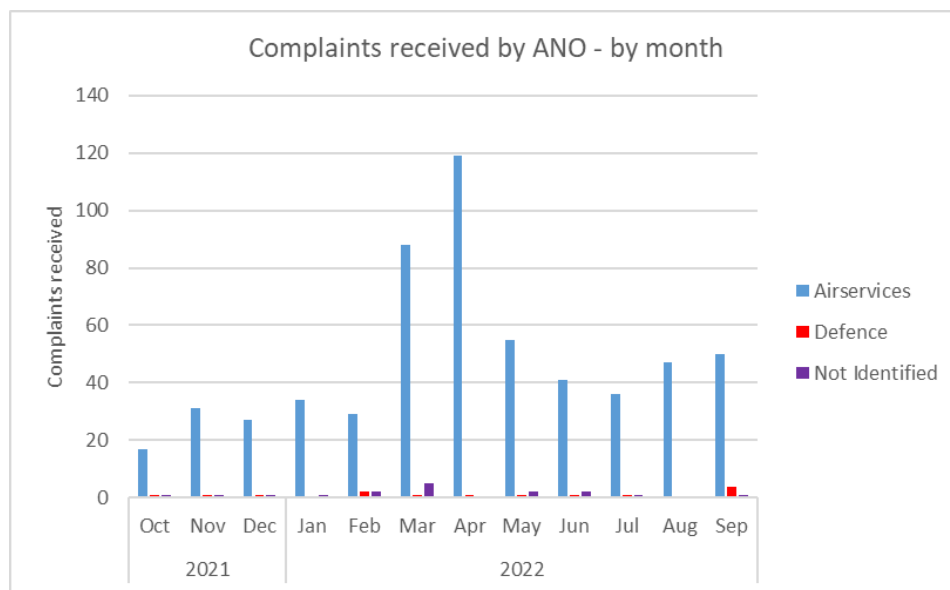


Figure 1 – Complaints received by ANO by month, October 2021 – September 2022

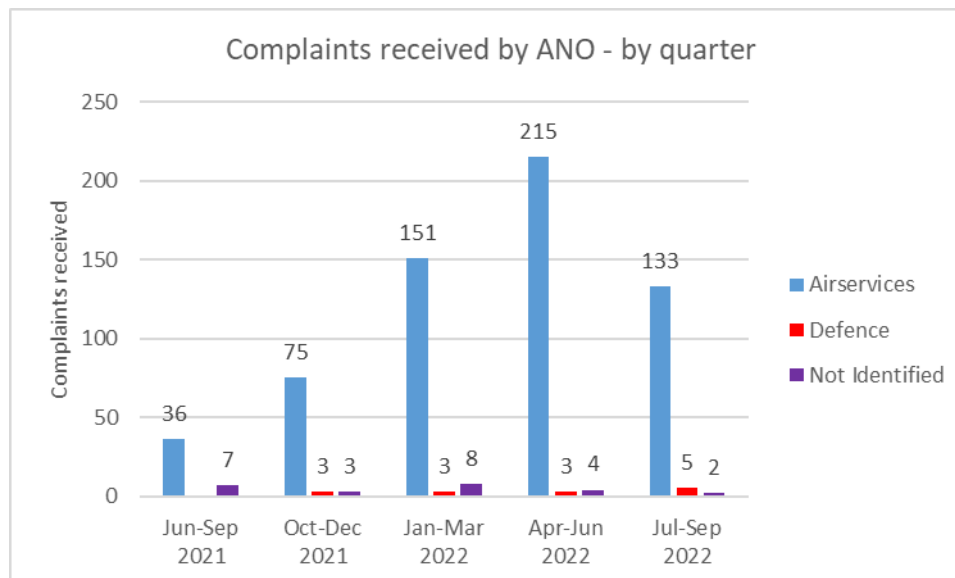


Figure 2 – Complaints received by ANO by quarter, July 2021 – September 2022

¹ Where complaints are received about other agencies which sit outside of the ANO Charter, the ANO redirects complainants to the responsible agency.

Figure 3 below charts the average number of complaints over the past 3 years. Complaints made during this quarter were higher than the 3-year average.

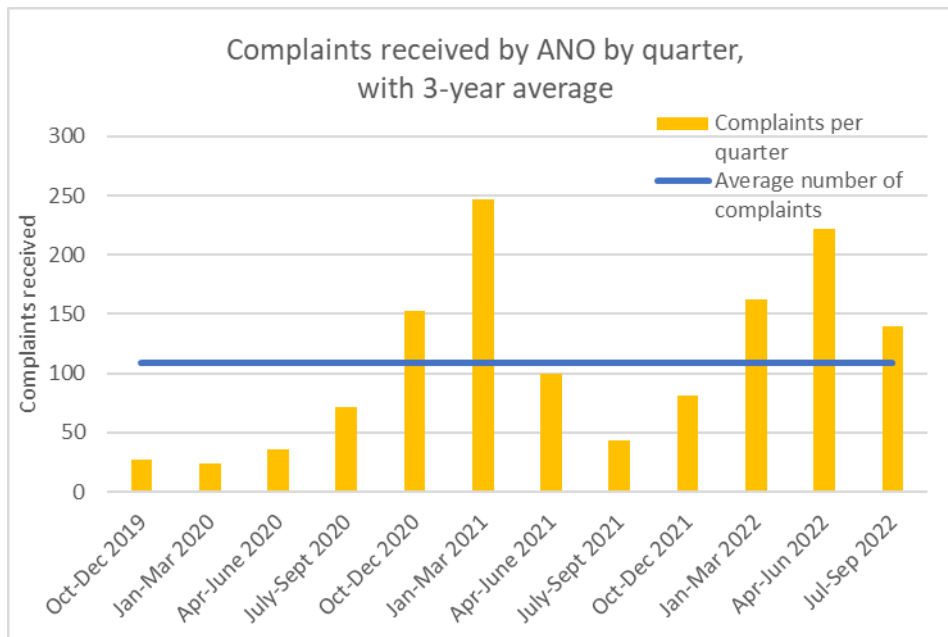


Figure 3 – Complaints received by ANO by quarter, with 3-year average for complaint trends.

The majority of complaints this quarter continue to be attributed to the opening of the new runway for Brisbane, with 91 complaints (65%). Many of the complaints from Brisbane were generated by inclusion of the ANO on a mailing list published by a community group encouraging people to voice their dissatisfaction about the impact of the new runway.

Figure 4 below shows the breakdown of complaints by airport, where it could be identified.

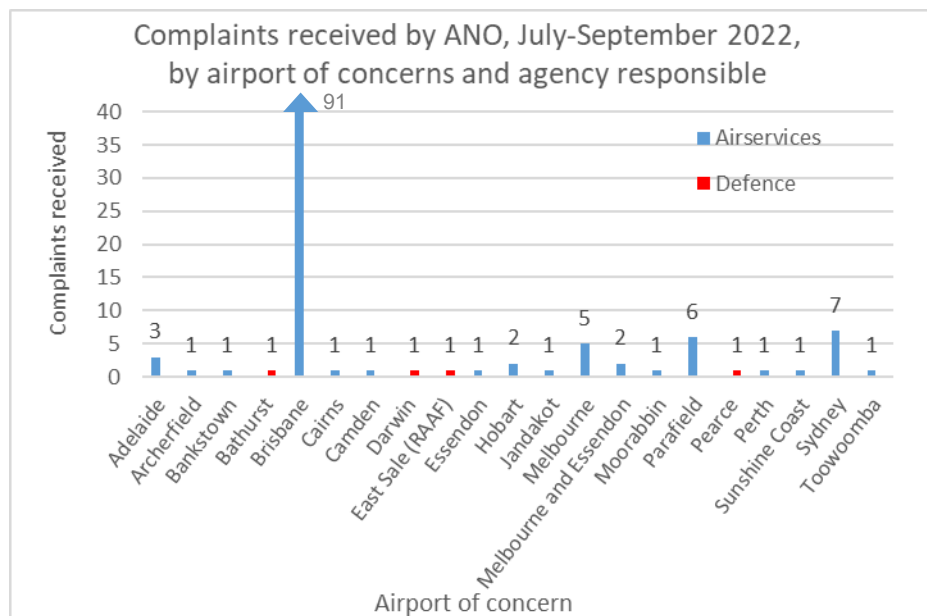


Figure 4 - Complaints received by ANO by Airport of concern, July – September 2022.

In addition to the airport specific complaints above, a further 10 complaints did not include sufficient information to identify the airport they related to. This includes helicopter operations due to the range of potential helipads a helicopter may operate from.

Closed cases

The ANO closed 140 cases for the quarter, 133 relating to Airservices, 5 relating to Defence and 2 without an agency identified.

Of the outcomes possible for the 133 cases relating to Airservices, 112 were closed as the complainants had either not yet complained to or finalised their complaint with Airservices. Eighty six of the 112 complaints related to Brisbane's new runway including the Airservices' post-implementation review. Eleven resulted in no change possible and one complaint resulted in a change being adopted by Airservices. Four complaints were outside of the ANO's Charter, with a further 5 cases closed due to the complainant not providing additional information to enable an investigation to progress.

Of the outcomes possible in relation to the closed Defence cases from this quarter, 2 complaints were referred to Defence to respond to directly. A further 2 cases resulted in no change possible, with an explanation provided by the ANO office, and the 5th case was closed as insufficient information was provided by the complainant to progress to an investigation.

As of 1 October 2022, 13 complaints remain open. This includes 5 complaints related to the ANO's ongoing Gold Coast multi-complaint review, and one complaint about Defence received in late February 2022 which remained on-hold while Defence attempted to resolve the complainant's concerns. The remaining 7 cases were received between mid-August and the end of September 2022 and were either awaiting review or in the process of being reviewed by the ANO office.

Full complaint data for the quarter is presented in Attachment 1.

2.2 Issues raised in complaints

The ANO captures and reports on issues raised by complaints during the quarter. It is expected that the number of issues raised per quarter will be greater than the number of complaints, as complainants normally raise a number of issues per complaint².

Complaints received during this quarter are classified by the ANO office under one of three themes - Agency-specific issues (which are set out in more detail below), aircraft noise issues and other issues outside of the remit of the ANO. Figure 5 shows the distribution of the issues raised during the quarter. As would be expected, the most common issue raised with the ANO office are aircraft noise related concerns.

² For each complaint, the ANO office identified the main issues raised in the complaint. This will generally be an average of three issues per complaint.

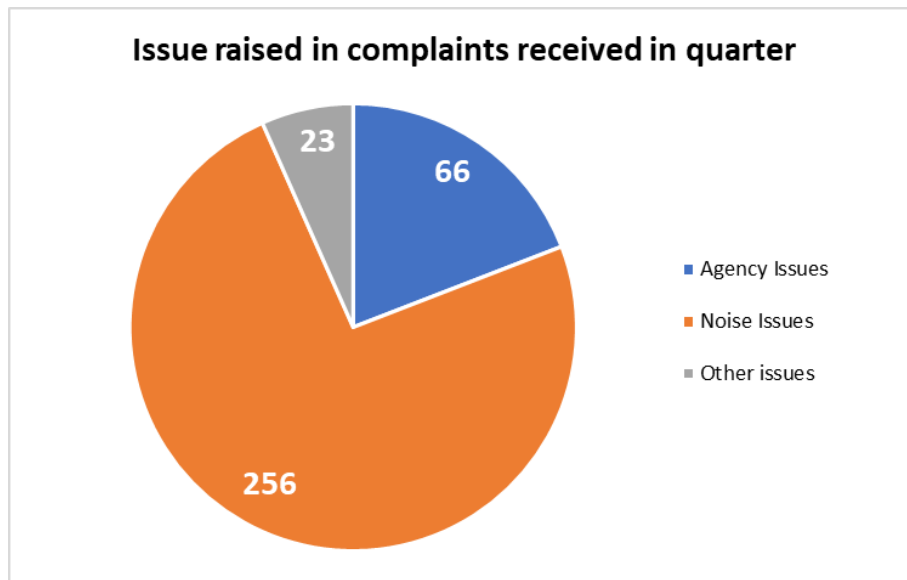


Figure 5 – Issues raised in complaints received by the ANO, July 2022-September 2022

As shown in Figure 6 below, complaints about Airservices' management of complaints included 20 about its community engagement. In this quarter, these concerns related predominantly to a combination of concerns about activities prior to the opening of the new Brisbane Runway, with a smaller number focussed on the Sunshine Coast and Brisbane PIRs.

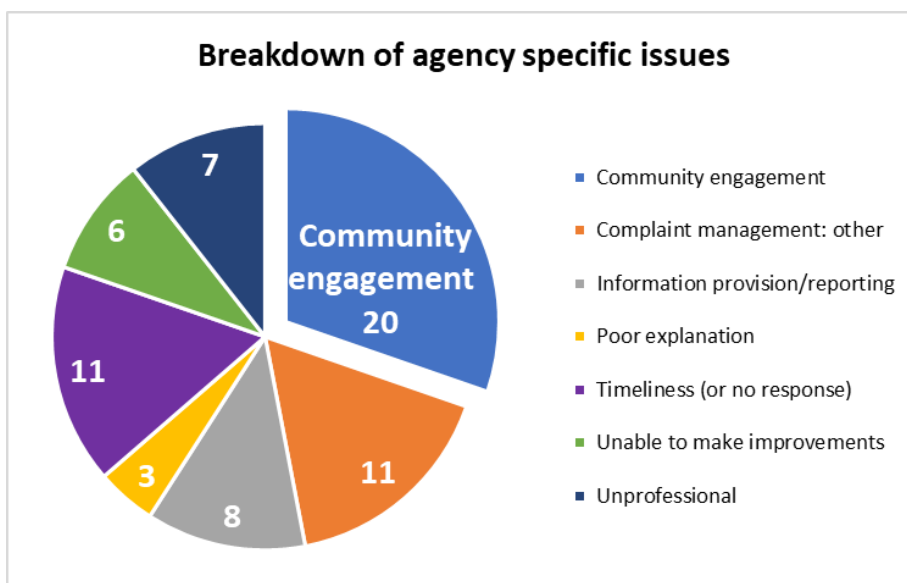


Figure 6 – Agency specific issues raised in complaints received by the ANO, July 2022-September 2022

Figure 7 breaks down noise complaints by the most common issues raised. Flight path changes and their impacts on health continue to be dominant issues. Health concerns, which include impacts upon sleep, mental health, and stress, have been dominant themes during the quarter. The ANO has also seen a further increase in complaints about night operations in this quarter, including requests for curfews or complaints about non-compliance with NAPs. Night operations were raised in relation to 6 airports this quarter. Brisbane Airport, with a total of 24, accounted for most of the 29 complaints where curfew/night operations were identified as a key concern.

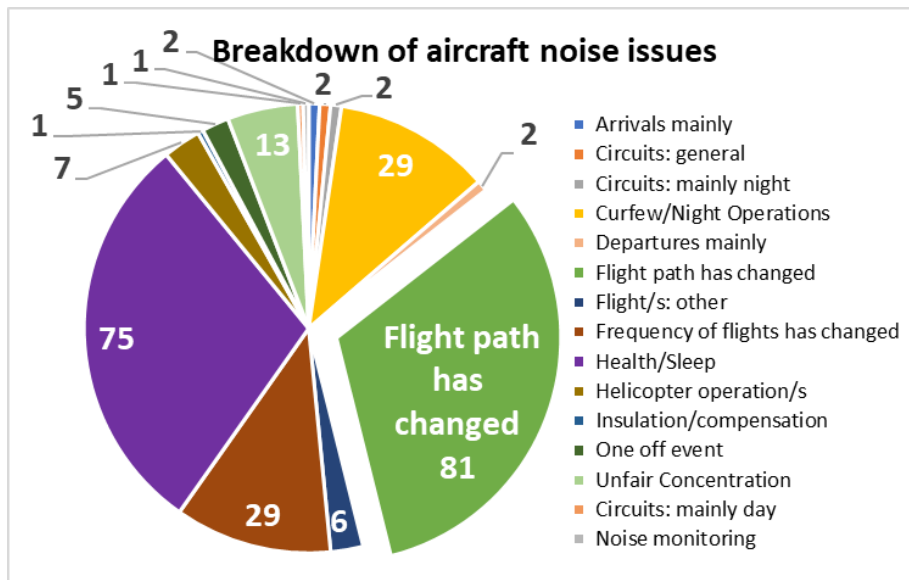


Figure 7 – Aircraft noise related issues raised in complaints received by the ANO, July 2022-September 2022

Figure 8 below shows other issues raised by complainants that were outside the remit of the ANO. Similar to previous quarters, the majority of other issues raised related to requests for greater regulation, or dissatisfaction with existing aviation regulation and aircraft noise management.

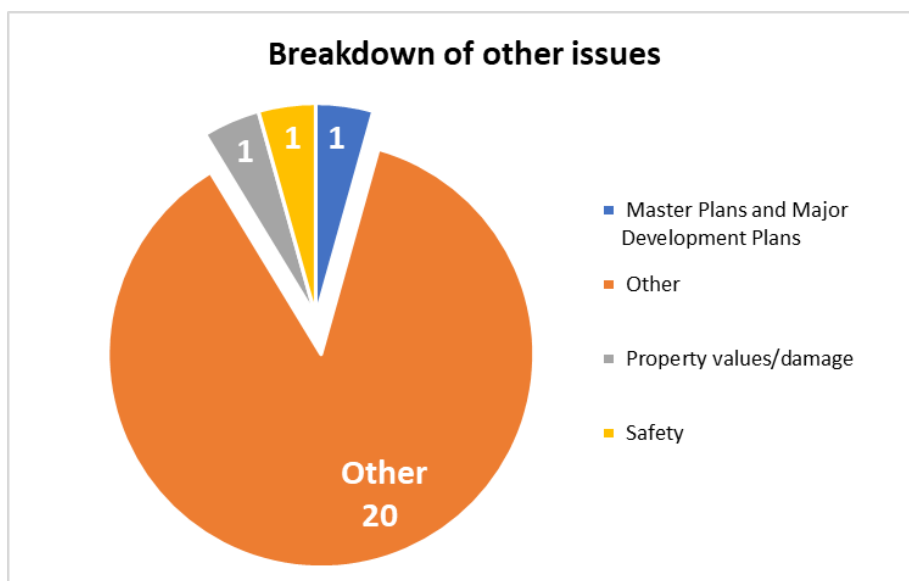


Figure 8 – Issues outside of the ANO's jurisdiction, raised in complaints received by the ANO, July 2022-September 2022

2.3 Brisbane investigation

The ANO *Investigation into complaints about the flight paths associated with the Brisbane Airport new parallel runway* report made 4 recommendations for the Airservices' Board to consider. Airservices' Board accepted all 4 recommendations of the ANO with [the ANO report and Airservices' Board response](#) published on 12 October 2021.

Airservices have provided an update on the 3 ongoing recommendations. Implementation of three recommendations is ongoing with the ANO office receiving regular updates from Airservices about progress on these recommendations. Of particular note during this quarter, community sessions were completed by Airservices including discussion of the Trax

International final report, which was released in August. The ANO will continue to monitor Airservices' implementation of opportunities identified by the Trax International, in relation to the ANO's recommendations 1 and 2. Recommendation 4 was closed by the ANO, in the previous quarter.

A summary of the progress in implementing the remaining 3 recommendations is provided in Attachment 2.

2.4 East Melbourne investigation

The ANO's *Investigation into complaints about flight paths over East Melbourne* report included 3 recommendations by the ANO, which were accepted by Airservices. The [ANO report and Airservices Board response](#) were published on 19 July 2021.

Airservices have provided an update on its progress against recommendation 3, confirming that implementation of this recommendation remains on hold while awaiting the outcomes of the Melbourne Airport consultation for the proposed new runway. Recommendation 1 and 2 were closed by the ANO in previous quarters. A summary of the outstanding ANO recommendation is provided in Attachment 2.

2.5 Gold Coast investigation

In March 2022, the ANO commenced a multiple complaints review as provided for in clause 47 of the ANO Charter. The ANO's assessment of the complaint has been provided to Airservices which now has a reasonable opportunity to resolve the matter. The ANO is monitoring Airservices' progress and will report more formally in the next quarter.

2.6 Liaison with Noise Complaints Information Service (NCIS)

The ANO office and Airservices' NCIS team continue to hold regular meetings. In addition to formal meetings, staff from the ANO office and NCIS team speak regularly to discuss matters identified through individual reviews. The NCIS continues to be responsive in addressing issues raised by the ANO.

2.7 Liaison with Defence

During this quarter, the ANO office met both formally and informally with the Staff Officer, Aircraft Noise Management for the Department of Defence. This included to discuss findings from individual reviews and broader aircraft noise management issues and opportunities.

3 Community Engagement and Noise Information Provision

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.

The ANO continued to work with Airservices staff on engagement projects as they were delivered. This has included attending two community consultation events hosted by Airservices in this quarter, one related to the upcoming RAAF Base Williamtown, civil airspace changes and a session related to the ongoing Brisbane Airport Post-implementation Review process.

The monthly meeting between ANO senior advisors and Airservices senior community engagement staff has provided regular updates on ongoing community engagement processes and actions undertaken by Airservices. In addition, the ANO and Airservices communicated frequently during the quarter to receive point-in-time updates on specific engagement activities and to identify opportunities for complaint resolution by Airservices.

4 Key performance indicators

The ANO office introduced key performance indicators (KPIs) for its complaint handling processes in July 2021. KPI compliance levels are determined based on results throughout the applicable financial year.

KPIs for complaints received by the ANO office are divided based on whether the complaint is a single complaint or part of a multi-complaint review³. Regardless of whether a complaint is part of a multi-complaint review or not, the ANO office aims to finalise all complaints within a maximum of 12 months from the date of receipt.

³ Separate KPI's for complaints within a multi-complaint review reflect the more complex nature of multi-complaint reviews and that these reviews will generally involve the consideration of large amounts of evidence. This results in these complaints generally remaining open longer than individual cases.

4.1 Acknowledgement of complaints



Figure 9 - % of single acknowledged within target period, in quarter.

Separate KPIs for complaints within a multi-complaint review reflect the more complex nature of multi-complaint reviews and that these reviews will generally involve the consideration of large amounts of evidence. This results in these complaints generally remaining open longer than individual cases.

The ANO has a KPI of 2 days and 3 days to acknowledge complaints related to single complaints and multi-complaints, respectively. Full compliance was achieved for this KPI in relation to single complaints this quarter.

4.2 Determination of complaints

Once a complaint is received, the ANO has 14 days for single complaints, or 21 days for multi-complaints, to determine whether the complaint is within the scope of the ANO Charter. Full compliance was achieved for this KPI, this quarter, as shown in Figure 10.

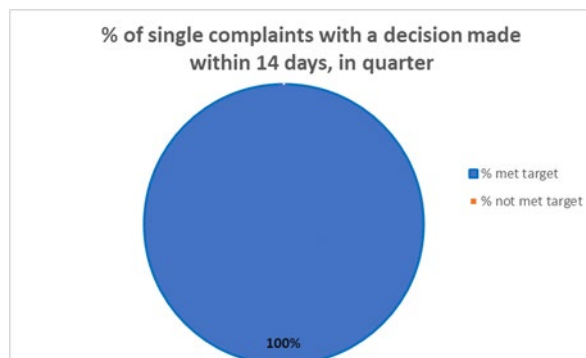


Figure 10 - % of single with a decision made within target period, in quarter.

4.3 Progress reports to complainants

The ANO office is committed to providing regular progress updates to complainants during the course of an investigation⁴. In this quarter, 2 single complaints failed an update in early July due to an IT issue which caused the ANO's complaint management system to be offline

⁴ For both individual complaints and multi-complaint reviews, the KPI target is for updates to occur every 28 days or less.

for over a week. This is reflected in the left chart in Figure 11, below. All multi-complaint updates were provided in the target 28 days.

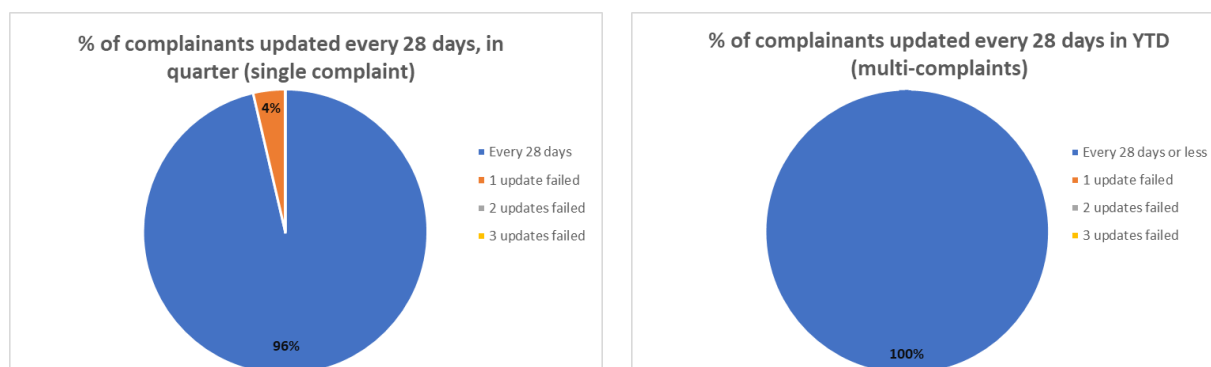


Figure 11 - % of single and multi-complainants updated within target period, in quarter.

4.4 Time taken to finalise complaints

All 140 cases closed in this quarter, as shown in Figure 12, were single complaints and closed within 3 months of receipt. No multi-complaint cases were closed during the quarter.

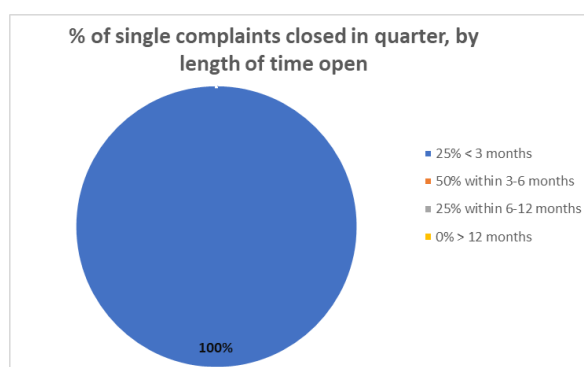


Figure 12 - % of single closed in quarter, by length of time open

Full KPI performance data for the quarter are presented at Attachment 3.

Kieran Pehm

Aircraft Noise Ombudsman

26 October 2022

Attachment 1 Complaint Statistics

The following tables summarise the complaint statistics for the quarter.

AIRSERVICES	Jul-22	Aug-22	Sep-22	Total for quarter
Complaints received:	36	47	50	133
Complaints closed:	33	48	52	133

Total complaints closed - not reviewed:	29	45	47	121
Complainant did not provide further information	2	1	2	5
Outside charter scope	2	-	2	4
Referred to Airservices to respond directly	25	44	43	112

Total complaints closed - reviewed:	4	3	5	12
No change possible - explanation provided	3	3	5	11
Change adopted by Airservices Australia	1	-	-	1

DEFENCE	Jul-22	Aug-22	Sep-22	Total for quarter
Complaints received:	1	-	4	5
Complaints closed:	2	1	2	5

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

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

	Airservices	Defence	No agency assigned*	Total
Complaints open at 1 July 2022 (first day of the quarter)	10	3	-	13
Complaints received	133	5	2	140
Complaints closed	133	5	2	140
Complaints open at 1 October 2022 (first day of next quarter)	10	3	-	13

*No agency assigned includes where the identified Agency is outside of the ANO's jurisdiction, or where complainants do not provide sufficient information to identify the agency.

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 flight paths over East Melbourne (July 2021)

Ongoing recommendations	ANO assessment of agency response
Recommendation 1 – I recommend Airservices continue its efforts to engage with the complainants to resolve their complaints including careful consideration of the alternate flight path suggested by them.	<p>On hold: Airservices advised that they continue to work with the East Melbourne Group (EMG) on the EMG's suggestion. The suggestions (3) have been assessed to determine if they are safe and flyable. Airservices have confirmed that the proposed changes are at the stage where community and industry consultation would be required.</p> <p>Due to Melbourne Airport's Major Development Plan (MDP) and Master Plan 2022 (MP) consultation (January – May 2022), Airservices have advised that this work is on hold until after that consultation activity, including confirmation of any changes to the MDP reflecting community feedback, is complete.</p>

Airservices – Investigation into complaints about the flight paths associated with the Brisbane Airport new parallel runway (October 2021)

Ongoing recommendations	ANO assessment of agency response
Recommendation 1: Airservices Post Implementation Review of the Brisbane flight paths includes a community engagement process that provides reasonable opportunities for community contributions and the consideration of community suggested alternatives to the current flight paths.	<p>Ongoing: Since the last quarterly report, Trax International released their final report on their independent review of the Brisbane flight paths. Since the release of the final report by Trax International, Airservices have held community sessions which were completed in September 2022, to discuss Trax International's recommendations and Airservices response.</p> <p>The draft PIR report was released in October 2022 and includes additional opportunities for community feedback. Airservices have committed to continue to engage with the community once the PIR report is finalised and throughout implementation of the PIR recommendations.</p>

Ongoing recommendations	ANO assessment of agency response
<p>Recommendation 2: Airservices review the effect of its managerial separation of flight path design, environmental assessment and community engagement, and implement a management structure that includes these functions under the same manager or demonstrate how effective community engagement is incorporated into the flight path change process under the current structure.</p>	<p>Closed: Airservices provided details of its progress against this recommendation in late April, that it did not intend to alter its management structure, however that it had undertaken internal reforms such as the Airspace Governance Group and other cross division mechanisms designed to include the consideration of environmental and community concerns at earlier stages of flight path design.</p> <p>Since that time, the Trax International final report has been released which included a number of suggestions towards the same end as the ANO's recommendation. Airservices' response identified that actions would be taken to enhance community engagement frameworks, establish a communications coordination group and a senior-level oversight group including government, community and industry. These commitments are also reflected in the Airservices' draft PIR Report which was released on 21 October 2022.</p> <p>Based on information presented including both internal and external management structures proposed, the ANO considers that the intent of this recommendation has been met, and as a result can be closed.</p>
<p>Recommendation 3: Airservices update its Third-Party Framework to ensure that Airservices' obligations regarding community engagement are properly acquitted when it enters into cooperative arrangements for community engagement with third parties.</p>	<p>Ongoing: Airservices commenced the update of the Third-Party Framework and met with the ANO meet during October 2022 to discuss progress. The ANO expects to receive a draft of the updated Third Party Framework, for review and feedback in the near future, with finalisation of the updated Framework expected before the end of the year.</p>

Attachment 3 Key performance indicators for ANO complaint handling

The following table summarises the performance of the ANO against the identified complaint handling KPIs for July-September 2022. KPI performance is reported both by quarter and financial year. Performance against the ANO KPIs is determined based on 12 months of data, for July-June of each financial year.

Complaint type	Key performance indicator	Benchmark	% Met target (Jul Sep 2022)	% Met target (2022 23 YTD)
Single complaint	Acknowledgement of complaint	Within 2 business days	100%	100%
	Decision on whether complaint is within jurisdiction within 14 business days	Within 14 business days	100%	100%
	Update to complainant on progress of complaint	Every 28 days	96%	96%
		1 update failed	4%	4%
		2 updates failed	0%	0%
		3 updates failed	0%	0%
	Time from complaint received to closed	25% < 3 months	100%	100%
		50% within 3-6 months	0%	0%
		25% within 6-12 months	0%	0%
		0% > 12 months	0%	0%
Complaints in a multi-complaint review	Acknowledgement of complaint	Within 3 business days	N/A	N/A
	Decision on whether complaint is within jurisdiction	Within 21 days	N/A	N/A
	Update to complainant on progress of complaint	Every 28 days or less	100%	100%
		1 update failed	0%	0%
		2 updates failed	0%	0%
		3 updates failed	0%	0%
	Time from complaint received to closed	50% < 6 months	N/A	N/A
		50% within 6-12 months	N/A	N/A
		0% > 12 months	N/A	N/A