

OFFICIAL



Quarterly Report

October-December 2022

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1 Overview

There have been longstanding concerns from some complainants about the accuracy of reporting on the number of complaints to Airservices. Indeed, the Aircraft Noise Ombudsman (ANO) has not historically reported all complaints received but only those that required the Office to take some action. Complaints not reported included expressions of general grievance made via political avenues and copied to the ANO, as well as multiple complaints about the same matter where the ANO had already taken all action under the ANO Charter that it reasonably could and advised the complainant it would no longer respond. While these complaints may require no further action by the ANO, they are nevertheless clearly complaints about aircraft noise under the ANO Charter. In the interests of transparency and given the capacity of its upgraded complaints management system, the ANO can now accurately record and report on them. For the purposes of this report, such complaints will be termed “complaint notifications” while the complaints traditionally reported will be referred to as “substantive complaints”. The nature of complaint notifications is discussed more fully in Section 2 of the report.

The ANO received a total of 937 complaints during the quarter. This includes 805 complaint notifications. The remaining 132 substantive complaints can be aligned with the number previously reported by the ANO as new complaints.

The ANO carried forward 13 complaints on 1 October 2022. During this quarter (October-December 2022), the ANO received 132 substantive complaints, closed 130, and therefore carries forward 15 substantive complaints to January 2023.

During the 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 of complaints continued to relate to Brisbane Airport with 82 substantive complaints.

The ANO continued to monitor Airservices’ community engagement processes under clause 71 of the ANO Charter, including the Post Implementation Review (PIR) process for the flight paths associated with the Sunshine Coast and Brisbane airports. Regular monthly meetings have continued between the ANO senior advisors and Airservices’ senior community engagement staff. The ANO continues to review and suggest improvements to the NCIS complaint handling processes and holds monthly meetings with the NCIS’ line leader.

In this quarter, the ANO managed 4 new substantive complaints about Defence and closed 5 complaints. Two Defence complaints remained under review at the end of the quarter. During the quarter, the ANO office had a valuable meeting with Headquarters Air Command (HQAC) where both the ANO and HQAC shared insights into how aircraft noise and complaints are handled, as well as discussion of individual complaints open at that time.

During this quarter, the ANO commenced its transition to a new document management system consistent with Airservices’ protocols which will simplify and improve the management of its records. This is a complex project which will be undertaken by the ANO staff in parallel with managing incoming complaints and is expected to continue until the end of the current financial year.

2 Complaint handling

The complaints received by the ANO office can be divided into two categories: those which require action and management by the ANO office and those that do not.

Complaints requiring substantial action and management, referred to in this report as substantive complaints, include new complaints raised by an individual complainant, and complaints requiring referral to another agency or review by the ANO office. This includes all complaints from first-time complainants to the ANO office. Complaints by existing complainants which raise issues distinct from their previous complaint(s) are also recorded and managed as new substantive complaints. Historically, the ANO has reported only these matters as complaints.

From 1 October 2022, the ANO office introduced the capacity to track and report on complaints which although assessed, do not require further action or management by the ANO, referred to in this report as complaint notifications. The majority of these are complaints where the complainant expresses a broad, general grievance about aircraft noise, but the complaint is clearly directed to another party, such as the responsible Minister or another agency, and the correspondence is merely copied to the ANO. This category also includes complaints where the subject matter has previously been reviewed by the ANO and no further action can reasonably be taken under the ANO Charter. In such cases, the complainant may be advised that further correspondence on that matter will be recorded but no response provided unless the complaint raises new issues beyond the original complaint. Section 2.1 below provides a summary of these complaint notifications received during this quarter with the remaining sections focussing on complaints substantively managed by the ANO office during the quarter.

2.1 Complaint notifications received in quarter

During the quarter, 937 complaints were raised with the ANO office - 805 of these were complaint notifications. Figure 1 shows the number of complaints raised, including both notifications and substantive complaints.

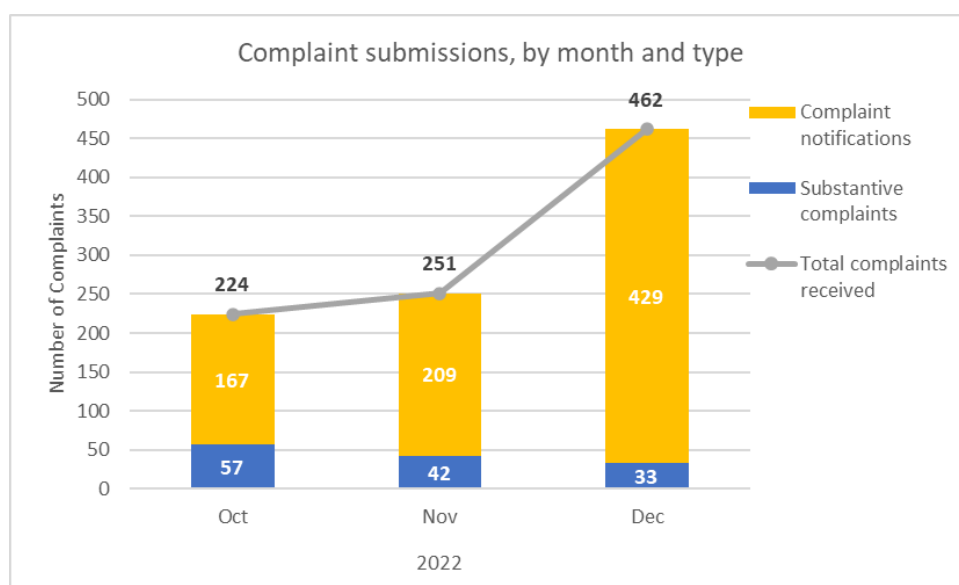


Figure 1 –Complaint submissions by month from October 2022, highlighting substantive complaints and complaint notifications.

The majority of complaint notifications received this quarter can be attributed to the opening of the new runway for Brisbane. Of these, 76 complainants raised a total of 792 complaints about operations associated with Brisbane Airport.

While the overall numbers are large, complaint notifications do not have a significant impact on the ANO's budget as they are mainly recorded and closed. In a few cases a limited advisory response on the ANO's remit may be made.

Most of the complaint notifications were about flight paths associated with Brisbane Airport 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 2 below shows the breakdown of complaint notifications by airport, where identified.

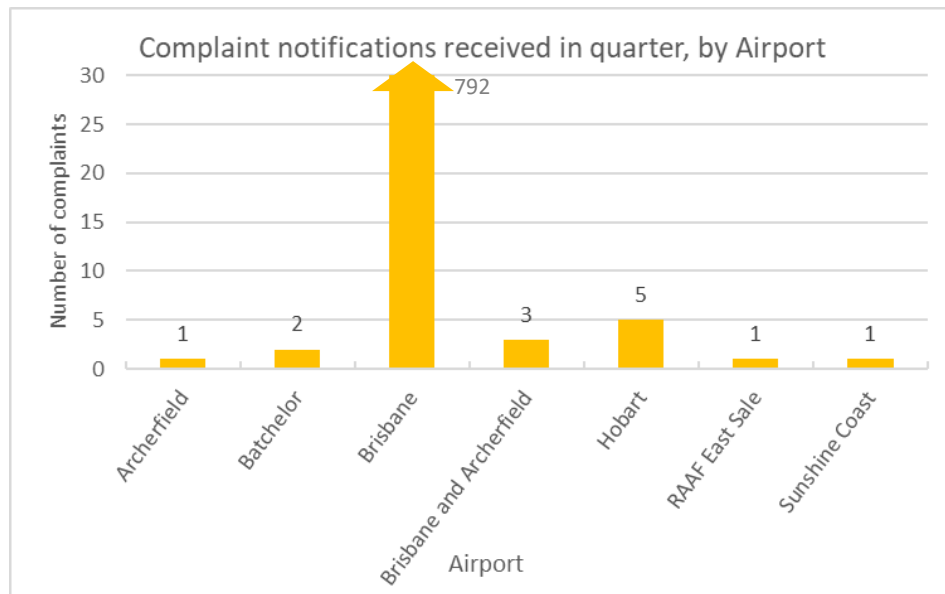


Figure 2 – Complaint notifications received by Airport of concern, October – December 2022.

One complainant from Brisbane submitted 542 (67%) of the complaint notifications received during the quarter, with the complainant seeking action, including a curfew to address aircraft noise in Brisbane. Five complainants made 78% of the complaint notifications.

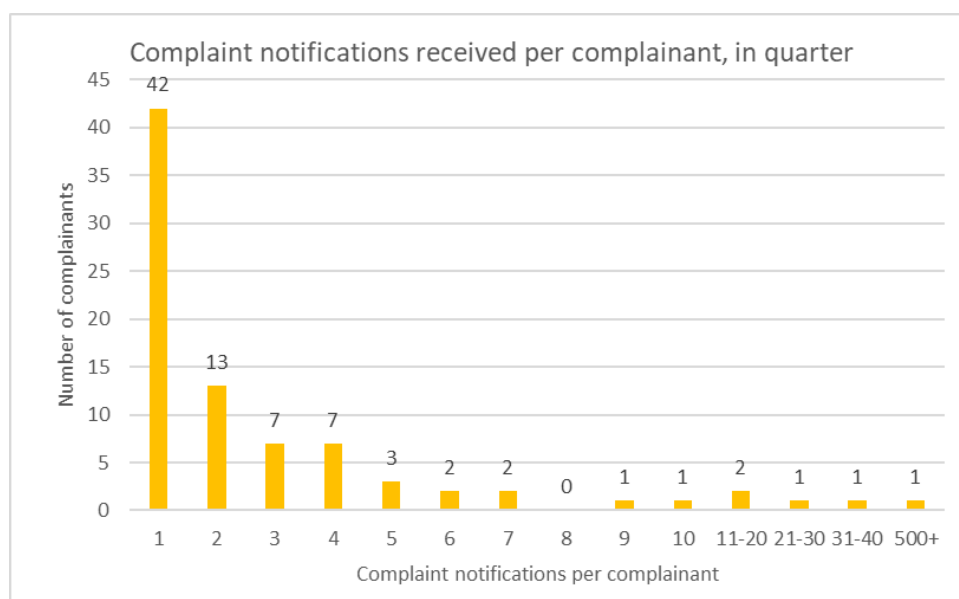


Figure 3 – Complaint notifications per complainant, October – December 2022

2.2 Substantive complaints in quarter

During the quarter, the ANO received 132 substantive complaints - 127 relating to Airservices, 4 relating to Defence. A further complaint had no agency identified due to either insufficient information provided by the complainant, or the complaint related to an agency other than Airservices or Defence¹. Figures 5 and 6 below show the number of substantive complaints by agency. Complaints this quarter are consistent with the last quarter but reduced noticeably from the quarter before that.

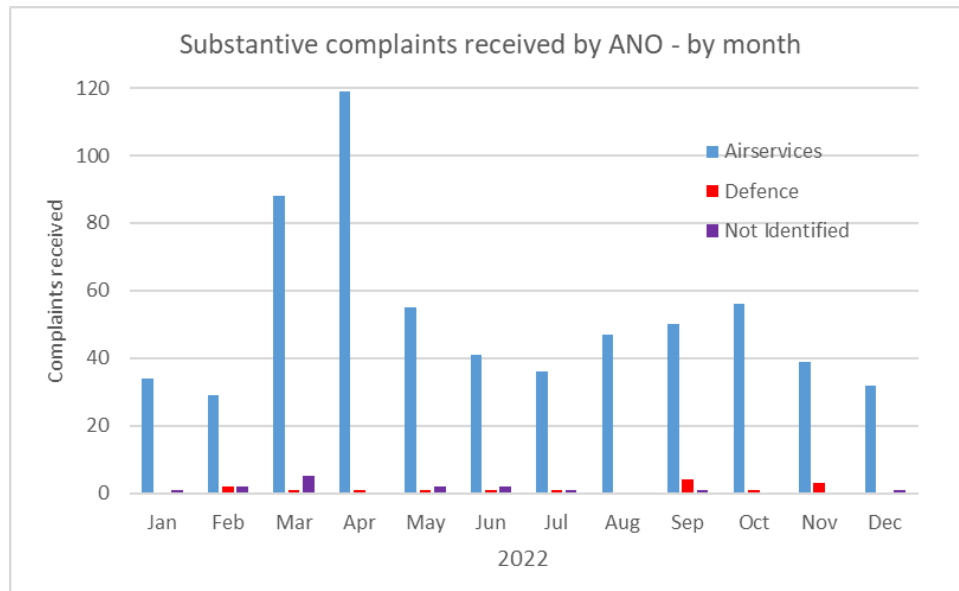


Figure 4 – Substantive complaints received by ANO by month, January 2022 – December 2022

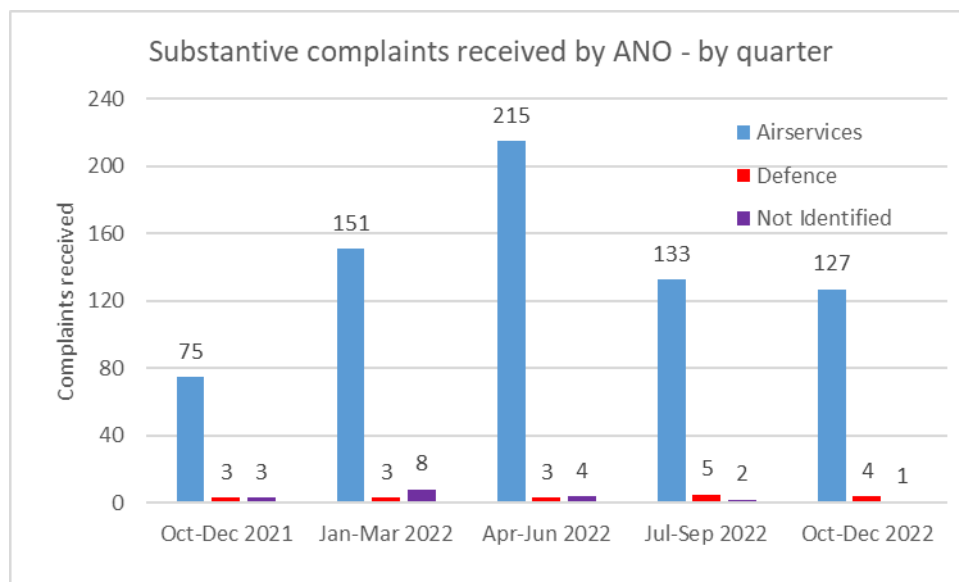


Figure 5 – Substantive complaints received by ANO by quarter, October 2021 – December 2022

Figure 6 charts the average number of substantive complaints over the past 3 years. Complaints made during this quarter were higher than the 3-year average.

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

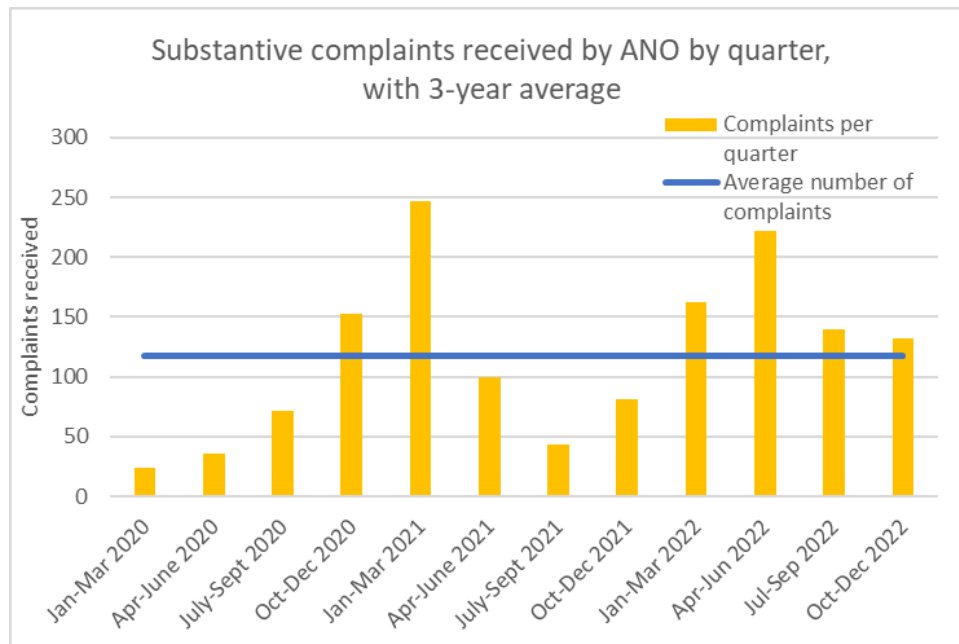


Figure 6 – Substantive complaints received by ANO by quarter, with 3-year average for complaint trends.

The majority of substantive complaints received this quarter continue to be attributed to the opening of the new runway for Brisbane, with 82 complaints (62%).

Figure 7 below shows the breakdown of complaints by airport, where it could be identified.

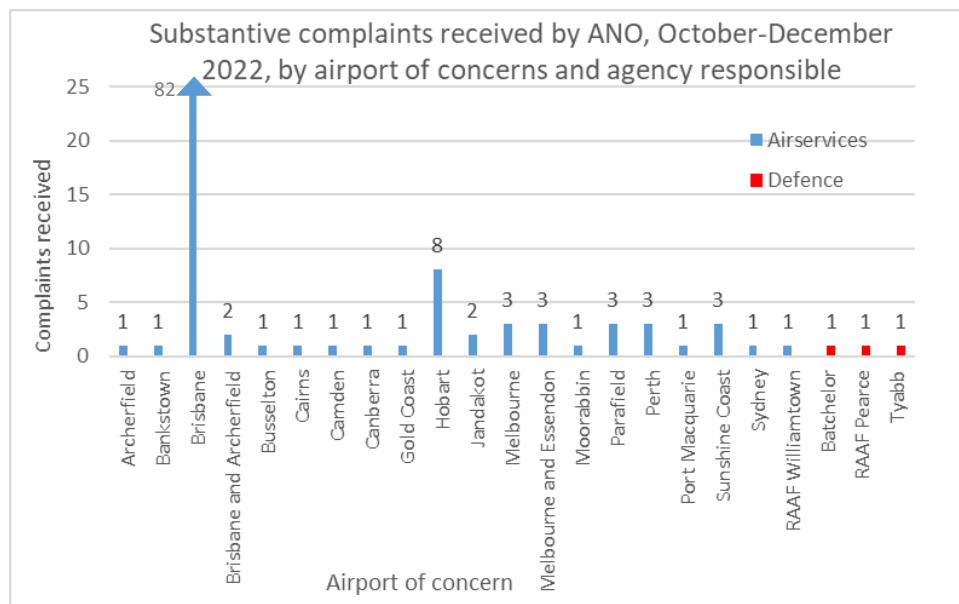


Figure 7 – Substantive complaints received by ANO by airport of concern and agency, October – December 2022.

In addition to the airport specific complaints above, a further 9 complaints did not include sufficient information to identify the airport of concern. This includes helicopter operations due to the range of potential helipads a helicopter may operate from.

Closed complaints

The ANO closed 130 substantive complaints for the quarter, 124 relating to Airservices, 5 relating to Defence and 1 without an agency identified. In addition, all complaint notifications were closed, as noted in Section 2.1.

Of the outcomes possible for the 124 substantive complaints relating to Airservices, 109 were closed as the complainants had either not yet complained to or finalised their

complaint with Airservices. Seventy seven of the 109 complaints related to Brisbane's new flight paths including the Airservices' post-implementation review (PIR). Ten resulted in no change possible and one complaint resulted in a change being adopted by Airservices. Three complaints were outside of the ANO's Charter, with a further complaint closed due to the complainant not providing additional information to enable an investigation to progress.

Of the outcomes possible in relation to the substantive complaints for Defence which were closed in this quarter, 3 complaints were referred to Defence to respond to directly. One complaint resulted in no change possible, with an explanation provided by the ANO office, and the final complaint resulted in a change being adopted by Defence.

As of 1 January 2023, 15 substantive complaints remain open. This includes 5 complaints related to the ANO's ongoing Gold Coast multi-complaint review. The remaining 10 complaints were received between late September and the end of December 2022, including 4 complaints which were received while the ANO office was closed for the 2022 Christmas shutdown period.

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

2.3 Issues raised in complaints

The ANO captures and reports on issues raised in substantive complaints during the quarter. The number of issues raised per quarter is greater than the number of complaints, as complainants normally raise a number of issues per complaint².

Substantive complaints received during this quarter are classified by the ANO office under one of 3 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 8 shows the distribution of the issues raised during the quarter. As would be expected, the most common issues raised with the ANO office are aircraft noise related concerns.

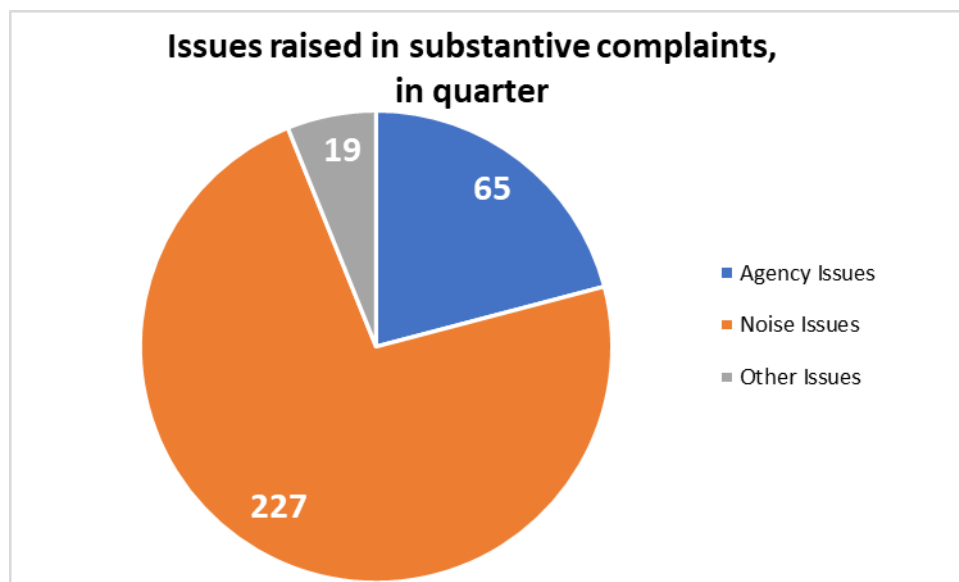


Figure 8 – Issues raised in substantive complaints to the ANO, October 2022 – December 2022

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

As shown in Figure 9 below, complaints about Airservices' management of complaints included 31 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 Brisbane PIR and Hobart Airport PIR and post-PIR activities.

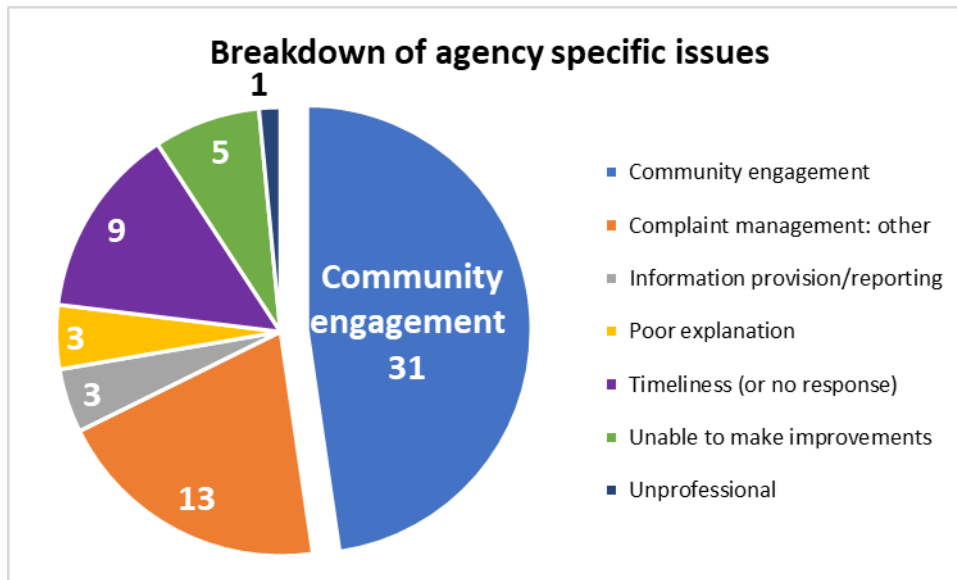


Figure 9 – Agency specific issues raised in substantive complaints to the ANO, October 2022 – December 2022

Figure 10 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, continued to be prevalent themes during this quarter. As in previous quarters, complaints about night operations continue to be a concern, including requests for curfews. Night operations were raised as a concern in relation to 6 airports this quarter. Brisbane Airport, with a total of 19, accounted for most of the 24 complaints where curfew/night operations were identified as a key concern.

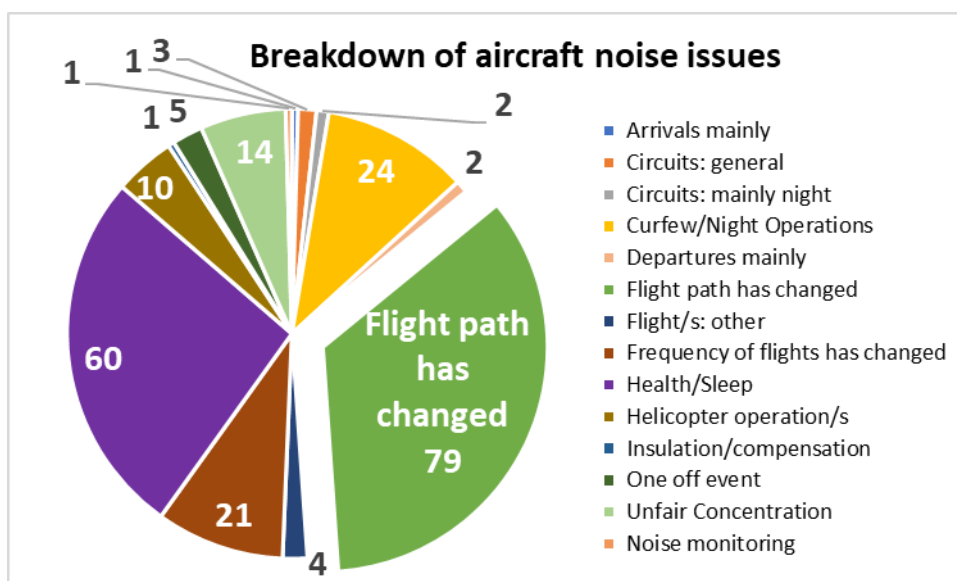


Figure 10 – Aircraft noise related issues raised in substantive complaints to the ANO, October 2022 – December 2022

Figure 11 shows other issues raised by complainants that were outside the remit of the ANO. This quarter, all 'other' issues raised related to requests for greater regulation, or dissatisfaction with existing aviation regulation, and aircraft noise management.

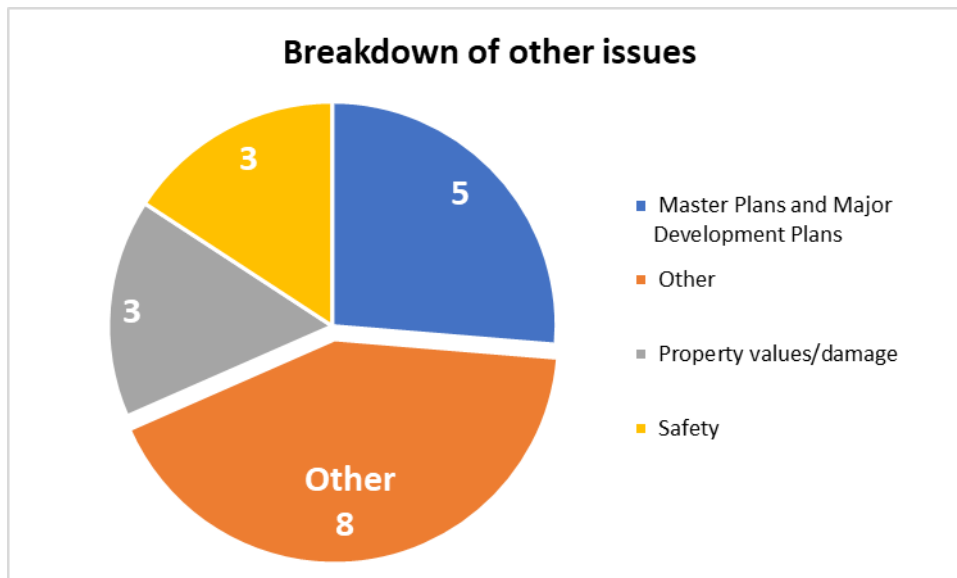


Figure 11 – Issues outside of the ANO’s remit, raised in substantive complaints to the ANO, October 2022 – December 2022

2.4 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. Recommendations 2 and 4 have since been closed by the ANO, in previous quarters.

During this quarter, the ANO received regular updates from Airservices about progress on the remaining recommendations, Recommendation 1 and 3. The draft PIR report was released in October 2022, with further opportunities for feedback from the community during community sessions and through written submissions. Of note during this quarter, the final PIR report was released on 14 December 2022 and is available [here](#). The final PIR report detailed extensive community feedback and provided analysis and consideration of the feedback received. The ANO considers that Airservices’ PIR process achieved the intent of Recommendation 1 and has closed this recommendation.

Airservices also completed its review of the draft Third Party Framework update during the quarter, which incorporated feedback from the ANO. The updated Third Party Framework successfully addressed Recommendation 3, which has been closed.

A summary of Airservices’ progress in relation to recommendations 1 and 3 is provided in Appendix 2.

2.5 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 Appendix 2.

2.6 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 was provided to Airservices in July 2022. In response to the ANO's assessment, Airservices commenced reengagement with the complainants on this matter in August 2022. An updated draft report of the Southern Operations Noise Improvement review was provided to the complainants in November 2022, with Airservices committing to consider any complainant feedback received. Feedback on the draft report has been provided by the complainants and Airservices are currently working to finalise the Southern Operations Noise Improvement report. The ANO is waiting for Airservices to finalise its report before it can conclude the matter.

2.7 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.

2.8 Liaison with Defence

During this quarter, the ANO office held its regular quarterly meeting with the Staff Officer, Aircraft Noise Management for the Department of Defence, as well as informal meetings as required. This included discussing the findings of individual reviews and broader aircraft noise management issues and opportunities.

Additionally, staff from the Headquarters Air Command (HQAC) visited the ANO office in October 2022. This visit offered staff from the ANO an opportunity to discuss and gain a greater understanding of the processes and approaches to aircraft noise and complaint management undertaken by Defence. The ANO was also able to share with HQAC how it considers and manages complaints received, as well as share key learnings from recent reviews.

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 one related to the proposed noise abatement procedure (NAP) trial for Hobart Airport. This quarter, the ANO also received a briefing on current and upcoming engagement activities for Western Sydney Airport, from the Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

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 2021³. KPI compliance levels are determined based on results throughout the applicable financial year.

KPIs for complaints managed by the ANO office are divided based on whether the complaint is a single complaint or part of a multi-complaint review⁴. 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.

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 complaints.

4.1 Acknowledgement of complaints

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. No multi-complaints were received in the quarter.



Figure 12 - % of single acknowledged within target period, in 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 13.

³ Complaints in Section 2.1 that are received but not managed by the ANO office, are excluded from KPI reporting.

⁴ 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.

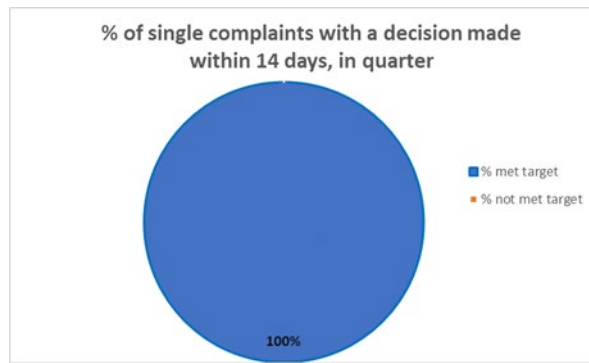


Figure 13 - % of single with a decision made within target period, in quarter.

4.3 Progress reports to complainants

The ANO office is committed to providing regular progress updates to complainants during the course of an investigation⁵. In this quarter, all updates for single complaints were provided in the target 28 days.

Under the ANO Charter, where the ANO reviews and provides its assessment of a complaint to the responsible Agency, the Agency must be allowed a reasonable opportunity to address any concerns raised by that assessment. If the Agency attempts to resolve the concerns identified in the initial ANO assessment, the ANO does not provide progress reports to complainants. The 5 complaints associated with the Gold Coast multi-complaint review are in this category and were placed on hold during the quarter, while Airservices attempted to resolve the matter. Further, future reporting on the time taken to finalise such matters will deduct the time from the matter being referred to the Agency to finalisation of any attempted resolution.

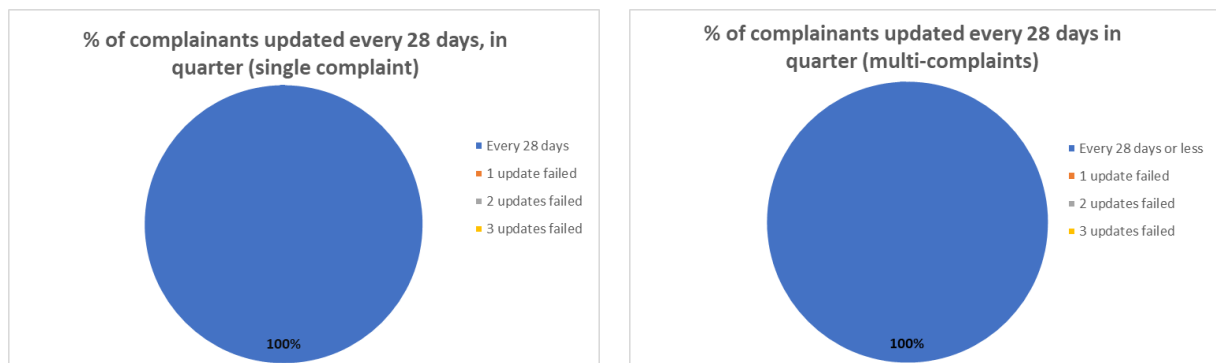


Figure 14 - % of single and multi-complainants updated within target period, in quarter.

⁵ For both individual complaints and multi-complaint reviews, the KPI target is for updates to occur every 28 days or less.

4.4 Time taken to finalise complaints

Of the 130 substantive complaints closed in this quarter, as shown in Figure 15, all were single complaints. The majority of the complaints (129) were closed within 3 months of receipt. One complaint was closed within 12 months of receipt, with this extended timing reflecting both the complexity of the complainant's concerns and multiple periods where the complaint was on hold while the Agency attempted to address the complainant's concerns. No multi-complaint reviews were closed during the quarter.

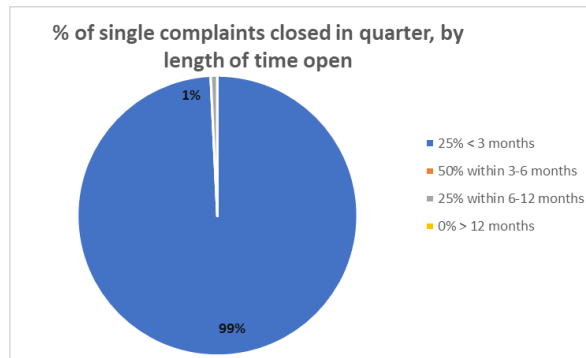


Figure 15 - % of single closed in quarter, by length of time open

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

Kieran Pehm

Aircraft Noise Ombudsman

6 February 2023

Appendix 1 Statistics for complaints received in quarter

The following tables summarise the statistics for complaints received in the quarter.

AIRSERVICES - SUBSTANTIVE COMPLAINTS	Oct-22	Nov-22	Dec-22	Total for quarter
Complaints received:	56	39	32	127
Complaints closed:	54	40	30	124

Total complaints closed - not reviewed:	51	34	28	113
Complainant did not provide further information	1	-	-	1
Outside charter scope	2	1	-	3
Referred to Airservices to respond directly	48	33	28	109

Total complaints closed - reviewed:	3	6	2	11
No change possible - explanation provided	2	6	2	10
Change adopted by Airservices Australia	1	-	-	1

DEFENCE - SUBSTANTIVE COMPLAINTS	Oct-22	Nov-22	Dec-22	Total for quarter
Complaints received:	1	3	-	4
Complaints closed:	2	3	-	5

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

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

	Airservices	Defence	No agency assigned*	Total
Substantive complaints open at 1 October 2022 (first day of quarter):	10	3	-	13
Complaint notifications received:	802	3	-	805
Substantive complaints received:	127	4	1	132
Substantive complaints closed:	124	5	1	130
Substantive complaints open at 1 January 2023 (first day of next quarter):	13	2	-	15

*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.

Appendix 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>Closed: In October 2022, the draft PIR report was released and included additional opportunities for community feedback, both through written submissions and in-person community sessions. The final PIR report was released on 14 December 2022 and incorporated details of extensive community feedback as well as consideration and analysis of the feedback provided.</p> <p>Airservices has also committed to continue to engage with the community throughout implementation of the PIR recommendations.</p> <p>Given the action taken by Airservices, this recommendation has been acquitted and can be closed.</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>Closed: Airservices met with the ANO in October 2022 to discuss a draft of its updated framework. The final updated Framework was published in November 2022. The ANO also received and provided feedback on Airservices' new draft national Community Engagement Standard, which will complement operation of the Framework.</p> <p>This recommendation has been satisfied and can now be closed.</p>

Appendix 3 Key performance indicators for ANO complaint handling

The following table summarises the performance of the ANO against the identified complaint handling KPIs for October-December 2022. KPI performance is reported for substantive complaints, 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 (Oct Dec 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	100%	98%
		1 update failed	0%	2%
		2 updates failed	0%	0%
		3 updates failed	0%	0%
	Time from complaint received to closed	25% < 3 months	99%	100%
		50% within 3-6 months	0%	0%
		25% within 6-12 months	1%	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