

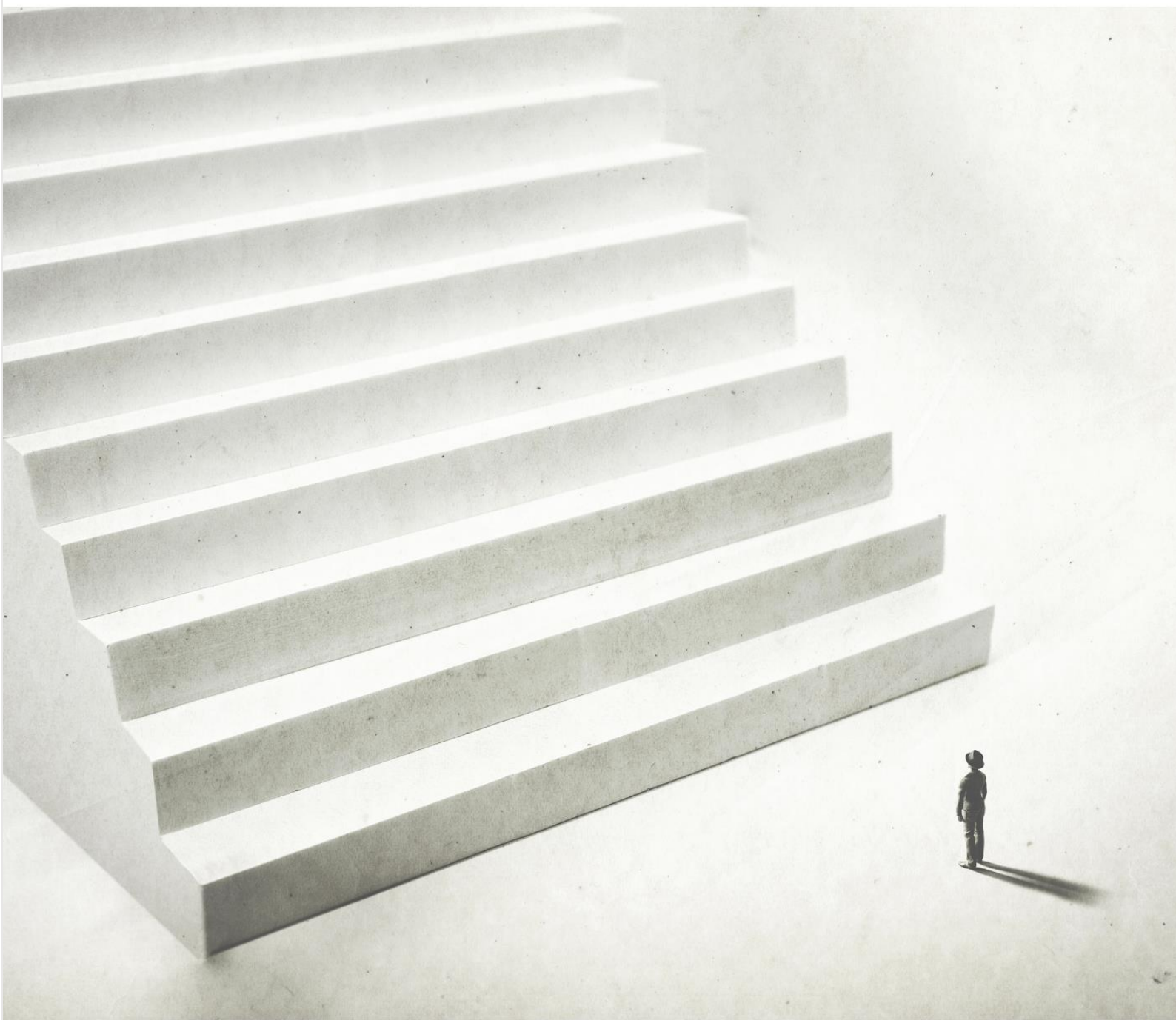
It's all about the *HOW*

Airservices' Post Implementation Review Process

Aircraft Noise Ombudsman's Recommendation 2

Sunshine Coast

September 2020



The questions in this document have been collated by Flight Path Forum Inc on behalf of its individual members and community group members including Peregian Beach Community Association, Peregian West Community Association, Castaways Beach Residents Association, Friends of Lake Weyba, Friends of Marcus Beach, Verrierdale Residents Group and Yandina Creek Progress Association.



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Introduction

Early this year, the Aircraft Noise Ombudsman delivered a comprehensive report which thoroughly vindicated our community's assessment that we had been victims of a failed engagement process by Airservices. It was for this reason Flight Path Forum requested that this review be conducted by an independent chairperson, that a stakeholder reference group be established, and that independent subject matter experts be available. These requests have all been refused by Airservices.

So, whilst we appreciate the present assurances of inclusion and engagement, it might be unsurprising that we come to this review process somewhat sceptical about what will be different this time around.

Despite our misgivings, the Flight Path Forum community remains resolute in its objective to secure the best possible outcome for all stakeholders impacted by the flight path changes. To that end, we are fully prepared to engage constructively and proactively in a review process that can be shown to be founded on transparency, integrity, respectful dialogue, and the collaboration recommended by the ANO.

But for our community to trust the review process and its outcomes, transparency, integrity, and collaboration cannot just be warm words on a page, or noble aspirations, they must be explicitly defined as demonstrable actions that can be measured, and they must be embedded in the review process before it begins.

Therefore, it is Flight Path Forum's strong view that fundamental questions about how Airservices will define these actions must be asked and answered, prior to any discussion about alterations to flight paths.

In this submission, we present a list of questions our community group representatives have compiled for your response. This is far from an exhaustive list and FPF would anticipate many more questions arising after we have considered the draft Terms of Reference.

Stakeholder Reference Group

ASA has stated it is not prepared to establish a stakeholder reference group with an independent Chair, so that there can be a properly structured and formalised process of sharing information and engaging with the community on all matters impacting the consideration of improvements to flight paths.

In a letter to Flight Path Forum dated 9 September Airservices Environment and Community Manager, Ms Donna Marshall, stated that:

We will not be appointing a Stakeholder Reference Group or an independent Chair for this PIR.

Airservices' refusal to consider Flight Path Forum's proposed stakeholder reference group in the methodology for the review process, as a fundamental inclusion to ensure transparency of the Post Implementation Review process, we believe, is unacceptable. It is not in the spirit of Airservices stated, agreed actions after its 2017 internal *Review into processes associated with aircraft noise management*, that showed a collaborative approach to flight path change processes was to be adopted.

In the 'Agreed Actions' matrix, Airservices agreed to adopting:

*Community/noise representatives on "change team" from the beginning of the design process*¹

In the interests of transparency and integrity of process, a stakeholder reference group would ensure that independent and community inputs and technical expert advice, (all key inputs to the decision-making process) are appropriately considered by a balanced group of community and industry representatives.

1. Which representatives will be representing the community on the 'change team'?

Flight Path Forum requests Airservices show a genuine commitment to transparency of process and reconsider its stated position on this matter, particularly in light of the fact that the Aircraft Noise Ombudsman's report vindicated the failures identified through the community's oversight of, and investigation into, Airservices 2019 community engagement process.

For the record, Flight Path Forum rejects Airservices decision to exclude provision for the formation of a stakeholder reference group (as an advisory panel), with independent Chair, from the Terms of Reference for the PIR.

¹ Review into processes associated with aircraft noise management December 2017 Section 4 (5.5)

Stakeholder Prioritisation

Community engagement processes typically prioritise stakeholders in terms of the level of impact they may experience as a result of a decision and also their level of influence in relation to how decisions are made. The community is mindful, based on past experience, that Airservices assesses our level of influence as low, despite being the group that will suffer the greatest impact as a result of Airservices decisions.

The community is attuned to the fact that is in Airservices' best interests to continue to restrict the community's level of influence and limit our capacity to affect the outcome of this review process.

In the interests of transparency, we request that Airservices share its stakeholder prioritisation statement.

Level of Influence

2. The *International Association for Public Participation Quality Assurance Standard and Core Values* are used by Airservices in its community engagement and were referenced in the recent Aircraft Noise Ombudsman's report. The *Public Participation Spectrum* describes 5 levels to define the role of the public in engagement processes, namely, inform, consult, involve, collaborate and empower.

How does Airservices define the community's role in the Post Implementation Review process and how will it achieve the defined level on the spectrum?

3. How will Airservices consider community inputs and at what points in the process?

Community Engagement

4. Does Airservices recognise that the ANO recommendation to encompass, *a community engagement process that provides for genuine opportunities for community contributions to influence decisions*² has not been reflected in the design of this meeting? Participating groups were not provided with the meeting's key document, the draft Terms of Reference, in advance of the meeting, and are being accorded only a week in which to consult with their members and formulate a response to the draft document.
5. Will Airservices Australia give an undertaking that the Terms of Reference will reflect the spirit and intent of the ANO recommendation, by including a provision that key materials for meetings and other consultative activities are provided to participants in ample time for effective consideration, and that ample time is provided also for any ensuing responses by participants, some of whom could be representing a community group or in some cases an association of community groups?
6. In preparing for today's community meeting, several community groups were not recognised by Airservices as having an interest in the review process, despite being among the most

² https://ano.gov.au/reportsstats/reports/Apr2020_ANO_Investigation_NewFlightPaths_SunshineCoast.pdf, p3.

heavily impacted areas. Airservices cited various reasons for their exclusion, including unqualified assumptions it made about local group networks. How will Airservices conduct its community stakeholder identification process for the review, to ensure that participation of those potentially affected by Airservices decisions are included in any community engagement plan?

7. Another of Airservices agreed actions in 2017 was that:

Strategic Stakeholder group supports development of appropriate Stakeholder Engagement Plans (SEP) (development not execution) ³

Who constitutes the Strategic Stakeholder Group?

How will Airservices select community representatives to be part of the strategic stakeholder group?

8. Is this another example of consultation in name only yet again? Against what standards are the community to hold ASA accountable for this community engagement process?
9. The *National Operating Standard for Environmental Management of Changes to Aircraft Operations* states that Airservices must, *consider the social, economic and cultural context of the communities being consulted to ensure genuine engagement and accessibility of information*. ⁴ How will Airservices demonstrate to the community that it has considered these issues?
10. In 2019 ASA evidently saw little value in engaging with the community as outcomes had apparently already been decided. Can you share with us Airservices' view on the perceived value to your organisation in undertaking an appropriate level of community engagement for this Post Implementation Review?

Transparency

11. The International Civil Aviation Organisation's *Community Engagement for Aviation Environmental Management* ⁵ notes the importance of, 'providing an open and transparent exchange of information as the basis for building long-term trust'. If Airservices is asking the community to trust in this process, why was the draft Terms of Reference withheld until today?
12. How will Airservices reconcile the issue of a possible increase in operational complexity with its legislated requirement to minimise impacts on the environment, specifically in the context of reducing noise impacts on the community, noting that a reduction in operational complexity may increase noise impacts on the community?
13. International Civil Aviation Organisation *Guidance on Environmental Assessment of Proposed Air Traffic Management Operational Changes* notes that:

³ Review into processes associated with aircraft noise management December 2017 Section 4 (5.6)

⁴ Airservices: Environmental Management of Changes to Aircraft Operations AA-NOS-ENV-2.100 Version 13 Section 7.3, 7d, p17.

⁵ International Civil Aviation Organisation: Circular 351-AT/194.

decisions relating to operational changes are often made on the basis of a wide range of strategic, economic, operational and impact-related information. ⁶

How will Airservices balance and resolve any tensions in interests, in relation to any potentially differing needs of industry and commercial enterprise, and impacted communities, during its review of the Sunshine Coast Airport flight paths?

14. How genuine is this process and how committed is Airservices to finding least impact flight path solutions for Sunshine Coast residents?

Compliance

15. How will Airservices design the review process in such a way that compliance with each step of the *National Operating Standard for Environmental Management of Changes to Aircraft Operations* will be achieved? Please provide an answer in table format so that the community can clearly see how objectives are planned to be met and how success is to be measured, to whom outcomes will be reported, and at what point in the review process.

16. As per the standard please advise:

- a) How assumptions will be verified and how will these verifications be reported to the community? (8.1.1)
- b) How will any realised benefits and success of risk management be measured and reported to the community? (8.2.1)
- c) What is the scope of this review? (8.3.1)
- d) How will conclusions be drawn regarding whether the actual change outcomes align with the Targeted Environmental Impact Assessment in view of the impacts to operations due to COVID-19? (8.3.3.a)

17. Will Airservices new Flight Path Design Principles be applied to this review?

18. How will the principles and any relevant application notes be weighted for this review?

19. When measured against Airservices risk management standard ⁷, the classification of the current flight paths is determined to be 'medium environmental risk'.

How would Airservices describe what constitutes a 'medium environmental risk' is and how is such a classification determined?

How will the review process incorporate measures to assess ways to mitigate this 'medium risk' classification?

⁶ International Civil Aviation Organisation: Guidance on Environmental Assessment of Proposed Air Traffic Management Operational Changes Chapter 4, Section 4.1.1.

⁷ Airservices Risk Management Standard AA-NOS-RISK-0001 Version 10, Appendix 1, p12.

Roles and Accountability

20. In a recent response by Airservices to a resident's complaint about light plane and helicopter activity, Airservices stated that it would 'continue to monitor this activity and work with operators and the airport to identify whether there are options for safe and consistent processing that minimises the noise and operational effects on the community as much as possible'. How is this monitoring carried out, and how will the Terms of Reference make provision for a review of the management of this type of aircraft activity?
21. Who takes responsibility for impacts arising from aircraft operating on the flight paths that affect the natural environment? As there has been no environmental investigation outside the airport surrounds, why have Airservices not addressed the environmental issue of 12 unassessed National Parks, wetlands and reserves?
22. How do Airservices justify mapping approach and departure routes over the same areas when its *Commitment to Aircraft Noise Management* ⁸ explicitly states that,

Residential areas flown over by aircraft arriving on a particular runway should not also be flown over by aircraft departing from the runway. ⁹

How will the review process address this issue?

Post Implementation Review Process Design

23. How will Airservices demonstrate to the community that genuine opportunities for the community to influence decisions have been incorporated into the design of this review process? Please explicitly describe each design element, its objective, and measurement for success.
24. Please provide a full and detailed set of criteria for each of the categories against which identified community suggested alternatives will be considered, and an outcome report of a previous process where community suggested alternatives were considered. Clearly show if any changes or amendments have been made to the investigative process in order to accommodate the ANO Recommendation 2 for this review. How will success against these criteria be measured?
25. What is ASA's timeline for the review, including all milestones and activities?
26. Are there standard processes or framework for a Post Implementation Review?
27. Is a 'standard framework' then complemented by processes particular to the type of change occurring. i.e. is there a base framework with a standard method and inclusions plus another distinct set of processes for reviewing flight paths for new runways?

⁸ Airservices Commitment to Aircraft Noise Management, p7.

⁹ Airservices: Commitment to Aircraft Noise Management, p7.

Operational Issues

28. How will the review process investigate and determine actions to address and manage the problem of general aviation aircraft circling homes in the Yandina Creek/Coolum Chase area, at low altitude, while waiting to land?
29. How will the review process address the issue of preferred runway use and aircraft taking off in a west-north-west direction when the prevailing wind is from south-south-east at low velocity?
30. Considering that much of the air traffic from Sunshine Coast Airport is passing elevated residential areas at low altitudes, will the review be examining the option of a curfew?
31. Since the opening of the new runway, residents all around the airport up to 15 – 20 km away have reported a huge increase in GA and other large aircraft (Alliance Airlines) apparently flying uncontrolled on departure from, and approach to, SCA.

How will the review process consider and evaluate the role of air traffic management in reducing environmental impacts on the community? Please describe any monitoring and enforcement of noise abatement procedures and the management of all air traffic, including jets, general aviation and helicopters, currently in place at Sunshine Coast Airport.
32. How will the review evaluate noise complaints data received by Airservices and/or Sunshine Coast Airport since the operation of the new flight paths?
33. How will the review consider the extent to which Noise Abatement Procedures can be enhanced, complied with and enforced by air traffic control in respect to both jet aircraft and general aviation?

Project Team Structure

34. What is the PIR project team structure? Please clearly identify:
 - a) any relevant agency (other than Airservices) and their level of involvement and accountability;
 - b) key individual roles (for those within Airservices) and their decision-making capacity;
 - c) administrative responsibilities, referencing the appropriate legislative and administrative protocols (including, but not limited to, Airservices National Operating Standards, *Airservices Act 1995* etc.);
 - d) Commonwealth Government Ministers and departments from whom approvals and advice will be sought if required.

Assessment

35. Airservices' Communications and Consultation Protocol states:

*We are committed to providing information to stakeholders and the community on significant changes that may affect them, and to incorporating stakeholder feedback into our planning, decision-making and implementation processes.*¹⁰

Furthermore, this document states that:

*Airservices is committed to open and timely communication and consultation.*¹¹

*We engage with the community in relation to a range of issues... particularly if residents are newly overflowed.*¹²

The Targeted Environmental Impact Assessment 2019 found that a number of Sunshine Coast suburbs would experience an increased number of flights, or be newly overflowed by the proposed flight paths. Despite identifying a number of suburbs meeting the National Operating Standard criteria for EPBC referral, no recommendation was made for further investigation of the social and environmental impact on these areas due to the erroneous assumption that the impact of these flights had already been addressed in Sunshine Coast Council's 2014 Environmental Impact Statement.

The Aircraft Noise Ombudsman's report identified that Airservices had relied on the 2014 assessment which was lacking in consideration of environmental issues for these newly overflowed areas.

Please explain at what point of the review, the social and environmental impact on suburbs with an increased number of flights, or those newly overflowed, will be assessed, and how will this assessment be incorporated into consideration for modification of existing flight paths?

36. Residents at Yandina Creek are regularly recording noise levels from low 70's dB(A), to low 80's dB(A). Earlier advice was that noise levels would be 60 - 65 dB(A).

How will the PIR help residents now affected by noise levels frequently much higher than those previously advised.

37. Airservices 2019 Targeted Environmental Impact Assessment stated that:

*In consideration of the limited degree of impact predicted against AA-NOS-ENV-2.100, in combination with the general consistency with findings of the EIS, it is not considered likely for the proposed change to result in a significant increase in impact to the health, safety, welfare or quality of life of people and communities.*¹³

¹⁰ Airservices Communication and Consultation Protocol, p3.

¹¹ Airservices Communication and Consultation Protocol, p6.

¹² Airservices Communication and Consultation Protocol, p6.

¹³ Environmental impact assessment of proposed change to flight paths at Sunshine Coast Airport, p4.

Newly affected communities have never been provided with evidence that their health, safety, welfare or quality of life has been considered by Airservices. How will the review now consider these issues?

38. Airservices' and Sunshine Coast Council's environmental assessments for areas north of the airport failed to provide a qualitative or quantitative assessment of impacts on a number of National Parks, wetlands and environmental reserves. How will this Post Implementation Review incorporate these assessments?
39. Single event noise levels currently being registered by residents in the vicinity of Lake Weyba appear to be approximately 10 decibels higher than Airservices predicted. What noise monitoring and assessments will Airservices undertake as part of this review process?
40. Will Airservices undertake noise monitoring in affected National Parks, wetlands and environmental reserves as part of this review?
41. The *International Civil Aviation Organisation Guidance on Environmental Assessment of Proposed Air Traffic Management Operational Changes* states that:

It will be important to assess the present baseline situation (e.g. level of pre-proposal impacts) for any such areas of interest that are considered to be important for the assessment (e.g. where a significant positive or negative change to impact may be expected). These present-day baseline assessments will often form the basis for the predictive modelling or extrapolation of any "future do-nothing" base cases, against which the proposal may be assessed to determine its net impact. ¹⁴

Did Airservices undertake any baseline noise monitoring prior to the opening of the new runway? If not, why not?

42. No social impact assessment was undertaken in areas to the north of the airport. Vulnerable individuals in impacted communities have not been identified or considered. How will the review consider social impact issues, including impacts on the health and well-being of affected residents?

Reporting

43. How will Airservices report feedback outcomes to the community? Please detail the process, the level of detail the community can expect, and the points in the process that Airservices plans to provide feedback.
44. How will the community know that its views and advice have been taken into account in Airservices decision-making?

¹⁴ International Civil Aviation Organisation: *Guidance on Environmental Assessment of Proposed Air Traffic Management Operational Changes* Section 2.1.5.

Resourcing

45. The 2019 community engagement process lacked transparency and was confusing for residents, particularly in terms of how our feedback was considered. Residents were encouraged to lodge feedback and ask questions, but due to ASA being overwhelmed by the quantity of community feedback, many did not receive a response within the feedback window. How will Airservices remedy the issue of resourcing to respond to community inputs in a timely manner?

Limitations

46. The community's capacity to comment on the current noise experience has been severely compromised due to the impact of COVID-19 on operations at Sunshine Coast Airport. How will the review take this into account?