

OFFICIAL



Quarterly Report

October-December 2023

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1 Overview

The Aircraft Noise Ombudsman (ANO) received a total of 354 complaints during the quarter. This includes 251 non-actionable complaints and 103 actionable complaints. The ANO carried forward 21 complaints on 1 October 2023. During this quarter (October-December 2023), the ANO closed 96 actionable complaints, and therefore carries forward 28 complaints to January 2024.

The ANO continued to see 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 54 actionable complaints and most non-actionable complaints.

In this quarter, the ANO received 4 new actionable complaints about the Department of Defence (Defence) and closed 6 complaints. Two Defence complaints remained under review at the end of the quarter.

The ANO continued to monitor Airservices Australia's (Airservices') community engagement processes under clause 71 of the ANO Charter. This included monitoring the Post Implementation Review (PIR) process for the flight paths associated with Sunshine Coast Airport, and the implementation processes for PIR recommendations related to Hobart and Brisbane airports.

During this quarter the ANO has continued to work with both Defence and Airservices staff to finalise its draft 2024-2027 Strategic Plan and budget. Both will be provided to Airservices' Board and the Chief of the Air Force in February 2024.

As noted in previous ANO Quarterly Reports, the ANO has experienced an increase in distressed complainants who contact the office. In October, to support both complainants and ANO staff, two members of the ANO team completed Lifeline's "Accidental Counsellor" training. Consequently, opportunities for improvement to the ANO procedures for handling distressed complainants have been identified and applied. The office has also finalised and published its Investigative Guidelines and Complaint Management Procedure ANO website's "About Us" page [here](#).

Regular monthly meetings between the ANO senior advisors, Airservices' senior staff in the community engagement team and the Noise Complaint and Information Service (NCIS) continued. The ANO team also had quarterly meetings with Airservices' community engagement and NCIS teams.

In addition to the regular quarterly meeting between the Defence staff officer and the ANO Unit Manager, both the current and incoming Defence staff officers met with the ANO office in October.

ANO expenditure for the year to date was \$302, 878, at 31 December 2023, slightly higher than the ANO's average six-monthly expenditure of \$283,410 over the past five years and below the YTD budget forecast of \$465,548.

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 actionable complaints, include new complaints within the scope of the ANO Charter requiring ANO review and complaints requiring referral to another agency.

The ANO office also tracks and reports on complaints which are about aircraft noise but are not actionable within the scope of the Charter. These are referred to in this report as non-actionable complaints. The majority of these are complaints expressing a broad, general grievance about aircraft noise, but where the complaint is clearly directed to the responsible Minister or another agency. This category also includes complaints where the subject matter has previously been reviewed by the ANO and no further action can reasonably be taken. Section 2.1 below provides a summary of these non-actionable complaints.

2.1 Non-actionable complaints received in quarter

During the quarter, 354 complaints were raised with the ANO office – 251 of these were non-actionable complaints. Figure 1 shows the number of complaints raised per month over the past 12 months, including both actionable and non-actionable complaints.

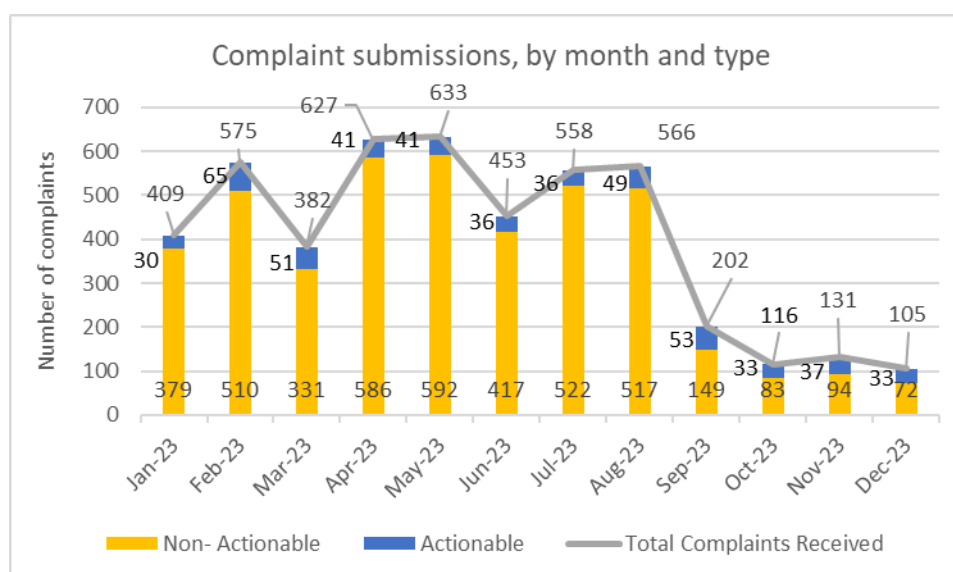


Figure 1 – Complaint submissions by month from January 2023 – December 2023, highlighting actionable and non-actionable complaints.

During this quarter, there has been a substantial reduction in non-actionable complaints, with a 79% decrease from the previous quarter. This decrease is due to one complainant who between July and September 2023 submitted 933 non-actionable complaints, but did not contact the ANO this quarter. Excluding the contribution of that single complainant in the previous quarter, non-actionable complaints reduced slightly from 255 to 251 complaints. Like last quarter, the majority of non-actionable complaints received this quarter concern the operation of the new runway for Brisbane. Of these, 76 complainants raised a total of 225 complaints about operations associated with Brisbane Airport.

Figure 2 below shows the breakdown of non-actionable complaints by airport, where identified.

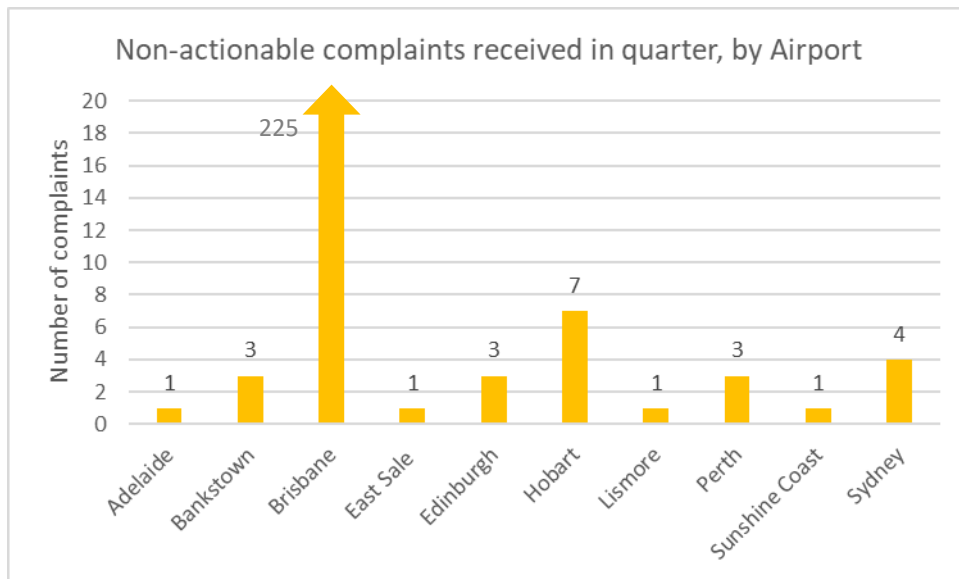


Figure 2 – Non-actionable complaints received by airport of concern, October – December 2023.

Figure 3 below shows the number of complaints made by individual complainants. Ten complainants submitted 50% of all the non-actionable complaints received during the quarter. These complainants sought action outside of the ANO’s remit.

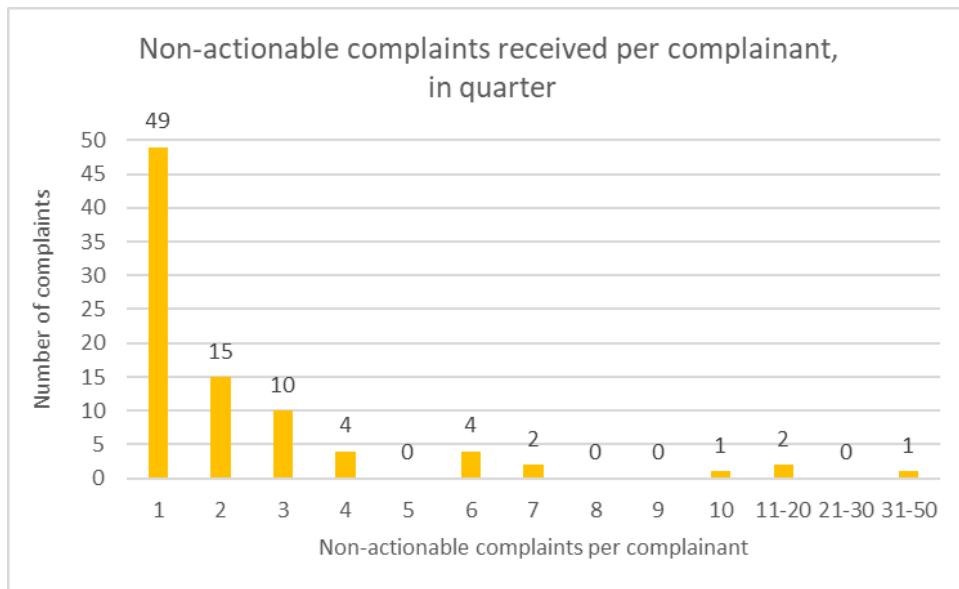


Figure 3 – Non-actionable complaints per complainant, October – December 2023.

2.2 Actionable complaints in quarter

During the quarter, the ANO received 103 actionable complaints - 97 relating to Airservices and 4 relating to Defence. A further 2 complaints had no agency identified due to either insufficient information being provided by the complainant, or the complaint relating to an agency other than Airservices or Defence.¹

Additionally, 3 complaints about the ANO were received this quarter. These complaints related to inaction by the ANO office on matters outside of the ANO Charter, and the complainants were appropriately advised. These complaints are not included in the statistics of this report.

Figures 4 and 5 below show the number of actionable complaints by agency. Complaints this quarter were lower in relation to Airservices, while Defence complaints were higher than last quarter.

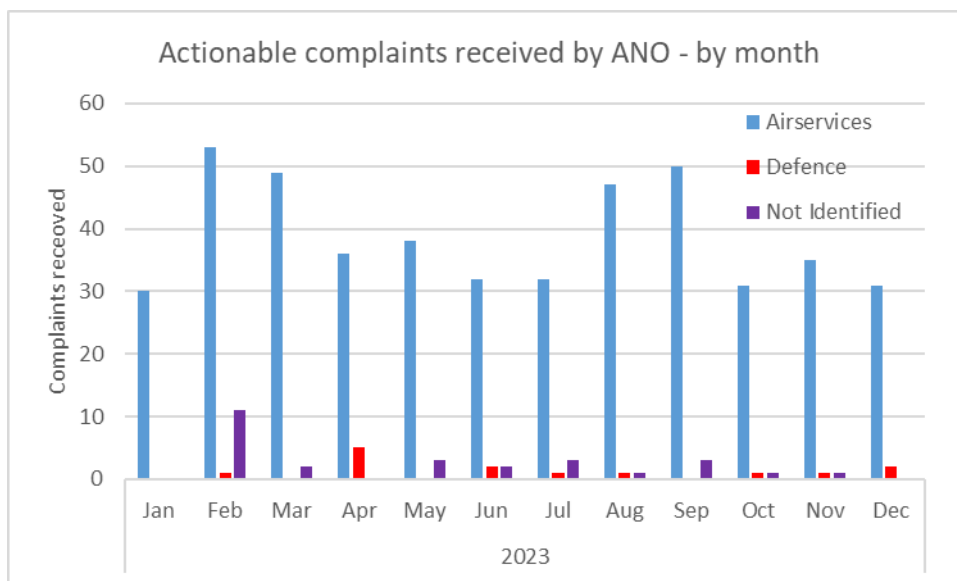


Figure 4 – Actionable complaints received by ANO by month, January 2023 – December 2023.

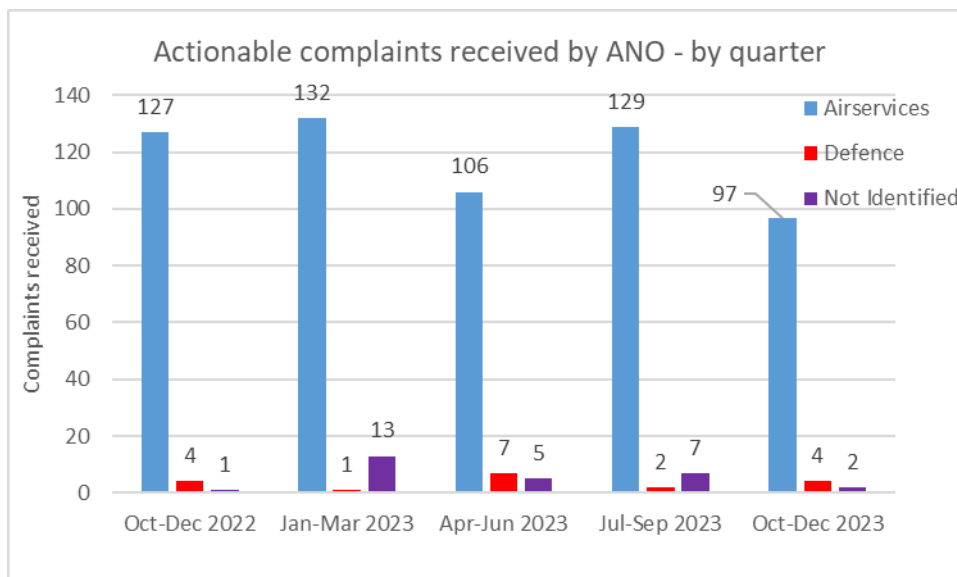


Figure 5 – Actionable complaints received by ANO by quarter, October 2022 – December 2023.

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

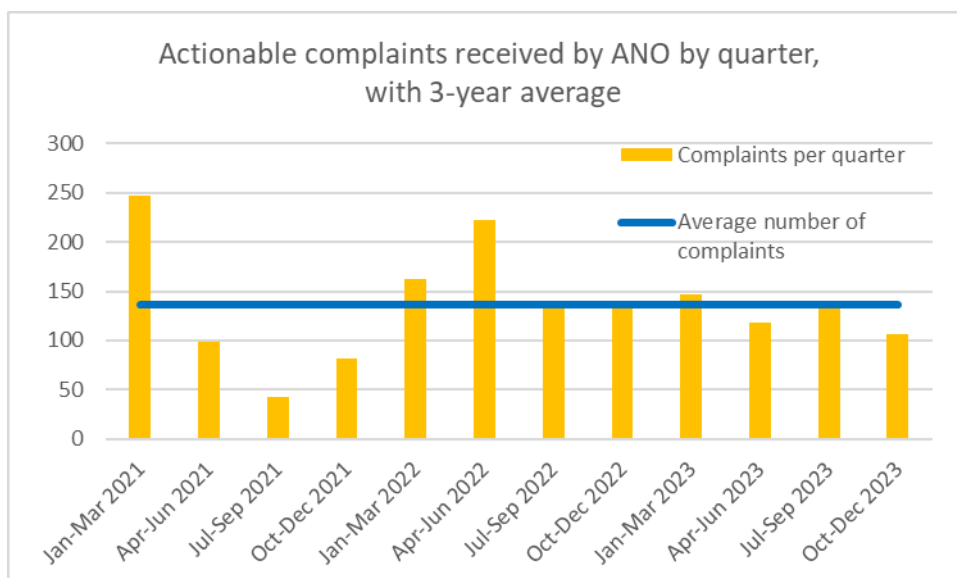


Figure 6 – Actionable complaints received by ANO by quarter, with 3-year average for complaint trends.

The majority of actionable complaints received this quarter continue to be attributed to the opening and operation of the new runway for Brisbane, with 54 complaints (51%).

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

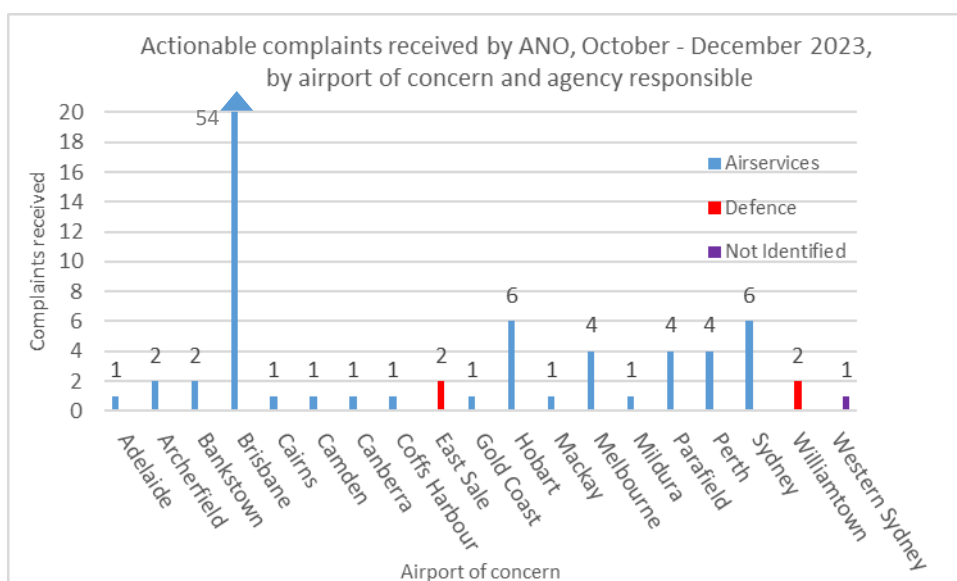


Figure 7 – Actionable complaints received by ANO by airport of concern and agency, October – December 2023

In addition to the airport specific complaints above, a further 8 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

From 1 July 2023, the ANO’s reporting on the outcomes of closed complaints has been enhanced. The ANO closed 96 actionable complaints for the quarter, 88 relating to Airservices, 6 relating to Defence and 2 without an agency identified. In addition, all non-actionable complaints were closed, as noted in Section 2.1.

Figure 8 below, shows the outcomes of the complaints relating to Airservices: 63 were closed as the complainants had either not yet complained to or finalised their complaint with Airservices. Three complaints resulted in a change in process or systems being adopted by Airservices and Airservices agreed to re-engage with the complainant regarding one complaint. The remainder were closed as they provided no basis for proceeding further under the Charter or were referred to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the Department) as they raised issues relating to regulation.

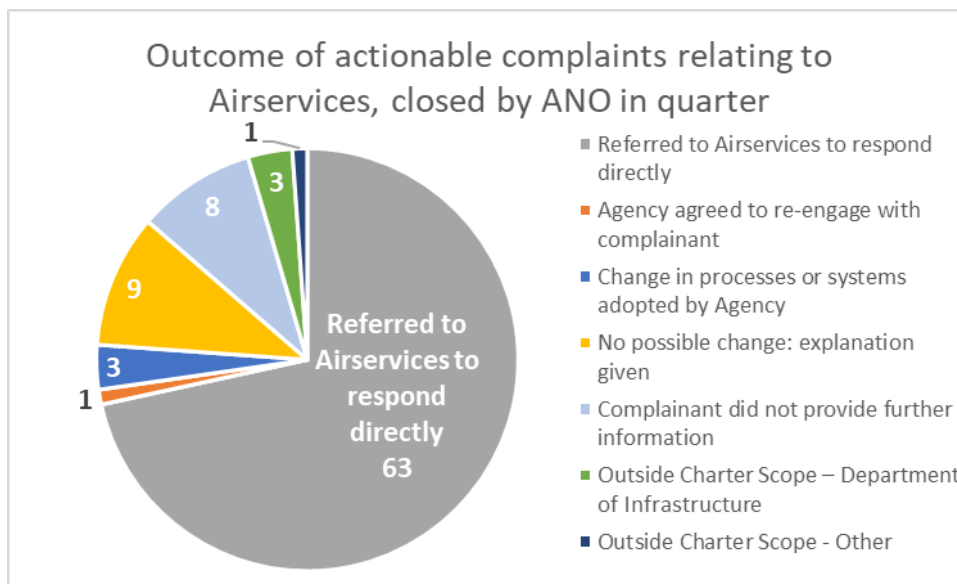


Figure 8 – Outcome of actionable complaints closed in quarter, related to Airservices.

The outcomes for the 6 complaints about Defence closed in this quarter were 3 complaints resulted in a change in process or systems being adopted by Defence and 3 were closed as the complainant had either not yet complained to, or finalised their complaint with, Defence.

As of 1 January 2024, 28 actionable complaints remain open. The 3 oldest complaints were submitted in June and September 2023, contain a large number of concerns and the reviews are ongoing. A further nine were received between late November and 22 December 2023, with the final eight complaints received after the ANO’s holiday shutdown period commenced.

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

2.3 Issues raised in complaints

The ANO captures and reports on the issues raised in actionable 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 in their complaint.²

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

Actionable complaints received during this quarter are classified by the ANO office under one of 3 categories - 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 9 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.

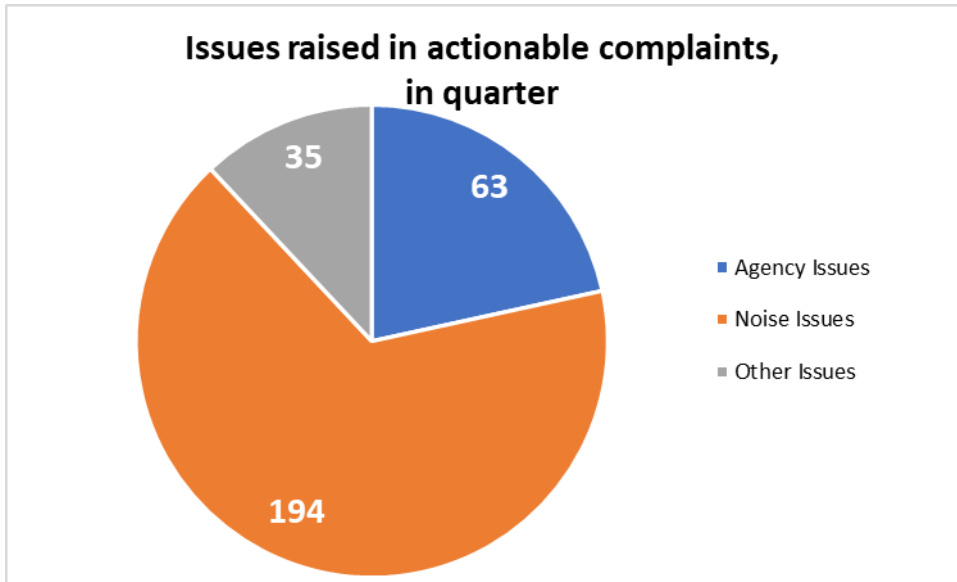


Figure 9 – Issues raised in actionable complaints to the ANO, October-December2023

As shown in Figure 10 below, complaints about response times, and lack of response to concerns raised, was the most common agency-related issue raised this quarter, being raised 17 times. While in previous quarters community engagement has been the most frequently raised issue, it was equal with concerns about information provision as the second most common issue this quarter. Both were raised 12 times this quarter.

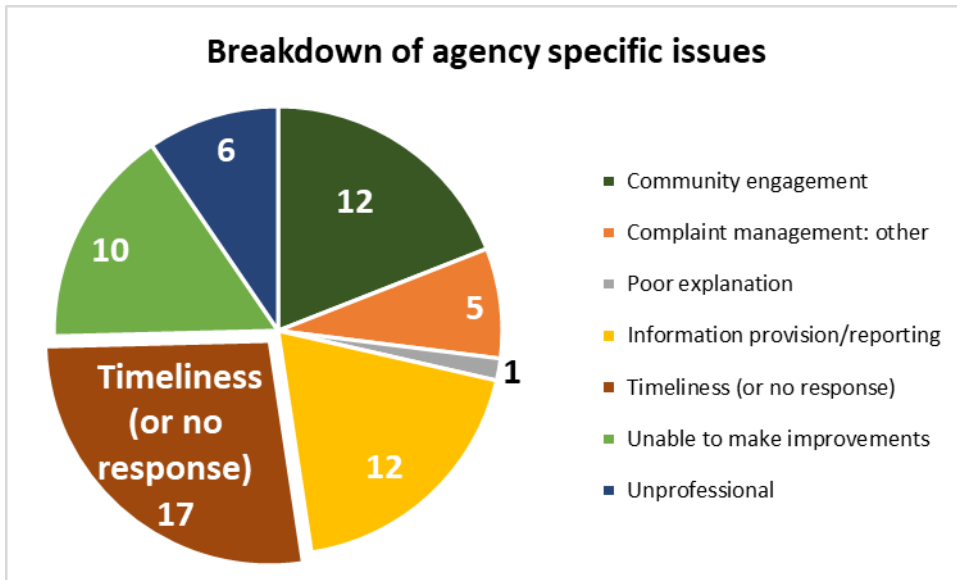


Figure 10 – Agency specific issues raised in actionable complaints to the ANO, October-December2023.

Figure 11 breaks down noise complaints by the most common issues raised. Flight path changes and their impacts on health continue to be dominant issues. Concerns about health include impacts upon sleep, mental health, and stress.

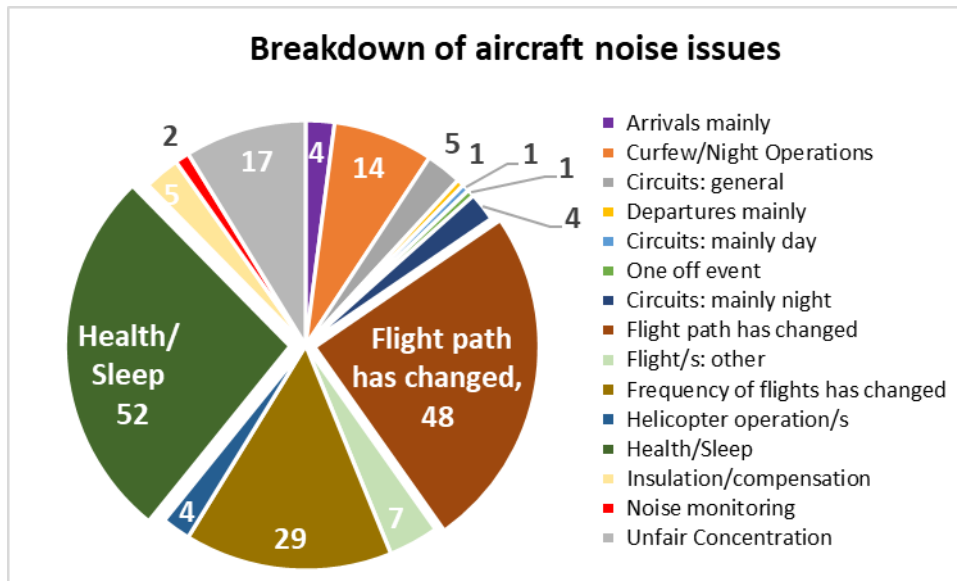


Figure 11 – Aircraft noise related issues raised in actionable complaints to the ANO, October-December2023.

Figure 12 shows other issues raised by complainants that were outside the remit of the ANO. Concerns about regulation capture the increasing number of requests for greater regulation, or dissatisfaction with existing aviation regulation, and aircraft noise management. Regulation was the most common of the other issues raised this quarter, with 17 of these complaints requesting a curfew. While previously, curfew requests came predominately from Brisbane, in this quarter two related to Perth Airport, and one each concerned Hobart and Melbourne airports.

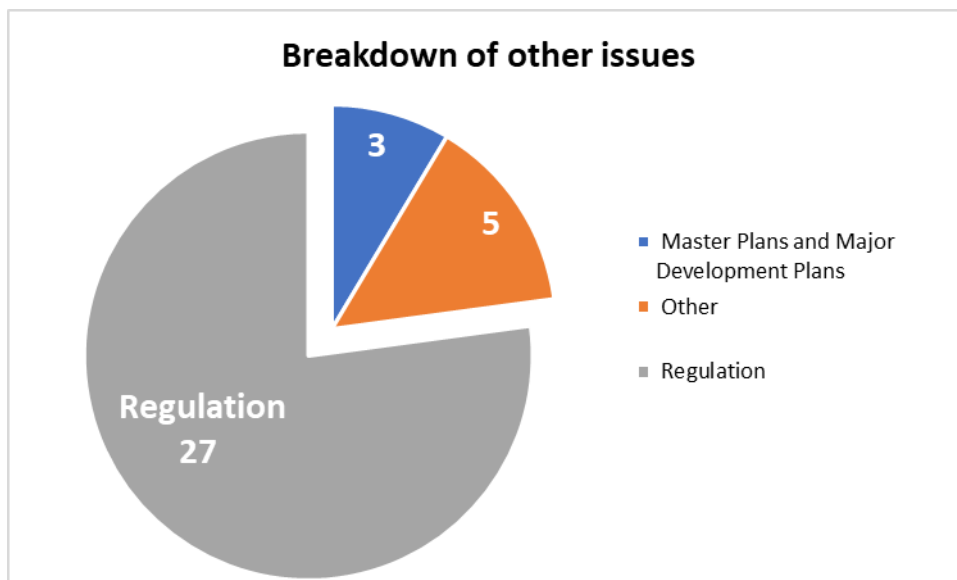


Figure 12 – Issues outside of the ANO's remit, raised in actionable complaints to the ANO, October-December2023.

2.4 Hobart Noise Abatement Plan (NAP) trial investigation

In August 2023, the ANO commenced a multi-complaint review as provided for in clause 47 of the ANO Charter and provided its assessment to Airservices. Airservices set aside its original decision and is reviewing its procedures for implementing community suggested flight path changes.

The ANO's assessment was subject to an application under the *Freedom of Information (FOI) Act* and released to the applicant in December 2023. The ANO also provided a copy of the assessment to the complainants in this matter.

2.5 RAAF Base Williamtown investigation

In April 2023, the ANO commenced a multi-complaint review as provided for in clause 47 of the ANO Charter. The ANO's assessment of the complaints was provided to Defence in September 2023. Defence provided a response to the ANO detailing actions taken by Defence to resolve the matter. The ANO finalised the review as resolved in October 2023.

2.6 Community engagement and noise information provision activities

The ANO continued to work with Airservices' staff on engagement projects as they were delivered. This quarter, Airservices conducted consultation on Phase 3 of the Noise Action Plan for Brisbane. The ANO attended two of the online community consultation sessions. The ANO office also attended two Community Aviation Consultation Groups (CACGs) as an observer this quarter, for Adelaide and Gold Coast airports.

In October, the ANO attended a round table hosted by the Department on the Aviation White Paper.

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.

Continuing delays in Airservices' complaint handling remained a source of complaints to the ANO. Airservices is taking action to address the issue, and there has been an overall improvement in the NCIS response time to complaints in the last quarter.

2.8 Liaison with Defence

The ANO office held its regular quarterly meeting with the Staff Officer, Aircraft Noise Management for Defence, as well as informal meetings as required throughout the quarter. This included discussing the findings of individual reviews, the draft ANO Strategic Plan for 2024-2027, and broader aircraft noise management issues and opportunities.

3 Key performance indicators

The ANO office introduced key performance indicators (KPIs) for its complaint handling processes in July 2021. The KPI targets apply to all actionable complaints received by the ANO office.

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 review. 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.

3.1 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.

3.2 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.

3.3 Progress reports to complainants

The ANO has a KPI to report progress to complainants every 28 days. Full compliance for both single and multi-complaints for this KPI was achieved this quarter.

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 8 complaints associated with the Hobart multi-complaint review are in this category and were placed on hold during the quarter, while Airservices continued to address the matter.

3.4 Time taken to finalise complaints

Of the 96 actionable complaints closed in this quarter, all but 3 were single complaints. All of the single complaints were closed within 3 months of receipt, as shown in Figure 13.

Three complaints associated with the Williamtown multi-complaint review were also closed during the quarter.

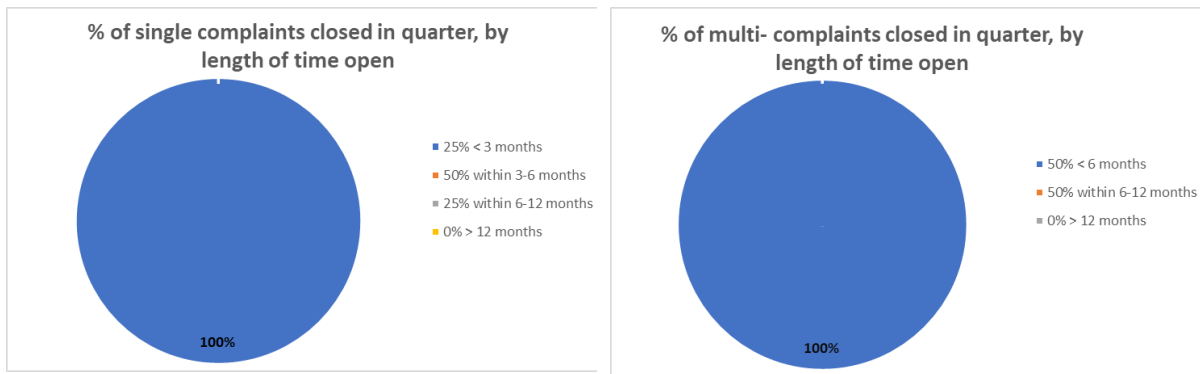


Figure 13 - % of single and multi-complaints closed in quarter, by length of time open.

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

Kieran Pehm
Aircraft Noise Ombudsman

7 February 2024

Appendix 1 Statistics for complaints received in quarter

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

| AIRSERVICES - ACTIONABLE COMPLAINTS | Oct-23 | Nov-23 | Dec-23 | Total for quarter |
|--|---------------|---------------|---------------|--------------------------|
| Complaints received: | 31 | 35 | 31 | 97 |
| Complaints closed: | 25 | 32 | 31 | 88 |

| | | | | |
|--|----|----|----|-----------|
| Total complaints closed - not reviewed: | 24 | 28 | 23 | 75 |
| Complainant did not provide further information | 5 | 2 | 1 | 8 |
| Outside Charter Scope - CASA | 0 | 0 | 0 | 0 |
| Outside Charter Scope – Department of Infrastructure | 1 | 1 | 1 | 3 |
| Outside Charter Scope - Minister | 0 | 0 | 0 | 0 |
| Outside Charter Scope - Other | 0 | 1 | 0 | 1 |
| Referred to Airservices to respond directly | 18 | 24 | 21 | 63 |

| | | | | |
|---|---|---|---|-----------|
| Total complaints closed - reviewed: | 1 | 4 | 8 | 13 |
| No change possible - explanation provided | 1 | 2 | 6 | 9 |
| Agency agreed to reengage with complainant | 0 | 0 | 1 | 1 |
| Change in processes or systems adopted by Agency | 0 | 2 | 1 | 3 |
| Not resolved - Action taken by Agency to encourage change by others | 0 | 0 | 0 | 0 |

| DEFENCE - ACTIONABLE COMPLAINTS | Oct-23 | Nov-23 | Dec-23 | Total for quarter |
|--|---------------|---------------|---------------|--------------------------|
| Complaints received: | 1 | 1 | 2 | 4 |
| Complaints closed: | 4 | 1 | 1 | 6 |

| | | | | |
|---|---|---|---|----------|
| Total complaints closed - not reviewed: | 1 | 1 | 1 | 3 |
| Complainant did not provide further information | 0 | 0 | 0 | 0 |
| Outside charter scope - Minister | 0 | 0 | 0 | 0 |
| Outside Charter Scope - Other | 0 | 0 | 0 | 0 |
| Referred to Defence to respond directly | 1 | 1 | 1 | 3 |

| | | | | |
|---|---|---|---|----------|
| Total complaints closed - reviewed: | 3 | 0 | 0 | 3 |
| No change possible - explanation provided | 0 | 0 | 0 | 0 |
| Agency agreed to reengage with complainant | 0 | 0 | 0 | 0 |
| Change in processes or systems adopted by Agency | 3 | 0 | 0 | 3 |
| Not resolved - Action taken by Agency to encourage change by others | 0 | 0 | 0 | 0 |

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| SUMMARY OF COMPLAINTS HANDLED | Airservices | Defence | No agency assigned* | Total |
|---|--------------------|----------------|----------------------------|--------------|
| Actionable complaints open at 1 October 2023 (first day of quarter): | 17 | 4 | 0 | 21 |
| Non-actionable complaints received: | 245 | 4 | 2 | 251 |
| Actionable complaints received: | 97 | 4 | 2 | 103 |
| Actionable complaints closed: | 88 | 6 | 2 | 96 |
| Actionable complaints open at 1 January 2024 (first day of next quarter): | 26 | 2 | 0 | 28 |

*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 |
|---|--|
| <p>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> | <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. While the MDP has been submitted, approval is currently outstanding.</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 2023. KPI performance is reported for actionable 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 2023) | % Met target (2023 24 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% | 100% |
| | | 1 update failed | 0% | 0% |
| | | 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 | 0% | 100% |
| | Decision on whether complaint is within jurisdiction | Within 21 days | 0% | 100% |
| | 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 | 100% | 100% |
| | | 50% within 6-12 months | 0% | 0% |
| | | 0% > 12 months | 0% | 0% |