



AIRCRAFT NOISE OMBUDSMAN

Compliance Audit of Australian Super
Hornet Flying Operations at RAAF Base
Amberley
October 2019

This page is intentionally blank

Table of Contents

1	Executive Summary	1
2	Introduction	3
	Context	3
	Objective.....	3
	Report Purpose and Structure	3
	Methodology	3
3	Conditions of Approval	5
	Background to the Conditions of Approval	5
	Compliance with the Conditions of Approval	5
4	Noise Management Plan	40
	Background to the Noise Management Plan	40
	Compliance with the Noise Management Plan	40
5	Noise Monitoring and Complaints Handling Strategy.....	72
	Background to the Noise Monitoring and Complaints Handling Strategy.....	72
	Compliance with the Noise Monitoring and Complaints Handling Strategy.....	72
6	Noise Mitigation and Complaint Resolution Strategy	94
	Background to the Noise Management and Complaint Resolution Strategy.....	94
	Compliance with the Noise Management and Complaint Resolution Strategy.....	94
Attachment 1	Approval of ANO as auditor	105
Attachment 2	Summary of response to Period 1 Audit Recommendations.....	106
Attachment 3	Period 2 Audit Recommendations and Improvement Suggestions.	108

1 Executive Summary

- 1.1 In January 2019, the Department of Defence (Defence) requested that the ANO undertake an audit of Defence's compliance with the Conditions of Approval for Australian Super Hornet Flying Operations, RAAF Base, Amberley, QLD (EPBC 2008/4410), as varied by Ministerial approval in April 2014 (Conditions of Approval). The Delegate of the Minister for the Environment approved the ANO office to undertake the review on 9 April 2019 and approved the ANO's proposed audit criteria and methodology on 23 May 2019. The ANO is responsible for auditing Defence's compliance with each of the Conditions of Approval, excepting Condition 4, which will be audited separately by Umwelt (Australia) Pty Ltd.
- 1.2 The ANO found that Defence was meeting the intent of the Conditions of Approval and is managing aircraft noise issues effectively at RAAF Base Amberley. Notably, in concluding the audit, the ANO found that Defence was compliant with four of the eight Conditions of Approval, non-compliant with three and one Condition was not applicable (see table below).

	Compliant	Non-compliant	Not applicable	Undetermined	Total
Conditions of Approval	4	3	1	0	8

- 1.3 In accordance with the Conditions of Approval, Defence developed and implemented a number of plans and strategies to meet the objectives of the Conditions of Approval. Within these, the ANO identified 54 separate requirements to be assessed under this audit. Of these, Defence was compliant with 39 requirements, non-compliant with nine and two requirements were classified as undetermined due to a lack of evidence to establish a definitive finding (see table below).

	Compliant	Non-compliant	Not applicable	Undetermined	Total
Noise Management Plan V3.0	20	4	1	2	27
Noise Monitoring and Complaints Handling Strategy V1.0	15	3	0	0	18
Noise Mitigation and Complaint Resolution Strategy V1.0	4	2	3	0	9
	39	9	4	2	54

- 1.4 This report makes nine recommendations aimed at improving Defence's compliance with the Conditions of Approval and the requirements of the plans and strategies required by these Conditions. Further, two suggested improvements have been identified in this report to enhance Defence's public reporting on its aircraft noise management more broadly. **Attachment 3** provides a summary of the recommendations and suggestions.

- 1.5 A key finding was that, due to administrative oversights in relation to managing the revision of its Noise Management Plan, Defence implemented activities aimed at improving aircraft noise outcomes, without obtaining prior approval. While there was no apparent negative impact for the environment as a result – indeed, it is arguably a better outcome achieved – a lack of sound administrative process has resulted in the numerous non-compliances reported.
- 1.6 A further finding was that, despite the recommendation of the Period 1 audit that Defence improve its record management practices, Defence has again been unable to provide key information that would have substantiated its performance against the Conditions of Approval.
- 1.7 Key areas for improvement include:
- Defence to establish robust administrative systems that ensure it obtains the required approvals for changes to its activities prior to implementing those changes;
 - Defence to adopt appropriate record management practices to ensure identified gaps in record-keeping are addressed, giving specific attention to the records needed to substantiate its performance in relation to the Conditions of Approval;
 - Defence to present data and commentary in its Annual Super Hornet Reports that explicitly address its noise management requirements resulting from the Conditions of Approval and associated approved plans; and
 - Defence to undertake and document its routine reviews of the approved plans and strategies and ensure effective administrative processes deliver timely approval of any resultant revisions to these plans.
- 1.8 Defence has welcomed and supported the conduct of the review. The organisation has provided access to data and personnel without hesitation. It was clear during this audit that Defence remains committed to responsibly managing the aircraft noise impacts associated with the operation of Super Hornets at RAAF Base Amberley, although improved administrative rigour is required to ensure this can be clearly demonstrated.
- 1.9 In conclusion, the ANO considers that Defence has complied with the intent of the Conditions of Approval in relation to managing the effects of aircraft noise on the community and the environment. However, it has some work to do to establish effective systems to facilitate the necessary administrative, records management and reporting frameworks required to substantiate its performance against these Conditions.



Narelle Bell
Aircraft Noise Ombudsman

24 October 2019

2 Introduction

Context

- 2.1 In March 2010, the Commonwealth Environment Minister conditionally approved the introduction of Super Hornets to RAAF Base Amberley. The Conditions of Approval for Australian Super Hornet Flying Operations, RAAF Base, Amberley, QLD (EPBC 2008/4410), were varied by Ministerial approval in April 2014. Referred to subsequently in this document as the 'Conditions of Approval', these Conditions require that Defence "ensure that an Independent Audit of Compliance with the Conditions of Approval, including implementation of the requirements of **approved** plans, is conducted ...from 1 January 2015 to 31 December 2018."
- 2.2 The ANO was approved as an independent auditor in line with the requirements of the Conditions of Approval (see **Attachment 1**).

Objective

- 2.3 The objective of this audit is to assess and report on Defence's compliance with the Conditions of Approval including compliance with the requirements of approved plans and strategies specified in the Conditions, for the period 1 January 2015 to 31 December 2018.

Report Purpose and Structure

- 2.4 This report sets out the details of the ANO audit of Defence's compliance with the Conditions of Approval and with the requirements of the approved plans and strategies specified in the Conditions.
- 2.5 Each condition or requirement is set out in a table showing the ANO assessment undertaken and the ANO finding on each. The report is divided into the following sections:
- Section 3: Conditions of Approval (COA)
 - Section 4: Australian Super Hornet Noise Management Plan (NMP)
 - Section 5: Noise Monitoring and Complaints Handling Strategy (NMCHS)
 - Section 6: Australian Super Hornet Noise Mitigation and Complaint Resolution Strategy (NMCRS)

The acronyms in parentheses above are used to identify each distinct condition or requirement. For example, the Conditions of Approval are numbered COA-01 for Condition 1, COA-02 for Condition 2, etc.

Methodology

- 2.6 The ANO independently established the list of requirements from the approved plans and strategies that Defence developed to meet the Conditions of Approval. Defence was given an opportunity to submit comments against each and the ANO independently assessed compliance (or otherwise) with each requirement. This detail is set out in the tables in Section 3 through to Section 6 of this report.

- 2.7 The ANO has conducted the audit in accordance with the Department of the Environment and Energy's *Independent Audit and Audit Report Guidelines for controlled actions which have been approved under Chapter 4 of the Environment Protection and Biodiversity Conservation Act 1999*. The ANO's Criteria and Methodology for the audit were submitted to and approved by the Department prior to commencement of the audit.
- 2.8 In conducting the review, the ANO undertook various activities to independently substantiate the information Defence provided. This included:
- RAAF Base Amberley specific review: reviewing on site procedures and other relevant documentation requested, including random samples of targeted information and access to data and systems
 - Broad desktop review: including documentation supplied by Defence and publicly available material on the Defence and other websites
 - Checking reported statistics: by analysing an extract of Noise and Flight Path Monitoring System (NFPMS) data
 - Confirming details with other agencies: including writing to the Commonwealth Department of the Environment and Energy for independent verification of information provided by Defence.
- 2.9 The ANO has assessed Defence's level of compliance against each Condition of Approval and each requirement identified from the three approved plans. Where possible, a finding on the level of compliance has been made as per the following table (and in line with the defined categories outlined in *Independent Audit and Audit Report Guidelines for controlled actions which have been approved under Chapter 4 of the Environment Protection and Biodiversity Conservation Act 1999*):

Compliant	The auditee has complied with a condition or element of a condition
Non-compliant	The auditee has not met a condition or an element of a condition
Not applicable	An activity has not yet commenced or a requirement has not been triggered
Undetermined	There is insufficient evidence to make a judgment on compliance or non-compliance

- 2.10 Some requirements comprise more than one component. In these cases, the ANO assessed the level of compliance against each component before determining a compliance finding for the overall requirement.
- 2.11 In this report, reference is sometimes made to the Period 1 audit, meaning the first audit conducted by the ANO of Defence's compliance with the Conditions of Approval during the period from 1 January 2012 to 31 December 2014. The recommendations arising from the Period 1 audit and Defence's response are summarised in **Attachment 2**.

3 Conditions of Approval

Background to the Conditions of Approval

- 3.1 In March 2010, the Commonwealth Environment Minister conditionally approved the introduction of Super Hornets to RAAF Base Amberley. The Conditions of Approval for Australian Super Hornet Flying Operations, RAAF Base, Amberley, QLD (EPBC 2008/4410), were varied by Ministerial approval in April 2014.

Compliance with the Conditions of Approval

- 3.2 Of the nine conditions (as varied), eight have been audited for compliance by the ANO. Condition 4 is outside the ANO area of expertise and is being independently audited by Umwelt Environmental Consultants (Umwelt).
- 3.3 Four of the eight audited Conditions of Approval were found by the ANO to be complied with by Defence. One condition was not applicable as the requirement had not been triggered during the audit period. The table below summarises the findings.

	Compliant	Non-compliant	Not applicable	Undetermined	Total
Conditions of Approval	4	3	1	0	8

- 3.4 The overall objective of the Conditions would appear to be that aircraft noise impacts resulting from the introduction of Super Hornet flying operations at RAAF Base Amberley should be managed and mitigated as much as reasonably practicable. The ANO considers that, although there are some areas for improvement identified, Defence is keeping overall noise impacts within the levels forecast in the Public Environment Report, particularly during the more noise-sensitive times of evening and night.
- 3.5 Defence's non-compliances are generally in relation to a lack of sound administrative processes and the ANO has made recommendations in response to these non-compliant findings.
- 3.6 The findings against the approved Audit Criteria and Methodology are set out in the following tables.

EPBC Approval Condition Number 1	The person taking the action must implement the approved Australian Super Hornet Noise Management Plan. The approved Australian Super Hornet Noise Management Plan must be revised to address any issues identified in the: a. Noise Monitoring Program, as outlined in the approved Noise Monitoring and Complaints Handling Strategy (condition 2); and b. Period 1 Independent Audit of Compliance with the Conditions of Approval (condition 5). The revised Australia Super Hornet Noise Management Plan must be submitted to the Minister for approval by 31 December 2015. The approved revised Australian Super Hornet Noise Management Plan must be implemented in place of the Australian Super Hornet Noise Management Plan previously approved.			
<i>Criterion 1.1</i>	<i>The person taking the action must revise its Noise Management Plan for Australian Super Hornet Flying Operations at RAAF Base Amberley to address any issues identified in the Noise Monitoring Program, as outlined in the approved Noise Monitoring and Complaints Handling Strategy (condition 2).</i>			
Indicator	Independent Auditor Comments	Measurements Made	Verification Method	Compliance Finding
1.1.1 The revised Noise Management Plan must address each issue identified in the Noise Monitoring Program	The ANO assessed the revision of the Plan which led to V3.0 and found that it addressed this component of the Condition. See section 3 – COA-01 – 1 for detailed discussion.	Review of the specific references documented in the section headed “Rationale for Changes to the Extant NMP” within V3.0 of the Plan. See section 3 – COA-01 – 1 for detailed assessment.	Review evidence that the Noise Management Plan was revised to address the issues identified in the Noise Monitoring Program	Compliant

Criterion 1.2		<i>The person taking the action must revise its Noise Management Plan for Australian Super Hornet Flying Operations at RAAF Base Amberley to address any issues identified in Period 1 Independent Audit of Compliance with the Conditions of Approval (condition 5)</i>		
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
1.2.1 The revised Noise Management Plan must address each issue identified in the Period 1 Independent Audit of Compliance	The ANO assessed the revision of the Plan which led to V3.0 and found that it addressed this component of the Condition. See section 3 – COA-01 – 2.	Review of the specific references made in Annex B of the NMP. Review of independent ANO consideration of evidence of action to address each recommendation as documented in ANO Quarterly Reports. See section 3 – COA-01 – 2 and Attachment 2 of this audit report.	Review evidence that the Noise Management Plan was revised to address the issues identified in the Period 1 Independent Audit of Compliance	Compliant
Criterion 1.3		<i>The revised Noise Management Plan must be submitted to the Minister for approval by 31 December 2015.</i>		
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
1.3.1 The revised Noise Management Plan must be submitted to the Minister for approval by 31 December 2015.	On 15 December 2015, Defence submitted a revised version of the Plan, V3.0, for approval. See section 3 – COA-01 – 3.	DoE letter referring to when the Plan was submitted for approval verified the submission date. See section 3 – COA-01 – 3.	Review evidence to verify when the plan was submitted	Compliant

<i>Criterion 1.4</i>		<i>The approved revised Noise Management Plan must be implemented.</i>		
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
1.4.1 The approved revised Noise Management Plan must be implemented in relation to each requirement outlined in that Plan, until such time as any revised version of the Plan is approved, from which time the requirements of the current Plan must be implemented, and so on thereafter for any subsequent approved versions of the Plan	The ANO assessed a total of 27 requirements defined in the Plan. See section 3 – COA-01 – 4 for a summary of the compliance findings for each requirement of the Noise Management Plan. See section 4 of this audit report for detailed assessment of each requirement within the Plan. The ANO assessed that overall Defence was compliant with the intent of this Condition, noting that Defence was compliant with 20 of a total of 27 requirements.	See section 3 – COA-01 – 4 and section 4 of this audit report for the detailed assessments made.	Review each version of the Noise Management Plan current during Period 2. Extract the statements that place a requirement for action on the person taking the action. Review evidence to demonstrate implementation of each requirement of each version of the Plan for the period during which it was current.	Compliant

EPBC Approval Condition Number 2	The person taking the action must implement the approved Noise Monitoring and Complaints Handling Strategy.			
<i>Criterion 2.1</i>	<i>The approved Noise Monitoring and Complaints Handling Strategy must be implemented.</i>			
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
2.1.1 The approved Noise Monitoring and Complaints Handling Strategy must be implemented in relation to each requirement outlined in that Strategy until such time as any revised version of the Strategy is approved, from which time the requirements of the current Strategy must be implemented, and so on thereafter for any subsequent approved versions of the Strategy	The ANO assessed a total of 18 requirements defined in the Strategy. See section 3 – COA-02 for a summary of the compliance findings for each requirement of the Noise Monitoring and Complaints Handling Strategy. See section 5 of this audit report for detailed assessment of each requirement within the Strategy. The ANO assessed that overall Defence was compliant with the intent of this Condition, noting that Defence was compliant with 15 of a total of 18 requirements.	See section 3 – COA-02 and section 5 of this audit report for the detailed assessments made.	Review each version of the Noise Monitoring and Complaints Handling Strategy current during Period 2. Extract the statements that place a requirement for action on the person taking the action. Review evidence to demonstrate implementation of each requirement of each version of the Strategy for the period during which it was current.	Compliant

EPBC Approval Condition Number 3	The person taking the action must implement the approved Australian Super Hornet Noise Mitigation and Complaint Resolution Strategy.			
<i>Criterion 3.1</i>	<i>The approved Noise Mitigation and Complaint Resolution Strategy must be implemented.</i>			
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
3.1.1 The approved Noise Mitigation and Complaint Resolution Strategy must be implemented in relation to each requirement outlined in that Strategy until such time as any revised version of the Strategy is approved, from which time the requirements of the current Strategy must be implemented, and so on thereafter for any subsequent approved versions of the Strategy.	The ANO assessed a total of 9 requirements defined in the Strategy. See section 3 – COA-03 for a summary of the compliance findings for each requirement of the Noise Mitigation and Complaint Resolution Strategy. See section 6 of this audit report for detailed assessment of each requirement. The ANO assessed that overall Defence was compliant with the intent of this Condition, noting that Defence was compliant with 4 of a total of 9 requirements, non-compliant with 2 requirements and 3 requirements were not applicable.	See section 3 – COA-03 and section 6 of this audit report for the detailed assessments made.	Review each version of the Noise Mitigation and Complaint Resolution Strategy current during Period 2. Extract the statements that place a requirement for action on the person taking the action. Review evidence to demonstrate implementation of each requirement of each version of the Strategy for the period during which it was current.	Compliant

EPBC Approval Condition Number 4	The person taking the action must implement the approved Air Quality Monitoring Plan.
<i>Criterion 4.1</i>	<i>N/A - To be audited separately by Umwelt and Defence.</i>

EPBC Approval Condition Number 5	The person taking the action must ensure that an Independent Audit of Compliance with the Conditions of Approval, including implementation of the requirements of approved plans, is conducted for each of the following periods: a. Period 1: from the date of the approval to 31 December 2014; b. Period 2: from 1 January 2015 to 31 December 2018. Each auditor's report must be submitted to the Minister within 6 months of the end of the period to which the report applies. Each auditor's report must be published on the web site of the person taking the action within 3 months of the report being submitted to the Minister. The independent auditor must be approved prior to commencement of each audit.			
<i>Criterion 5.1</i>	<i>An Independent Audit of Compliance with the Conditions of Approval, including implementation of the requirements of approved plans, must be conducted for each of the following periods:</i> <i>a. Period 1: from the date of the approval to 31 December 2014;</i> <i>b. Period 2: from 1 January 2015 to 31 December 2018.</i>			
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
5.1.1 An Independent Audit of Compliance with the Conditions of Approval, including implementation of the requirements of approved plans, must be conducted for each Period	The ANO assessed Defence as compliant: the Period 1 audit was conducted in 2015 and the Period 2 audit will be completed in 2019 with the finalisation of this report. See section 3 – COA-05 – 1.	See section 3 – COA-05 – 1 for the detailed assessments of the evidence.	Review evidence to confirm that an independent audit was conducted for each Period	Compliant

Criterion 5.2		<i>The auditor's report for each Period must be submitted to the Minister within 6 months of the end of the period to which the report applies.</i>		
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
5.2.1 The auditor's report for Period 1 must be submitted to the Minister by no later than 30 June 2015	The ANO assessed Defence as non-compliant with this requirement. Defence submitted the auditor's report for approval on 23 November, which is outside the requirement of no later than 30 June. See section 3 – COA-05 – 2.	See section 3 – COA-05 – 2 for the detailed assessments of the evidence.	Review evidence to confirm that the auditor's report was submitted to the Minister by no later than 30 June 2015	Non-compliant
5.2.2 The auditor's report for Period 2 must be submitted to the Minister by no later than 30 June 2019	While this requirement technically falls outside of the Period 2 audit period of 1 January 2015 to 31 December 2018, the auditor's report was not available before 30 June 2019. See section 3 – COA-05 – 2.	See section 3 – COA-05 – 2 for the detailed assessments of the evidence.	Review evidence to confirm that the auditor's report was submitted to the Minister by no later than 30 June 2019	Non-compliant

Criterion 5.3		<i>The auditor's report must be published on the web site of the person taking the action within 3 months of the report being submitted to the Minister.</i>		
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
5.3.1 The auditor's report for Period 1 must be published on the web site of the person taking the action within 3 months of the report being submitted to the Minister	Defence could not substantiate the date when it published the ANO Review on its website. Compliance with this element of the Condition could therefore not be determined. See section 3 – COA-05 – 3.	See section 3 – COA-05 – 3 for the detailed assessments of the evidence.	Review evidence to confirm that the auditor's report for Period 1 was published on the web site of the person taking the action within 3 months of the report being submitted to the Minister	Undetermined
5.3.2 The auditor's report for Period 2 must be published on the web site of the person taking the action within 3 months of the report being submitted to the Minister	This requirement falls outside of the Period 2 audit period so could not be assessed.	Not assessed.	Review evidence to confirm that the auditor's report for Period 2 was published on the web site of the person taking the action within 3 months of the report being submitted to the Minister	Not applicable

Criterion 5.4		<i>The independent auditor for each Period must be approved prior to commencement of the audit.</i>		
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
5.4.1 The independent auditor for Period 1 must be approved prior to commencement of the audit	The Department of Environment approved the ANO to conduct the Period 1 audit. See section 3 – COA-05 – 4	A copy of the approval is included in the Period 1 audit report dated 12 August 2015. See section 3 – COA-05 – 4.	Review evidence to confirm that the independent auditor was approved prior to commencement of the Period 1 audit	Compliant
5.4.2 The independent auditor for Period 2 must be approved prior to commencement of the audit	The Department of the Environment and Energy approved the ANO to conduct the Period 2 audit. See section 3 – COA-05 – 4 and Attachment 1.	A copy of the approval is included in this audit report at Attachment 1. See section 3 – COA-05 – 4.	Review evidence to confirm that the independent auditor was approved prior to commencement of the Period 2 audit	Compliant

EPBC Approval Condition Number 6	The person taking the action must publish on their web site all plans and strategies within 3 months of each plan or strategy being approved .			
<i>Criterion 6.1</i>	The person taking the action must publish on their web site all plans and strategies within 3 months of each plan or strategy being approved.			
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
6.1.1 The person taking the action must publish each version of the Noise Management Plan on their web site within 3 months of the Plan being approved	The Plan was revised once in the audit period. V3.0 of the Plan was approved on 4 April 2016. Defence could not substantiate the date when V3.0 was published, so compliance with this element of the Condition could not be determined. Further, while V3.0 remained the current approved Plan, it was removed from the website and replaced by a V4.0 of the Plan that had not yet been approved by the Minister. For this reason, the ANO assessed that Defence was not compliant with the intent of this requirement, being that the approved Plan be available at all times from (at latest) three months after approval until a new version is approved. See section 3 – COA-06.	See section 3 – COA-06 – 01 for the detailed assessments made.	Review evidence to confirm the approved date and the date of web site publication of each version of the Noise Management Plan	Non-compliant

Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
6.1.2 The person taking the action must publish each version of the Noise Monitoring and Complaints Handling Strategy on their web site within 3 months of the Strategy being approved	The Strategy was available on the website from the start of the Period 2 audit period. No revised Strategy was approved during the Period 2 audit period. However, minor changes were made in the revision that led to V1.1 being published. Noting that the intent of the requirement is for the approved strategy to be available to the public – and noting that the strategy itself is unmodified, except administratively to enhance clarity and accuracy – the ANO considers that Defence has complied with the intent of this requirement, even though V1.0 was replaced by V1.1.	See section 3 – COA-06 for the detailed assessments made.	Review evidence to confirm the approved date and the date of web site publication of each version of the Noise Monitoring and Complaints Handling Strategy	Compliant
6.1.3 The person taking the action must publish each version of the Noise Mitigation and Complaint Resolution Strategy on their web site within 3 months of the Strategy being approved	The Strategy was available on the website from the start of the Period 2 audit period. No revised Strategy was approved during the Period 2 audit period. However, minor changes were made in the revision that led to V1.1, being published. Noting that the intent of the requirement is for the approved strategy to be available to the public – and noting that the strategy itself is unmodified, except administratively to enhance clarity and accuracy – the ANO considers that Defence has complied with the intent of this requirement, even though V1.0 was replaced by V1.1.	See section 3 – COA-06 for the detailed assessments made.	Review evidence to confirm the approved date and the date of web site publication of each version of the Noise Mitigation and Complaint Resolution Strategy	Compliant

EPBC Approval Condition Number 7	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species and communities (s18& s18A) to do so, the Minister may request that the person taking the action make specified revisions to the management plans specified in the conditions and submit the revised management plans for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plans must be implemented. Unless the Minister has approved the revised management plans then the person taking the action must continue to implement the management plans originally approved, as specified in the conditions.			
<i>Criterion 7.1</i>	<i>The person taking the action must comply with any request from the Minister that the person taking the action make specified revisions to the management plans specified in the conditions.</i>			
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
7.1.1 The person taking the action must comply with any request from the Minister to make specified revisions to the Noise Management Plan	No requests were made by the Minister (or delegate) to Defence to make specific revisions to this Plan. Therefore the requirement has not been triggered. See section 3 – COA-07 – 1.	Not applicable.	Review evidence to confirm that the Noise Management Plan was revised to comply with any request from the Minister to make specified revisions	Not applicable
7.1.2 The person taking the action must comply with any request from the Minister to make specified revisions to the Noise Monitoring and Complaints Handling Strategy	No requests were made by the Minister (or delegate) to Defence to make specific revisions to this Strategy. Therefore the requirement has not been triggered. See section 3 – COA-07 – 1.	Not applicable.	Review evidence to confirm that the Noise Monitoring and Complaints Handling Strategy was revised to comply with any request from the Minister to make specified revisions	Not applicable

Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
7.1.3 The person taking the action must comply with any request from the Minister to make specified revisions to the Noise Mitigation and Complaint Resolution Strategy	No requests were made by the Minister (or delegate) to Defence to make specific revisions to this Strategy. Therefore the requirement has not been triggered. See section 3 – COA-07 – 1.	Not applicable.	Review evidence to confirm that the Noise Mitigation and Complaint Resolution Strategy was revised to comply with any request from the Minister to make specified revisions	Not applicable
<i>Criterion 7.2</i>	<i>The revised approved management plans must be implemented. Unless the Minister has approved the revised management plans then the person taking the action must continue to implement the management plans originally approved, as specified in the conditions.</i>			
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
7.2.1 The approved revised Noise Management Plan must be implemented in relation to each requirement outlined in that Plan, until such time as any revised version of the Plan is approved, from which time the requirements of the current Plan must be implemented, and so on thereafter for any subsequent approved versions of the Plan	See comments in Indicator 1.4.1.	See comments in Indicator 1.4.1.	This will be verified as part of the verification of Indicator 1.4.1	Compliant

Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
7.2.2 The approved revised Noise Monitoring and Complaints Handling Strategy must be implemented in relation to each requirement outlined in that Strategy, until such time as any revised version of the Strategy is approved, from which time the requirements of the current Strategy must be implemented, and so on thereafter for any subsequent approved versions of the Strategy	See comments in Indicator 2.1.1.	See comments in Indicator 2.1.1.	This will be verified as part of the verification of Indicator 2.1.1	Compliant
7.2.3 The approved revised Noise Mitigation and Complaint Resolution Strategy must be implemented in relation to each requirement outlined in that Strategy, until such time as any revised version of the Strategy is approved, from which time the requirements of the current Strategy must be implemented, and so on thereafter for any subsequent approved versions of the Strategy	See comments in Indicator 3.1.1.	See comments in Indicator 3.1.1.	This will be verified as part of the verification of Indicator 3.1.1	Compliant

EPBC Approval Condition Number 8	If the person taking the action wishes to carry out any activity otherwise than in accordance with the management plans as specified in the conditions, the person taking the action must submit for the Minister's written approval a revised version of that management plan. The varied activity shall not commence until the Minister has approved the varied management plan/s in writing. The Minister will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised management plan, that management plan must be implemented in place of the management plan originally approved.			
<i>Criterion 8.1</i>	If the person taking the action wishes to carry out any activity otherwise than in accordance with the management plans as specified in the conditions, the person taking the action must submit for the Minister's written approval a revised version of that management plan.			
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
8.1.1 If the person taking the action wishes to carry out any activity otherwise than in accordance with the Noise Management Plan, the person taking the action must submit for the Minister's written approval a revised version of the Noise Management Plan	Defence revised the Plan V2.1 and sought approval for V3.0, which was granted. It subsequently submitted V4.0 for the Minister's approval, in line with this requirement when other changes had been identified. While Defence technically met this requirement, it is noted that Defence subsequently failed to provide additional requested information to the Department of the Environment and Energy and so the submission was not effective and required additional supporting information. The ANO assessed Defence as non-compliant with the intent of this requirement.	See section 3 – COA-08 of this audit report for more details on the assessment made.	Review evidence to confirm that a revised version of the Noise Management Plan was submitted for the Minister's written approval, outlining any activity to be carried out otherwise than in accordance with the current Noise Management Plan	Non-compliant

Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
8.1.2 If the person taking the action wishes to carry out any activity otherwise than in accordance with the Noise Monitoring and Complaints Handling Strategy, the person taking the action must submit for the Minister's written approval a revised version of the Noise Monitoring and Complaints Handling Strategy	It was identified that Defence was wishing to carry out an activity otherwise than in accordance with the approved Strategy. Consequently, the ANO assessed this requirement as not having been triggered.	Not applicable.	Review evidence to confirm that a revised version of the Noise Monitoring and Complaints Handling Strategy was submitted for the Minister's written approval, outlining any activity to be carried out otherwise than in accordance with the current Noise Monitoring and Complaints Handling Strategy	Not applicable
8.1.3 If the person taking the action wishes to carry out any activity otherwise than in accordance with the Noise Mitigation and Complaint Resolution Strategy, the person taking the action must submit for the Minister's written approval a revised version of the Noise Mitigation and Complaint Resolution Strategy	It was identified that Defence was wishing to carry out an activity otherwise than in accordance with the approved Strategy. Consequently, the ANO assessed this requirement as not having been triggered.	Not applicable.	Review evidence to confirm that a revised version of the Noise Mitigation and Complaint Resolution Strategy was submitted for the Minister's written approval, outlining any activity to be carried out otherwise than in accordance with the current Noise Mitigation and Complaint Resolution Strategy	Not applicable

Criterion 8.2		<i>The varied activity shall not commence until the Minister has approved the varied management plan/s in writing.</i>		
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
8.2.1 The varied activity shall not commence until the Minister has approved the varied Noise Management Plan in writing	It was identified that Defence carried out activities in line with the not approved Noise Management Plan. This activity was intended to achieve an improved noise outcome for residents near RAAF Base Amberley. However, by commencing the activity prior to obtaining the Minister's approval for the activity, Defence was assessed as non-compliant with this requirement.	See section 3 – COA-08 of this audit report for more details on the assessment made.	Review evidence to confirm that the varied activity did not commence until after the Minister had approved any variation to the Noise Management Plan in writing	Non-compliant
8.2.2 The varied activity shall not commence until the Minister has approved the varied Noise Monitoring and Complaints Handling Strategy in writing	It was identified that Defence was not carrying out an activity otherwise than in accordance with the approved Strategy. Consequently, the ANO assessed this requirement as not having been triggered.	Not applicable.	Review evidence to confirm that the varied activity did not commence until after the Minister had approved any variation to the Noise Monitoring and Complaints Handling Strategy in writing	Not applicable

Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
8.2.3 The varied activity shall not commence until the Minister has approved the varied Noise Mitigation and Complaint Resolution Strategy in writing	It was identified that Defence was not carrying out an activity otherwise than in accordance with the approved Strategy. Consequently, the ANO assessed this requirement as not having been triggered.	Not applicable.	Review evidence to confirm that the varied activity did not commence until after the Minister had approved any variation to the Noise Mitigation and Complaint Resolution Strategy in writing	Not applicable
<i>Criterion 8.3</i>	<i>If the Minister approves the revised management plan, that management plan must be implemented in place of the management plan originally approved.</i>			
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
8.3.1 If the Minister approves the revised Noise Management Plan, that Plan must be implemented in place of the Plan originally approved	See comments in Indicator 1.4.1.	See comments in Indicator 1.4.1.	This will be verified as part of the verification of Indicator 1.4.1	Compliant
8.3.2 If the Minister approves the revised Noise Monitoring and Complaints Handling Strategy, that Strategy must be implemented in place of the Strategy originally approved	See comments in Indicator 2.1.1.	See comments in Indicator 2.1.1.	This will be verified as part of the verification of Indicator 2.1.1	Compliant

Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
8.3.2 If the Minister approves the revised Noise Mitigation and Complaint Resolution Strategy, that Strategy must be implemented in place of the Strategy originally approved	See comments in Indicator 3.1.1.	See comments in Indicator 3.1.1.	This will be verified as part of the verification of Indicator 3.1.1	Compliant

EPBC Approval Condition Number 9	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the Conditions of Approval, including measures taken to implement the management plans required by this approval, and make them available upon request to the Department . Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the Conditions of Approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.			
<i>Criterion 9.1</i>	<i>The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the Conditions of Approval.</i>			
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
9.1.1 The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the Conditions of Approval	Defence has not maintained complete and accurate records in several instances. This means that the ANO has assessed Defence as non-compliant with this requirement. See section 3 – COA-09 – 1.	Key records, such as website publication dates and its performance against some of the components of requirements of the Noise Management Plan. See section 3 – COA-09 - 1	Review accuracy of records substantiating all activities associated with or relevant to the Conditions of Approval	Non-compliant

Criterion 9.2		<i>The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the measures taken to implement the management plans required by this approval.</i>		
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
9.2.1 The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the Noise Management Plan	In several instances, including demonstrating website publication dates and its performance against some of the components of requirements of the Noise Management Plan, Defence was not able to substantiate its activities associated with or relevant to the Plan.	See section 3 – COA-09 – 1 and section 4 of this audit report for assessments made and comments on record completeness and accuracy.	Review the accuracy of records substantiating all activities associated with or relevant to the Noise Management Plan	Non-compliant
9.2.2 The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the Noise Monitoring and Complaints Handling Strategy	In several instances, including demonstrating website publication dates, Defence was not able to substantiate its activities associated with or relevant to the Strategy.	See section 3 – COA-09 – 1 and section 5 of this audit report for assessments made and comments on record completeness and accuracy.	Review the accuracy of records substantiating all activities associated with or relevant to the Noise Monitoring and Complaints Handling Strategy	Non-compliant
9.2.3 The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the Noise Mitigation and Complaint Resolution Strategy	In several instances, including demonstrating website publication dates, Defence was not able to substantiate its activities associated with or relevant to the Strategy.	See section 3 – COA-09 – 1 and section 6 of this audit report for assessments made and comments on record completeness and accuracy.	Review accuracy of records substantiating all activities associated with or relevant to the Noise Mitigation and Complaint Resolution Strategy	Non-compliant

Criterion 9.3		<i>The person taking the action must make records available upon request by the Department.</i>		
Indicator	Independent Auditor Comments	Measurements made	Verification Method	Compliance Finding
9.3.1 The person taking the action must make records available upon request by the Department	The ANO checked with the Department of the Environment and Energy and was advised: <i>“EPBC Compliance Monitoring Section conducted compliance monitoring inspection on 24 August 2016 against the conditions of approval. Nothing was noted as an issue.”</i>	Independent advice from the Department of the Environment and Energy. See section 3 – COA-09	Review evidence that records were made available upon request by the Department	Compliant

COA-01

Condition:

The person taking the action must implement the **approved** Australian Super Hornet Noise Management Plan.

The **approved** Australian Super Hornet Noise Management Plan must be revised to address any issues identified in the:

- a. Noise Monitoring Program, as outlined in the **approved** Noise Monitoring and Complaints Handling Strategy (condition 2); and
- b. Period 1 Independent Audit of Compliance with the Conditions of Approval (condition 5).

The revised Australia Super Hornet Noise Management Plan must be submitted to the **Minister** for approval by 31 December 2015. The **approved** revised Australian Super Hornet Noise Management Plan must be implemented in place of the Australian Super Hornet Noise Management Plan previously **approved**.

Audit validation, testing, assessment and supporting documentation:

This condition comprises four components:

1. *The person taking the action must revise its Noise Management Plan for Australian Super Hornet Flying Operations at RAAF Base Amberley to address any issues identified in the Noise Monitoring Program, as outlined in the approved Noise Monitoring and Complaints Handling Strategy (condition 2).*

Issues identified through noise monitoring and reporting over time are addressed by Defence in V3.0, where it takes a holistic approach to noise management for all fast-jets, revises its target movement numbers and ensures that total noise exposure, despite the different mix of activity to what was originally foreshadowed in the Public Environment Report (PER), is still managed effectively and within forecasts when taken as a whole. It is clear about the changes that have arisen over time and the steps Defence continues to take in effectively managing these changes to ensure effective noise management in line with or better than the original forecasts of the PER. This work is comprehensively documented in the section headed "Rationale for Changes to the Extant NMP" within V3.0 of the Plan.

The ANO has assessed Defence as compliant with this component of the Condition.

2. *The person taking the action must revise its Noise Management Plan for Australian Super Hornet Flying Operations at RAAF Base Amberley to address any issues identified in Period 1 Independent Audit of Compliance with the Conditions of Approval (condition 5).*

Issues identified in the Period 1 audit were reflected in recommendations and improvement suggestions made by the ANO in the audit report dated 12 August 2015. Defence's response to the recommendations and the specific issues that affected the NMP are documented in the section headed "Rationale for Changes to the Extant NMP" and in Annex B within V3.0 of the Plan. In addition, the ANO's assessment of Defence's response on each recommendation, following the consideration of evidence is also documented in ANO Quarterly Reports, published at www.ano.gov.au, a summary of which is provided at **Attachment 2** of this audit report.

The ANO has assessed Defence as compliant with this component of the Condition.

3. *The revised Noise Management Plan must be submitted to the Minister for approval by 31 December 2015.*

The ANO notes Defence submitted V3.0 of the NMP to the then Department of the Environment (DoE) on 15 December 2015 for the consideration and approval of the Minister. This is documented in the approval letter from DoE advising of the Plan's approval effective 4 April 2016.

The ANO has assessed Defence as compliant with this component of the Condition.

4. *The approved revised Noise Management Plan must be implemented.*

The ANO considers the intent of this component of the Condition is that Defence must implement whatever is the current approved version of the Plan until such time as a new Plan is approved, after which that new Plan must be implemented. There were two approved versions of the Noise Management Plan that were current during the Audit 2 audit period:

- a. V2.1 was current from the start of the audit period, 1 January 2015, until V3.0 was approved by the Minister on 4 April 2016.
- b. V3.0 was current from 4 April 2016 until beyond the end of the audit period, 31 December 2018.

V3.0 represents the version of the Plan that was in effect for the majority of the audit period and was the version created to, among other things, address the recommendations identified in the Period 1 audit. For this reason, in this Period 2 audit, the ANO has assessed Defence's compliance with requirements of the Noise Management Plan V3.0.

The ANO found through this audit that 20 of a total 27 assessed requirements were compliant, four were non-compliant, one not applicable and two requirements were classified as undetermined due to a lack of evidence to establish a definitive finding. The detailed assessment and findings for each of the requirements in the Noise Management Plan are documented in **Section 4** and summarised in the table below.

	Compliant	Non-compliant	Not applicable	Undetermined	Total
V3.0	20	4	1	2	27

The ANO considers that while Defence has generally complied with the intent of the Noise Management Plan V3.0, four aspects would benefit from improvement and these are addressed by the recommendations outlined in **Section 4**. The ANO notes that, although Defence undertook activities that did not technically comply with the approved Plan, there is evidence that these were in line with the 'not approved' version 4.0 of the Noise Management Plan and that these activities were intended to reduce noise impacts for communities surrounding RAAF Base Amberley. On this basis, the ANO considers that these activities have not resulted in any negative outcomes for the environment.

The ANO assesses Defence as compliant overall with this Condition.

Finding:

Compliant

COA-02

Condition:

The person taking the action must implement the **approved** Noise Monitoring and Complaints Handling Strategy.

Audit validation, testing, assessment and supporting documentation:

During the Period 2 audit period, Defence had one approved version of the Noise Monitoring and Complaints Handling Strategy, V1.0. Further, following an annual review, Defence published an update to this Strategy, V1.1, approved internally within Defence on 22 Sep 2016. This latter version was never submitted for Ministerial approval and so the requirements against which this audit assessed compliance are those defined in the approved V1.0.

The ANO found through this audit that fifteen of a total of eighteen assessed requirements were compliant. The detailed assessment and findings are recorded in **Section 5** and summarised in the table below.

	Compliant	Non-compliant	Not applicable	Undetermined	Total
V1.0	15	3	0	0	18

The ANO notes that the differences from V1.0 to V1.1 of the Strategy are largely clarification of administrative arrangements to support the same objectives, with some changes made to address the recommendations and improvement suggestions from the Period 1 audit.

The ANO considers that while Defence has generally complied with the Noise Monitoring and Complaints Handling Strategy, versions V1.0 and V1.1, three aspects would benefit from improvement and these are addressed by the recommendations outlined in **Section 5**.

Finding:

Compliant

COA-03

Condition:

The person taking the action must implement the **approved** Australian Super Hornet Noise Mitigation and Complaint Resolution Strategy.

Audit validation, testing, assessment and supporting documentation:

During the audit period, Defence had one approved version of the Noise Mitigation and Complaint Resolution Strategy, V1.0. Further, following an annual review, Defence published an update to this Strategy, V1.1, approved internally within Defence on 22 Sep 2016. This latter version was never submitted for Ministerial approval and so the requirements against which this audit assessed compliance are those defined in the approved V1.0. However, the ANO notes that the differences from V1.0 to V1.1 of the Strategy are largely clarification of administrative arrangements to support the same objectives, with some changes made to address the recommendations and improvement suggestions from the Period 1 audit.

The ANO found through this audit that four of a total of nine requirements were met, three were not applicable and two were found to be non-compliant. The detailed assessment and findings are recorded in **Section 6** and summarised below.

	Compliant	Non-compliant	Not applicable	Undetermined	Total
V1.0	4	2	3	0	9

The ANO considers that while Defence has generally complied with the Noise Management and Complaint Resolution Strategy, two aspects would benefit from improvement and these are addressed by the recommendations outlined in **Section 6**.

Finding:

Compliant

COA-04

Condition:

The person taking the action must implement the **approved** Air Quality Monitoring Plan.

Audit validation, testing, assessment and supporting documentation:

Outside the approved Criteria and Methodology for the ANO's audit – to be dealt with by Umwelt and Defence.

COA-05

Condition:

The person taking the action must ensure that an Independent Audit of Compliance with the Conditions of Approval, including implementation of the requirements of **approved** plans, is conducted for each of the following periods.

- a. Period 1: from the date of the approval to 31 December 2014;
- b. Period 2: from 1 January 2015 to 31 December 2018.

Each auditor's report must be submitted to the **Minister** within 6 months of the end of the period to which the report applies. Each auditor's report must be published on the web site of the person taking the action within 3 months of the report being submitted to the **Minister**.

The independent auditor must be **approved** prior to commencement of each audit.

Audit validation, testing, assessment and supporting documentation:

This condition has four components:

1. *Defence must engage an approved auditor to conduct an independent audit of compliance with the Conditions of Approval for each of the defined periods.*
 - a. For period 1 (from the date of the approval to 31 December 2014), the Department of the Environment and Energy (DoEE) approved the ANO to conduct the audit (see Attachment 1 of the Period 1 audit report dated 12 August 2015), and the audit was completed. Defence was therefore compliant with this element of the Condition.
 - b. A second audit for the period from 1 January 2015 to 31 December 2018. Defence has initiated this Period 2 audit, the DoEE approved the ANO to conduct the audit (see Attachment 1) and the audit is completed with the finalisation of this report. Defence is therefore compliant with this element of the Condition.

In each period, the audit specifically assessed implementation of each requirement within the approved Noise Management Plan, Noise Mitigation and Complaint Resolution Strategy, and Noise Monitoring and Complaints Handling Strategy. The ANO considers Defence was therefore compliant with this element of the Condition.

2. *The auditor's report for each Period must be submitted to the Minister within 6 months of the end of the period to which the report applies.*

The report for the Period 1 audit was submitted for approval by the Minister on 23 November 2015. The auditor's report for Period 2 was also not finalised within the six months requirement. The ANO considers Defence was therefore not compliant with this element of the Condition for either period.

3. *The auditor's report must be published on the Defence website within three months of the report being submitted to the Minister.*

Defence does not have records that substantiate the timing of its website publication of the report. An email from Defence to the ANO office on 23 November 2015 indicates an expectation of the report being published on the Defence website within "a week or so". While the ANO considers it highly likely that publication occurred in the required timeframe, the lack of records to confirm this means it is not possible to determine with certainty Defence's compliance with this component of the Condition.

4. *The independent auditor must be approved prior to commencement of each audit.*

- a. The then Department of the Environment approved the ANO to conduct the Period 1 audit prior to the audit commencing. A copy of the approval is included in the Period 1 audit report dated 12 August 2015.
- b. The DoEE approved the ANO to conduct the Period 2 audit – see Attachment 1 of this audit report – prior to the audit commencing.

Overall, the ANO considers that Defence demonstrated compliance with this condition, although later than the required timeframe. The matter of record keeping is addressed in the assessment of COA-09 and recommendation 2.

Finding:

Compliant

COA-06

Condition:

The person taking the action must publish on their web site all plans and strategies within 3 months of each plan or strategy being **approved**.

Audit validation, testing, assessment and supporting documentation:

This Condition requires that all plans and strategies be published within three months of each plan or strategy being **approved**. At the start of the Period 2 audit period, the Noise Management Plan (V2.1), Noise Monitoring and Complaints Handling Strategy (V1.0) and Noise Mitigation and Complaint Resolution Strategy (V1.0) were the approved versions and were each available on the Defence website.

Of these, only the Noise Management Plan was revised and approved in the Period 2 audit period. V3.0 of the Plan was approved on 4 April 2016. Defence was not able to provide records for exactly when the revised Plan published so it is not possible to determine if this occurred within the required three months. The ANO therefore assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the Condition. Recommendation 2 in COA-09 addresses Defence's record management practices to ensure it can demonstrate its compliance with the Conditions of Approval.

However, it might be reasonably inferred that the intent of the Condition, although not explicitly stated, was that the current approved Plan and Strategies would remain available on the website at least until such time as a revised plan or strategy was approved. The ANO reviewed the Defence website and found that none of the current approved versions of the Noise Management Plan (V3.0), Noise Monitoring and Complaints Handling Strategy (V1.0) and Noise Mitigation and Complaint Resolution Strategy (V1.0) remained available on the Defence website for the entire Period 2 audit period.

This arose because Defence revised its Plan and Strategies during the Period 2 audit period, but did not obtain Ministerial approval for these revised versions. Although approved internally within Defence, no explanation or context was provided to indicate that these versions were not yet approved by the Environment Minister as required by the Conditions of Approval. There was no indication for the public to recognise that these versions were in fact different to the version of the Plan or Strategies that were the Ministerially approved versions, although it is acknowledged that the changes to the Strategies were only administrative in nature and there is a note within the Amendment Certificate of the Noise Monitoring and Complaints Handling Strategy that reads:

All changes in Version 1.1 of this plan are administrative in nature and do not change the methods or strategies originally approved by the Department of Environment to monitor aircraft noise and administer noise complaints. Accordingly, approval of this plan by the Department of Environment is not required.

While this note goes some way to clarify the matter in the case of this one Strategy, there is no such clarification provided in the Noise Management Plan or the Noise Mitigation and Complaint Resolution Strategy.

For the reasons outlined above, the ANO has assessed Defence as non-compliant with the intent of this Condition. Recommendation 1 in COA-08 addresses Defence's need to establish robust administrative systems that ensure it obtains the required approvals.

Finding:

Non-compliant

Recommendation 1 in COA-08 and Recommendation 2 in COA-09 address the non-compliance issues identified above.

COA-07

Condition:

If the **Minister** believes that it is necessary or convenient for the better protection of listed threatened species and communities (s18 & s18A) to do so, the **Minister** may request that the person taking the action make specified revisions to the management plans specified in the conditions and submit the revised management plans for the **Minister's** written approval. The person taking the action must comply with any such request. The revised approved management plans must be implemented. Unless the **Minister** has approved the revised management plans then the person taking the action must continue to implement the management plans originally approved, as specified in the conditions.

Audit validation, testing, assessment and supporting documentation:

This condition has two components:

1. *The person taking the action must comply with any request from the Minister that the person taking the action make specified revisions to the management plans specified in the conditions.*

During the audit, the ANO sought advice from the Department of Environment and Energy about whether, for the period from 1 January 2015 to 31 December 2018, the Minister (or a delegate) has made any requests for specific revisions to the management plans specified in the Conditions of Approval that the Minister believed were necessary or desirable for the better protection of the environment. The Department advised that *"No request has been made by the Minister"*. On this basis this first component of this Condition is considered by the ANO to be 'not applicable'.

2. *The revised approved management plans must be implemented. Unless the Minister has approved the revised management plans then the person taking the action must continue to implement the management plans originally approved, as specified in the conditions.*

As there has been no revised plan in response to a request from the Minister, this component is assessed as 'not applicable'. Further, the implied requirement that, unless the Minister has approved a revised management plan, then Defence must continue to implement the originally approved management plan is assessed by the ANO to have not been complied with by Defence.

As the identified non-compliance in the second component is addressed in the assessments made for each plan and strategy in the following sections and Recommendation 1 in COA-08 addresses Defence's need to establish robust administrative systems that ensure it obtains the required approvals, the ANO has made the overall finding for this Condition 'not applicable'.

Finding:

Not applicable

COA-08

Condition:

If the person taking the action wishes to carry out any activity otherwise than in accordance with the management plans as specified in the conditions, the person taking the action must submit for the **Minister's** written approval a revised version of that management plan. The varied activity shall not commence until the **Minister** has approved the varied management plan/s in writing. The **Minister** will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time. If the **Minister** approves the revised management plan, that management plan must be implemented in place of the management plan originally approved.

Audit validation, testing, assessment and supporting documentation:

During this audit, the ANO noted that on 9 December 2016 a revised version of the Noise Management Plan (V4.0) was internally approved by Defence and submitted for Ministerial approval to the Department of the Environment and Energy (DoEE) on 23 December 2016. Records indicate that DoEE staff requested more information for the purpose of considering the revised Plan and that this further information had not been provided until after the end of the audit period (31 December 2018). The revised Plan (V4.0) was not approved during the Period 2 audit period.

Despite not being approved by the Minister, the revised Plan (V4.0) was adopted in practice by Defence who published it on the Defence website. Defence was not able to provide records for exactly when V4.0 was published. Further, from around that same time, Defence undertook the changed practices identified in V4.0, such as changes to recovery profiles to improve noise impacts to the west and north-west of Amberley when flying instrument recoveries, and new requirements for departures to reduce noise impacts in various residential areas. While this activity reflects an improved noise management practice that reduced noise impacts for residents, and which is in keeping with the intent of the Conditions of Approval and Defence's public commitments to minimise noise impacts where practicable, Defence was technically carrying out an activity otherwise than in accordance with the approved Noise Management Plan. For this reason, the ANO considers Defence was non-compliant with this condition for part of the audit period.

Likewise, internal revisions of the two strategies (Noise Monitoring and Complaints Handling Strategy and Noise Mitigation and Complaint Resolution Strategy) were approved on 22 September 2016 and made available on the Defence website, replacing the approved versions. For these documents also, Defence was not able to provide records for exactly when the updated strategies were published. Defence indicated that it never intended to have these strategy revisions approved by the Minister as they were minor administrative changes. It is noted that the Amendment Certificate of the Noise Monitoring and Complaints Handling Strategy that reads:

All changes in Version 1.1 of this plan are administrative in nature and do not change the methods or strategies originally approved by the Department of Environment to monitor aircraft noise and administer noise complaints. Accordingly, approval of this plan by the Department of Environment is not required.

While Defence did not seek confirmation from DoEE on this approach, the naming of the versions as V1.1, rather than as a fully new version, further identified that the incorporated changes were deemed by Defence to not constitute a full revision of the methods or strategy such as would warrant re-approval.

The ANO considers that the changes to these strategies were largely of an editorial nature and did not in essence reflect a change of practice. There is no evidence that Defence carried out an activity otherwise than in accordance with the approved strategies. For this reason, the ANO assessed Defence as compliant with this Condition in relation to the requirements of the two strategies.

However, given the above non-compliance in relation to the Noise Management Plan, the ANO assessed Defence as non-compliant overall with this Condition

Finding:

Non-Compliant

Recommendation 1: Defence should establish robust administrative systems that ensure it obtains the required approvals for changes to its activities prior to implementing those changes. These systems should ensure annual reviews are conducted that would enable the identification and early rectification of any non-compliances.

COA-09

Condition:

The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the Conditions of Approval, including measures taken to implement the management plans required by this approval, and make them available upon request to the **Department**. Such records may be subject to audit by the **Department** or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the Conditions of Approval. Summaries of audits will be posted on the **Department's** website. The results of audits may also be publicised through the general media.

Audit validation, testing, assessment and supporting documentation:

There are a number of components in this condition:

1. *Defence must maintain accurate records substantiating all activities associated with or relevant to the Conditions of Approval, including measures taken to implement the management plans required by this approval.*

During this audit, Defence provided a significant number of records that substantiated their activities associated with the Conditions of Approval. However, there were some instances where Defence was not able to provide records to substantiate website publication dates and its performance against some of the components of requirements of the Noise Management Plan.

Record-keeping deficiencies were identified in the Period 1 audit and a recommendation was made at that time by the ANO. The recommendation was accepted and closed following Defence's provision of evidence that it had implemented a number of systems for improved records management. Unfortunately it appears that these systems were not maintained effectively as similar issues have been identified in the Period 2 audit.

Public accountability for compliance with the Conditions of Approval is an important aspect of the EPBC Act, and was given specific attention in this Condition. Defence's ongoing failure to maintain complete and accurate records to account for its activities means that the ANO has assessed Defence as non-compliant with this component of this Condition.

2. *Defence shall make records available upon request by the Department.*

The ANO checked with the Department of the Environment and Energy (DoEE) and was advised that no request for records was made during the Period 2 audit period.

3. *Records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act and summaries of audits will be posted on the Department's website.*

The ANO checked with the DoEE and was advised:

"EPBC Compliance Monitoring Section conducted compliance monitoring inspection on 24 August 2016 against the conditions of approval. Nothing was noted as an issue."

Given the above summary of findings, the ANO considers that Defence was non-compliant with the first component of the Condition, the second component of this Condition was assessed as 'not applicable' and Defence was compliant with the third component of the Condition. Taken as a whole, the ANO has assessed Defence as non-compliant.

Finding:

Non-compliant

	Recommendation 2: Defence should re-instate or adopt new or additional record management practices to ensure it can demonstrate its compliance with the Conditions of Approval and the requirements of the plans and strategies required by these Conditions.
--	--

4 Noise Management Plan

Background to the Noise Management Plan

- 4.1 Condition 1 of the Conditions of Approval requires that Defence implement the approved Australian Super Hornet Noise Management Plan. The first version of the Noise Management Plan was approved on 9 March 2010 as part of the Ministerial approval of the Conditions of Approval. Version 2 was subsequently approved two weeks later to incorporate some minor changes requested by the then Department of the Environment. Following an annual review, the Noise Management Plan was updated to reflect a change to departure flight paths, which was approved by the Environment Minister's delegate on 29 April 2014 as version 2.1.
- 4.2 V2.1 was the current approved version of the Plan at the start of the Period 2 audit period, 1 January 2015. On 15 December 2015, Defence submitted a revised version of the Plan, V3.0, for Ministerial approval, that:
- Incorporated required changes evident after five years of Air Force operational experience and data analysis
 - Considered recommendations from the Compliance Report by the Aircraft Noise Ombudsman conducted in August 2015.
- 4.3 V3.0 was approved with effect from 4 April 2016. It remained the current approved version from this date until beyond the end of the Period 2 audit period (31 December 2018).
- 4.4 Defence advised that a further revised version of the Plan, V4.0, was initially submitted to the Department of the Environment and Energy (DoEE) for Ministerial approval on 23 December 2016. However, the Department requested additional information and explanation about what had been changed and why the changes were required before it would be progressed for consideration and possible approval. It was discovered during this audit that V4.0 of the Plan was not re-submitted for approval during the Period 2 audit period.

Compliance with the Noise Management Plan

- 4.5 In the Period 1 audit, Defence's compliance with the requirements of the Noise Management Plan V2.1 was assessed. In the report dated 12 August 2015, the ANO considered that Defence had generally complied with the intent of the Noise Management Plan V2.1, although some areas would benefit from improvement. The ANO made twelve recommendations and two improvement suggestions, and reported on Defence's actions to address the recommendations in subsequent Quarterly Reports, all of which are available on the ANO website: www.ano.gov.au. A summary is provided at **Attachment 2**.
- 4.6 For this Period 2 audit, V3.0 represents the version of the Plan that was in effect for the majority of the audit period and which was the version created to, among other things, address the recommendations identified in the Period 1 audit. For this reason, this audit has assessed Defence's compliance with requirements of the Noise Management Plan V3.0.

- 4.8 The following table summarises the ANO's findings in relation to Defence's compliance with the requirements of the Noise Management Plan V3.0 in the period 1 January 2015 to 31 December 2018.

	Compliant	Non-compliant	Not applicable	Undetermined	Total
Noise Management Plan V3.0	20	4	1	2	27

- 4.9 The ANO considers that Defence has generally complied with the intent of the Noise Management Plan V3.0. The ANO notes that, although Defence undertook activities that did not technically comply with the approved Plan, there is evidence that these were in line with the 'not approved' version 4.0 of the Noise Management Plan and that these activities were intended to reduce noise impacts for communities surrounding RAAF Base Amberley. On this basis, the ANO considers that these activities have not resulted in any negative outcomes for the environment.

NMP-01

Requirement:

Page 11 - The Senior ADF Officer (SADFO) – Amberley will publish and maintain on the internet, all related plans and strategies within three months of their individual Approval.

Audit validation, testing, assessment and supporting documentation:

During this audit, the ANO noted that the Noise Management Plan was revised in the Period 2 audit period twice, although only once was Ministerial approval for the revised Plan obtained. V3.0 of the Plan was approved on 4 April 2016. Defence was not able to provide records for when the updated Plan was published so it is not possible to determine if this occurred within the required three months. The ANO therefore assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the Condition.

However, it might be reasonably inferred that the intent of the Condition, although not explicitly stated, was that the current approved Plan and Strategies would remain available on the website at least until such time as a revised plan or strategy was approved. The ANO reviewed the Defence website and found that none of the current approved versions of the Noise Management Plan (V3.0), Noise Monitoring and Complaints Handling Strategy (V1.0) and Noise Mitigation and Complaint Resolution Strategy (V1.0) remained available on the Defence website for the entire period that these were in force.

This arose because Defence revised its Plan and Strategies, but did not obtain Ministerial approval for these revised versions. Despite this, Defence published these revised versions in place of the approved Plan and Strategies. Although approved internally within Defence, no explanation or context was provided to indicate that these versions were not yet approved by the Environment Minister as required by the Conditions of Approval. There was no indication for the public to recognise that there was in fact a different version of the Plan or Strategies that were the Ministerially approved versions.

For the reasons outlined above, the ANO has therefore assessed Defence as non-compliant with the intent of this requirement.

Finding:

Non-compliant

Recommendation 1 in COA-08 addresses Defence's need to establish robust administrative systems that ensure it obtains the required approvals.

Recommendation 2 in COA-09 addresses Defence's record management practices to ensure it can demonstrate its compliance with the Conditions of Approval and the requirements of the plans and strategies required by these Conditions.

NMP-02

Requirement:

Page 12 - Approximately 70% of Super Hornet flights will be conducted at RAAF Base Amberley, its Main Operating Base.¹

Audit validation, testing, assessment and supporting documentation:

The ANO notes that this requirement was changed in NMP V3.0 from what had originally been included in the 2009 Public Environment Report (PER). The intent was to reflect the experience from previous years in which the Super Hornet had deployed approximately 30% of the time since introduction to service, compared to the forecast of 40% deployed that was used as a basis for forecasting movement numbers in the 2009 Public Environment Report (PER).

In the PER, Defence anticipated a total of 4,648 Super Hornet movements per year at RAAF Base Amberley, this being 60% of the then planned annual Super Hornet flights. V3.0 of the NMP recognised that that this had been exceeded in 2014 and 2015, and re-calculated the forecast based on approximately 70% of forecast movements occurring at RAAF Base Amberley. The revised Plan also incorporated all military fast jets into the forecast movements from 2016. Table 1, Annual movement prediction from RAAF Base Amberley 2016-2019, on page 15 of the NMP V3.0, which was approved by the Environment Minister, sets out the revised forecasts.

Based on the Annual Super Hornet reports for activity in the Period 2 audit period, the number of annual Super Hornet movements at Amberley compared with the approved forecasts were:

Year	Forecast movements	Reported movements	Comparison with forecast
2015	4,648 (60%)	5,276	13.5%
2016	5,461 (70%)	5,883	7.7%
2017	6,103 (70%)	3,863	-36.7%
2018	6,695 (70%)	4,166	-37.8%

While movements were over the forecast in 2015, had the 70% applied at the time, the forecast would have been 5,423 and movements would therefore have been below this.

In 2016, movements were still above the forecast at 70%, but by less than 10%. The ANO also notes that the 2016 Annual Noise Report states:

“Although the annual movement numbers in 2016 exceeded the forecast in the 2009 Public Environment Report, the noise effect of the Super Hornet across the monitoring terminals was significantly less than forecast overall...”

The data supports the suggestion that, the noise levels of the movements were overall below the forecast PER levels.

In 2017 and 2018, movements were well below the forecasts.

¹ This requirement is replicated in both the Noise Monitoring and Complaints Handling Strategy and the Noise Mitigation and Complaints Resolution Strategy – assessment of the requirement is done only for the Noise Management Plan.

On balance, the ANO considers that Defence demonstrated compliance with the intent of this requirement of approximately 70% of flights operating at RAAF Base Amberley.

Finding:

Compliant

NMP-03

Requirement:

Page 12 and 13 - Super Hornet operations will be conducted on Runway 15/33. Runway 04/22 will only be used by Super Hornet in exceptional circumstances, such as in an emergency, or when Runway 15/33 is obstructed.²

Audit validation, testing, assessment and supporting documentation:

The ANO reviewed the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) to check that all Super Hornet operations were conducted on Runway 15/33.

The ANO noted that one paired arrival to runway 22 was reported as having occurred on 18 August 2017 at 12:12:08 PM. There was no explanation provided in the report of the reasons for this apparently non-compliant movement or any indication that relevant public consultation had occurred. In response to questions about this during the conduct of this audit, Defence advised that this movement had been determined to not be a Super Hornet movement, but was related to another type of Military Fast Jet.

Further, the report refers to a "separate summary document *2017 ASH Annual Noise Report – Data Extract*". When the ANO sought a copy of this document, Defence advised that it cannot be made public because it contains records of all Military Fast Jets movements, including those of foreign visiting forces. The ANO reviewed the data and verified that the movement on 18 August 2017 was two Harrier jets.

In future reports, it would be appropriate for Defence to include a commentary about movements that are reported in such a way as to indicate non-compliance. This is particularly the case when the spreadsheet referred to as a source for additional information cannot be made available to the public.

The ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

Improvement suggestion 1: Defence should include commentary in its Annual Super Hornet Reports that explains any reported activities where compliance with the Conditions of Approval is not otherwise readily apparent from the information in the report.

² This requirement is replicated in both the Noise Monitoring and Complaints Handling Strategy and the Noise Mitigation and Complaints Resolution Strategy – assessment of the requirement is done only for the Noise Management Plan.

NMP-04

Requirement:

Page 12 - In general, Super Hornet operations will occur on weekdays and night flying, when scheduled, will typically occur on Monday to Thursday nights. Weekend flying day or night, will occur in circumstances detailed in the 'Variations' section, detailed from paragraph 52 to 56.

Audit validation, testing, assessment and supporting documentation:

The ANO reviewed the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) to check that all Super Hornet operations were conducted in accordance with this requirement, which comprises several components:

1. Super Hornet operations will typically occur on weekdays. The ANO notes that the Annual Super Hornet Noise Reports include a graph of the 'Super Hornet movements by day of week', which clearly indicates that Super Hornet operations were predominantly on weekdays.
2. Super Hornet night flying (defined as activity between 7pm and 7am), when scheduled, will typically occur on Monday to Thursday nights. The ANO notes that Defence has included in two of their Annual Super Hornet Noise reports a commentary on the degree of Friday night flying. For example, in the 2015 and 2016 reports each states "Except as allowed by the approved variations specified in the plan, flying was planned to occur on weekdays with no night flying intended on Friday nights." (pg 11 and pg 12 respectively). In the 2017 and 2018 reports there is no explicit reference to the night-time flying activity by day of the week. Review by the ANO of the *2017 ASH Annual Noise Report – Data Extract* demonstrated that, in 2017, night movements by Super Hornets occurred on two Fridays and one Saturday, the majority of which (19 of 21 movements) were departures between 5:48 and 5:56 am on Friday 30 June 2017, as part of *Exercise Diamond Storm*. The information provided in the public reports does not explicitly address this component of the requirement making determination of Defence's compliance difficult. However, the raw data assessed by the ANO does indicate that Defence's night flying, when scheduled, did typically occur on Monday to Thursday nights and further that the overall percentage of night flying was well below the PER forecast of 20%.
3. Weekend flying day or night, will occur in circumstances detailed in the Variations section. The data included in the Annual Super Hornet Noise Reports indicates that than in each year 2% or less of Super Hornet movements occurred on the weekends and is summarised in the table below.

Year	Weekend movements	Total movements	% of total movements
2015	31	5276	0.6%
2016	16	5883	0.2%
2017*	80	3863	2.1%
2018*	56	4166	1.3%

*2017 and 2018 reports included data for all Military Fast Jets (MFJ), not just Super Hornets. Analysis of the NFPMS data for 2017, excluding known non-Super Hornet MFJ operations showed 46 of 2470 (1.9%) movements occurred.

The Variations section of the Noise Management Plan requires that any Foreseeable Variation, such as weekend flying "will require approval of the Senior Australian Defence Force Officer (SADFO)–Amberley". During the conduct of the audit, Defence was unable to provide explicit evidence of SADFO approval occurring, although all planned flying operations are subject to a planning process that generally includes

SADFO-Amberley or is done with his/her authority. Non-compliance in relation to these approvals is detailed against NMP-21. The ANO considers that overall, given the above, Defence has demonstrated compliance with the intent of this requirement, but suggests improved reporting in future.	
Finding:	Compliant Improvement suggestion 2: Defence should include data and commentary in its Annual Super Hornet Reports that explicitly demonstrates its performance against each aspect of the Noise Management Plan requirements.

NMP-05

Requirement:

Page 12 - Air Force generally operates Super Hornets at RAAF Base Amberley for approximately 46 weeks of the year, with scheduled breaks from flying through the year.

Audit validation, testing, assessment and supporting documentation:

The ANO reviewed the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) to check that all Super Hornet operations were conducted in accordance with this requirement.

The ANO notes that the Annual Super Hornet Reports include commentary on the degree of Defence compliance with this requirement, as well as graphing 'Super Hornet movements by week'. Each report indicates that each year there was at least 4 weeks of no activity identified in the period, which the ANO considers is equal to or better than the requirement of "approximately 46 weeks of [flying throughout] the year".

The ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

NMP-06

Requirement:

Page 12 - Super Hornet aircraft generally follow standard flight paths and altitudes when operating within the vicinity of Amberley. Instrument approach and departures are required to be performed in accordance with published aeronautical navigation procedures that are subject to change. When a change occurs, the Super Hornet will operate in accordance with the new published procedure, and this NMP will be updated at the next review with the new flight profile. As detailed in the Variations section, there are also a small number of specific circumstances where these standard profiles may not be followed.

Audit validation, testing, assessment and supporting documentation:

The ANO reviewed the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) to check that all Super Hornet operations were conducted in accordance with this requirement, which comprises several components:

1. *Super Hornet aircraft will generally follow standard flight paths and altitudes when operating within the vicinity of Amberley.*

The ANO notes that the Annual Super Hornet Noise Reports include arrival and departure density plots, which demonstrate that Super Hornet aircraft predominantly follow standard flight paths and altitudes.

2. *Instrument approach and departures are required to be performed in accordance with published procedures.*

The ANO notes that the Annual Super Hornet Noise Reports include arrival and departure density plots, which demonstrate a concentration of tracks along the instrument approach and departure paths.

3. *When a change occurs, the Super Hornet will operate in accordance with the published procedure and this Noise Management Plan will be updated at the next annual review.*

The ANO notes that V4.0 of the Noise Management Plan was approved internally within Defence in December 2016, including changes to departure and recovery procedures to improve noise outcomes. The Annual Super Hornet Noise Report for 2018 reflects operations in accordance with the new published procedures, although the ANO notes that new Plan was never formally approved by the Environment Minister (as addressed in COA-08).

The ANO considers that Defence demonstrated compliance with each component of this requirement.

Finding:

Compliant

NMP-07

Requirement:

Page 13 - The transit routes for Super Hornet to the eastern training areas have been constructed to minimise the noise impact on the civilian population of Brisbane. The transit route to the training area to the west of Amberley is based on the 'fly neighbourly' concept and most departures are conducted above 15,000 ft above mean sea-level.

The ANO reviewed the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) to check that all Super Hornet operations were conducted in accordance with this requirement. There is no information provided in the Annual Noise Reports that addresses this requirement. Defence provided assurances that these requirements were generally complied with, although specific data is not recorded to demonstrate this.

On this basis, the ANO was not able to assess compliance and has made the finding "undetermined".

Finding:

Undetermined

Recommendation 2 in COA-09 addresses Defence's record management practices to ensure it can demonstrate its compliance with the Conditions of Approval and the requirements of the plans and strategies required by these Conditions.

The Improvement Suggestions in NMP-03 and in NMP-04 also identify that Defence should include data and commentary in its Annual Super Hornet Reports that explicitly demonstrates its performance against each aspect of the Noise Management Plan requirements.

NMP-08

Requirement:

Page 13 - Super Hornet aircraft will not fly below 1,500 ft (450 m) within 10 nm (18.5 km) of RAAF Base Amberley, except when landing, taking off or in the circuit.

Audit validation, testing, assessment and supporting documentation:

The ANO reviewed the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) to check that all Super Hornet operations were conducted in accordance with this requirement.

The ANO notes that the Annual Super Hornet Noise Reports include a commentary on compliance with this requirement, and exceptions are reported.

In total across the Period 2 audit period, nine instances were identified when aircraft did not meet the altitude requirement above. All instances were investigated by Defence and the reasons identified in public reporting, as per the table below.

Year	Non-compliant movements	Reasons reported
2015	1	the aircraft was operating within the Amberley circuit area and was required to reposition to the east by Air Traffic Control due to traffic separation requirements, prior to departing to the training airspace
2016	5	aircraft were operating within the Amberley circuit area and were required to reposition by Air Traffic Control due to traffic separation requirements, prior to departing to the training airspace or landing at RAAF Amberley
2017	2	occurred on ANZAC day
2018	1	approved flypast over Ipswich in support of OP OKRA Return to Australia parade

The non-compliant movements are consistent with either the Foreseeable or Unforeseeable Variations identified in the Noise Management Plan. ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

NMP-09

Requirement:

Page 13 - Runway 15 Operations. For departures to the east of runway centre-line, Super Hornets will not make a left-hand turn, to the east, after take-off from Runway 15 before climbing towards Brisbane. Super Hornets will instead turn right and climb to altitude to the west of Amberley before transiting east at high altitude.

Audit validation, testing, assessment and supporting documentation:

The ANO reviewed the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) to check that all Super Hornet operations were conducted in accordance with this requirement.

The ANO notes that the Annual Super Hornet Noise Reports include a commentary on compliance with this requirement.

In total across the Period 2 audit period, two instances were identified when aircraft did not comply with the turn requirement above. These were investigated by Defence and the reason identified in public reporting, as per the table below.

Year	Non-compliant movements	Reasons reported
2015	0	n/a
2016	1	aircraft was identified as participating in the Sunsuper Riverfire 2016
2017	0	n/a
2018	1	2 detected MJF movements (operating in a pair) attributed to Air Traffic Control providing headings to aircraft on visual departure to ensure aircraft de-confliction or aircraft executing instrument departures (radar DIS) due to poor weather

The non-compliant movements are consistent with either the Foreseeable or Unforeseeable Variations identified in the Noise Management Plan. The ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

NMP-10

Requirement:

Page 13 - Runway 33 Operations. For departures to the east of runway centre-line, Super Hornets may climb straight ahead until reaching an approved transit altitude to the east. When unable to achieve this altitude in accordance with published procedures, Super Hornets will turn left and climb to the west of Amberley before transiting east at high altitude.

Audit validation, testing, assessment and supporting documentation:

The ANO reviewed the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) to check that all Super Hornet operations were conducted in accordance with this requirement.

The ANO notes that the Annual Super Hornet Noise Reports generally include a commentary on compliance with this requirement.

In total across the Period 2 audit period, no instances were identified when aircraft did not meet the turn requirement above. However, the 2017 report does not include any commentary that directly addresses performance against this requirement and the one graphic that may show a right-hand turn contains all tracks for the year and is therefore too complex to enable certain determination of compliance or not.

Year	Non-compliant movements	Reasons reported
2015	0	n/a
2016	0	n/a
2017	Undetermined	No commentary or data included in the report to demonstrate compliance with this requirement
2018	0	n/a

Given Defence's consistent performance in other years, it is understood that the lack of specific commentary on this requirement in the 2017 is due to no breach having been identified. The ANO considers that Defence demonstrated compliance with this requirement, noting that the improvement suggestion in NMP-04 will address the lack of explicit performance reporting.

Finding:

Compliant

NMP-11

Requirement:

Page 13 - For Runway 33 visual departures, Super Hornets will delay all turns to the west until 4nm (7.4 kms) after take-off to avoid overflying Walloon and Thagoona.

Audit validation, testing, assessment and supporting documentation:

The ANO reviewed the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) to check that all Super Hornet operations were conducted in accordance with this requirement.

The ANO notes that the Annual Super Hornet Noise Reports generally include a commentary on compliance with this requirement.

In total across the 2015-2018 Annual Super Hornet Noise Reports, 372 instances were identified when aircraft did not delay turns in line with the requirement above. Excepting in the 2017 report, all instances were investigated by Defence and the reason identified in public reporting, as per the table below.

Year	Non-compliant movements	Reasons reported
2015	66	early turns are required in periods of bad weather when Air Traffic Control is required to turn aircraft early to manage positive aircraft separation
2016	145	early turns are required in periods of bad weather when Air Traffic Control is required to turn aircraft early to manage positive aircraft separation
2017	114	no explanation provided
2018	47	movements can be attributed to Air Traffic Control providing headings to aircraft on visual departure to ensure aircraft deconfliction or aircraft executing instrument departures (radar DIS) due to poor weather

The non-compliant movements are consistent with the Unforeseeable Variations identified in the Noise Management Plan. The ANO considers that Defence demonstrated compliance with each component of this requirement, and notes again that the 2017 report in particular would benefit from more explicit commentary on performance against each requirement, as per the Improvement Suggestion identified at NMP-04.

Finding:

Compliant

NMP-12

Requirement:

Page 13 - Instrument departures for Runway 33 will be in accordance with the published instrument departure procedure that requires aircraft to reach 1,100 ft before commencing a left hand turn to their Air Traffic Control assigned heading.

Audit validation, testing, assessment and supporting documentation:

The ANO reviewed the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) to check that all Super Hornet operations were conducted in accordance with this requirement.

The ANO notes that the Annual Super Hornet Noise Reports do not generally include a commentary specifically on Defence's compliance with this requirement. The reports do all include a track plot showing all departures for the reporting year, with an altitude colour-coding. From this it appears that the altitude requirements for instrument departures above have been met. However, as the graphic contains all tracks for the year it is therefore too complex to enable certain determination of compliance or not.

The ANO also notes that the instrument departure procedure builds in this altitude requirement so diversion from it would be highly unlikely, except in the circumstances of an Unforeseeable Variation as identified in the Noise Management Plan.

The ANO considers that Defence has likely complied with this requirement. However, without specific commentary or data addressing the requirement, the ANO has made the finding of 'undetermined'.

Finding:

Undetermined

Recommendation 2 in COA-09 addresses Defence's record management practices to ensure it can demonstrate its compliance with the Conditions of Approval and the requirements of the plans and strategies required by these Conditions.

The Improvement Suggestions in NMP-03 and in NMP-04 also identify that Defence should include data and commentary in its Annual Super Hornet Reports that explicitly demonstrates its performance against each aspect of the Noise Management Plan requirements.

NMP-13

Requirement:

Page 14 - The use of afterburner by the Super Hornet is permitted to ensure aircraft safety but with due consideration to the additional noise generated and in-line with Air Force *Fly Neighbourly Policy*.

Audit validation, testing, assessment and supporting documentation:

The ANO notes that the Air Force *Fly Neighbourly Policy* (see: <http://www.defence.gov.au/AirCraftNoise/Master/Docs/Default/Fly%20Neighbourly%20Policy.pdf>) states the requirement, in relation to after-burner use, as:

Minimise the use of afterburner on fast jets during takeoff and minimise noise during climb out.

The ANO reviewed the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) to see what Defence's reported use of after-burners was. However, these reports do not make comment or provide data to show compliance with this requirement.

In the 2014 Annual Super Hornet Noise Report, it was noted that:

The 2012 report identified that almost all departures currently require full afterburner. Air Force is currently working to include this change in the Noise Management Plan and in future noise modelling being undertaken for RAAF Base Amberley. The effects of this variation are captured in the noise measurements discussed below. It should be noted that afterburner take offs increase noise close to the runway but may have the affect [sic] of reducing noise in other locations as aircraft reach climb speed sooner, at which point power is reduced. The effective climb angle is steeper for an afterburner take off. (p20)

The Noise Management Plan V3.0 (pg 13) also states:

The Amberley military training areas are constructed specifically to facilitate unencumbered civilian operations (by airlines such as Qantas, Virgin, etc) to and from Brisbane airport, and to minimise noise to the major population centres of South East Queensland. However, utilising these distant training areas comes at the cost of increased flight duration and hence fuel loads required by Super Hornets at take off from RAAF Base Amberley. These heavy aircraft configurations at take-off from Amberley require the use of afterburner for most Super Hornet departures.

The ANO accepts that afterburners are generally required to be used in all departures, noting that although it causes increased noise close to RAAF Base Amberley, the steeper climb it allows may reduce further from the Base. Unfortunately there is no ready way to determine if this has been achieved.

Defence has asserted that it needs, for safety reasons, to use the afterburner for departures a majority of the time. Noting this, Defence cannot safely reduce the amount it uses after burners. It has shown it is aware and has given due consideration to the additional noise generated. Further, by reducing the number of movements in recent years, this has reduced the incidence of after-burner use. For this reason, the ANO has assessed Defence as compliant with this requirement.

Finding:

Compliant

NMP-14

Requirement:

Page 14 - Planned Super Hornet arrival flight paths (that is, aircraft returning to land at the Base) for visual procedures (in good weather) are illustrated at Annex E. The majority of arrivals will be via an Initial and Pitch procedure, which is illustrated at Annex F. Initial and Pitch procedures are conducted at Amberley as the preferred arrival method as they provide the most efficient and safe mechanism for recovery. Approximately 5% of arrivals in good weather will be via straight-in approaches.

During poor weather, or for training, Super Hornets will recover via published instrument arrival flight paths, which connect with published instrument approach procedures to the active runway. These published procedures are used in poor weather when the runway cannot be seen from the air until close to landing and are illustrated at Annex G.

Audit validation, testing, assessment and supporting documentation:

The ANO notes that the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) demonstrate a high degree of adherence with the planned arrival flight paths:

- the majority of arrivals (between 67% and 77%) were by an Initial and Pitch procedure (although in no year was it as high as the estimated 80% in the Public Environment Report)
- a small percentage of the overall arrivals were by straight-in approach (the use of straight-in approaches in good weather is not specifically reported, so whether or not this was approximately 5% cannot be determined)
- the flight track plots show that other arrivals were generally in line with the arrival procedures outlined in the NMP V3.0

The track plots do show some variation, which is likely to be reflecting the Foreseeable or Unforeseeable Variations identified in the Noise Management Plan.

The ANO considers Defence has complied with the intent of this requirement.

Finding:

Compliant

NMP-15

Requirement:

Page 14 - All Super Hornet landing circuits are planned to be flown to the west of Runway 15/33. Circuits will only be flown over Ipswich in exceptional circumstances. Circuits will be flown at 1,500 ft (450 m) unless required for training or under stress of weather. Circuit flight paths are illustrated at Annex H.

Audit validation, testing, assessment and supporting documentation:

The ANO notes that the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) show that all circuits in each year were flown to the west of the airfield. The ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

NMP-16

Requirement:

Page 8 – the number of night flying movements as a fraction of total movements has historically been less than 15% since the Australian Super Hornet introduction to service. The 2009 PER predicted up to 20%, however Air Force currently has no plan to deviate from the historic status quo out to 2019/2020.

Super Hornet flying operations at RAAF Base Amberley will be planned to comply with the following limits:

- a. no continuous practice circuits will be flown between 10:00 pm and 7:00 am, and
- b. no flights will depart from or arrive at the Base between 11:00 pm and 7:00 am unless in exceptional circumstances.

Audit validation, testing, assessment and supporting documentation:

The ANO has interpreted this requirement to be *up to* approximately 15% of flights will be planned by Defence to occur at night, noting that the original Public Environment Report predicted 20%.

Analysis of the NFPMS data and the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) indicates that night flying is well below the 20% originally anticipated. The actual percentages of night flying (defined as being between 7pm to 7am) for the four years reported are: 2015 – 8%; 2016 – 9%; 2017 – 9%; 2018 – 12%.

Analysis of the NFPMS data and the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) also showed that:

- a. there was one practice circuit flown between 10:00 pm and 11:00 pm during a night training exercise in 2018.
- b. there were flights that occurred between 11:00 pm and 7:00 am in exceptional circumstances and these were in line with the Foreseeable or Unforeseeable Variations identified in the Noise Management Plan, and explained in the reports, as follows:

Year	Non-compliant movements	Reasons reported
2015	5	General description provided: "Normally this is associated with operational requirements or events of public significance such as ANZAC day flypasts"
2016	0	n/a
2017	22	30-Jun-2017, 05:48:23AM – 19 departures to YBTL (Exercise Diamond Storm) 13-Jul-2017, 05:43:13AM – 06:53:29AM – 2x deps and 1x arr
2018	4	Occurred on 5/04/18 and 16/04/18. These movements have been identified as part of the Australian Defence Force support to the 2018 Commonwealth Games Gold Coast.

The ANO considers that Defence demonstrated compliance with each component of this requirement.

Finding:

Compliant

NMP-17

Requirement:

Page 15 - An average Super Hornet flying day will involve around 20 movements, though the actual number of movements per day may vary considerably. On some days, there will be no Super Hornet flights; on others, the number of movements may increase to 50 or more.

Audit validation, testing, assessment and supporting documentation:

The ANO notes that the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) show the average number of movements per day was “around 20 movements” in each year. The average movements per flying day is determined by dividing the total annual movements by 230 flying days (5 days a week for 46 weeks).

On this basis the averages each year were:

Year	Total movements	Total annual flying days	Average movements per flying day
2015	5276	230	22.9
2016	5883	230	25.6
2017*	3863	230	16.8
2018*	4166	230	18.1

*2017 and 2018 reports included data for all Military Fast Jets (MFJ), not just Super Hornets. Analysis of the NFPMS data for 2017, excluding known non-Super Hornet MFJ operations showed a total of 2470 movements occurred.

While in 2015 and 2016, the average movements per flying day were above 20, the ANO considers that Defence demonstrated compliance with this requirement, noting that it was an approximate target of “around 20 movements” and it was clearly identified that the actual numbers on any day were anticipated to vary considerably.

Finding:

Compliant

NMP-18

Requirement:

Page 15 – The number of circuits per annum predicted over the next five years will be approximately 60% of the 600 (1200 movements) total used in the 2009 Australian Super Hornet PER.

Audit validation, testing, assessment and supporting documentation:

The NMP V3.0 proposed 700 circuit movements each year.

The ANO notes that the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) show the following number of circuits movements per annum, each of which was below the 700 movement forecast:

2015 – 424 circuit movements

2016 – 519 circuit movements

2017 – 253 circuit movements

2018 – 321 circuit movements

The ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliance

NMP-19

Requirement:

Page 16 – Routine flight-line engine running above 80% power restricted between 10:00 pm and 6:00 am.

Audit validation, testing, assessment and supporting documentation:

The ANO could not identify any references in the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) about Defence's compliance with these requirements. During the conduct of the audit, Defence provided advice that review of its squadron flight authorisation books showed no instances of engine running between 10:00 pm and 6:00 am.

The ANO considers that Defence was compliant with this requirement.

Finding:**Compliant**

NMP-20

Requirement:

Page 11 - High power engine running at ETC 3 involves the running of engines at an average of 95% power for up to 30 minutes and are limited to:

- A maximum of ten events per year unless approved by SADFO Amberley as a foreseeable variation; and
- High power engine running will not take place between 10:00 pm and 6:00 am.

Audit validation, testing, assessment and supporting documentation:

The ANO could not identify any references in the Annual Super Hornet Noise Reports for 2015 to 2018 (inclusive) about Defence's compliance with these requirements. During the conduct of the audit, Defence provided advice that review of its squadron flight authorisation books showed:

- a. no instances of more than ten high power engine runs per year at ETC 3
- b. no instances of high power engine running between 10:00 pm and 6:00 am.

The ANO considers that Defence was compliant with this requirement.

Finding:

Compliant

NMP-21

Requirement:

Page 17 - Foreseeable variations to the planned Super Hornet flying operations described will require approval of the Senior Australian Defence Force Officer (SADFO) – Amberley or a promulgated delegate. In deciding whether to approve a foreseeable variation, the SADFO-Amberley will consider the potential environmental effects against the operational need.

Audit validation, testing, assessment and supporting documentation:

During the audit, Defence demonstrated that foreseeable variations to the noise management plan were raised by the operating squadron through the Wing to the SADFO-Amberley for consideration and approval. The approval documentation provided by Defence included examples of detailed consideration of the communication strategy and risk management plan, including details of requirements for public notices and other community awareness initiatives where appropriate.

The ANO was also advised that flight planning for flypasts and or other public events is conducted in accordance with extant flight planning procedures, which always include noise mitigation where possible.

The ANO also notes that Air Command Standing Instruction AC SI(OPS) 03-08, Para 6, reads:

“The Wing OC (as the platform airworthiness SME) is responsible to ACAUST for approving the flight profile, airspace coordination measures, risk assessment and the required public affairs support to generate community awareness of the profile.”

Given the above, the ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

NMP-22

Requirement:

Page 17 - In the event that variations are to become longstanding practices, in accordance with the Variation of Approval (Condition 8), Air Force is to seek approval for changes to the NMP from Government.

Audit validation, testing, assessment and supporting documentation:

During the audit, the ANO did not identify any plans by Defence to establish any foreseeable or unforeseeable variations as long-standing practices. On this basis, there has been no requirement for approval to be sought for changes to the NMP. The ANO has therefore assessed this requirement as 'Not applicable'.

Finding:**Not applicable**

NMP-23

Requirement:

Page 19 – ON-BASE NOISE IMPACTS

Defence will conduct ongoing annual assessments of aircraft noise measures as part of normal Air Force Base management practice.

In the event measures are found to be ineffective, additional measures will be implemented and then reviewed. This process will continue until such time that the measures are found to be effective.

Audit validation, testing, assessment and supporting documentation:

During the Period 1 audit, it was identified that Defence could not demonstrate that it had implemented the measures arising from a review of the on-base noise impacts. To address the ANO's recommendation 4 from the Period 1 audit, Defence undertook a review of its actions taken in response to a 2011 report by Vipac Engineers and Scientist Ltd (Vipac) which included recommendations to mitigate on-base noise impacts. The ANO closed the recommendation following the review that was completed in December 2015 and noting that version 3.0 of the Noise Management Plan included a process for ongoing annual assessments of the measures.

Defence provided evidence of three subsequent noise surveys that it commissioned Vipac to conduct approximately annually since the 2015 report. The reports were dated 14 September 2016, 31 May 2017 and 27 June 2018. Defence also provided a report dated 1 March 2017 for a further internal targeted noise survey undertaken in response to a Squadron Unit Safety Advisor request for noise assessment. Where necessary the reports included recommendations for additional noise control measures.

The ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

NMP-24

Requirement:

Page 20 - The Super Hornet Noise Management Plan is available on the following website:
<http://www.defence.gov.au/AirCraftNoise/Environment/PublicEnvironmentReport.asp>.

Audit validation, testing, assessment and supporting documentation:

The ANO interprets this requirement as meaning that the current version of the Noise Management Plan, as approved in line with the Conditions of Approval, will be available at the designated website.

Defence revised its Noise Management Plan twice during the Period 2 audit period – creating version 3.0 and then version 4.0. Having obtained approval from the Environment Minister for version 3.0 and published it in accordance with this requirement, Defence did not obtain approval from the Environment Minister for the second of these revised versions. Despite this, Defence published version 4.0 on its website following its internal approval processes, thus replacing the version of the Plan that remained the current version approved in line with the Conditions of Approval.

Although approved internally within Defence, no explanation or context was provided to indicate that the published version was not yet approved by the Environment Minister as required by the Conditions of Approval. There was nothing to indicate to the public that the Plan was subject to Ministerial approval and that this had not yet been given.

For the reasons outlined above, the ANO has therefore assessed Defence as non-compliant with the intent of this Condition. The ANO considers that Defence has not demonstrated compliance with this requirement.

Finding:

Non-compliant

Recommendation 1 in COA-08 addresses Defence's need to establish robust administrative systems that ensure it obtains the required approvals.

Recommendation 2 in COA-09 addresses Defence's record management practices to ensure it can demonstrate its compliance with the Conditions of Approval and the requirements of the plans and strategies required by these Conditions.

NMP-25

Requirement:

Page 20 - Wherever possible, Air Force will advise the public when there will be significant events, which result in peak periods of aircraft noise, or when there are significant changes to the Super Hornet flying operations outlined above. Significant changes are those that are either permanent, or are temporary but result in noticeable, prolonged changes to noise profiles.

When significant events occur or significant changes are made, Air Force will inform the public, as time permits, through the following:

- a. the Amberley Consultative Working Group;
- b. media releases to all local media outlets, including local newspapers; and
- c. updates to the RAAF Base Amberley web page.

Wherever possible, advance notification will be provided of significant events. On occasion, security requirements may preclude advance notification. In this case, Air Force will endeavour to provide a subsequent explanation of the reason for the event.

Air Force will advise the public of known planned variations (except where security requirements preclude this) on the RAAF Base Amberley webpage.

Air Force will attempt to report all variations to planned Super Hornet flying operations (foreseeable and unforeseeable) on the RAAF Base Amberley webpage as soon as practical, but within one month of them occurring.

Audit validation, testing, assessment and supporting documentation:

During the audit, Defence was able to demonstrate its compliance with this requirement by providing evidence that it had undertaken to advise the public through the following methods:

- the Amberley Consultative Working Group (ACWG). Minutes demonstrate that upcoming events or potential noise issues were presented and discussed at ACWG meetings
- regular Defence articles in the Queensland Times (and other media) to advise the local community of upcoming events, potential noise issues and any other news the base has
- media releases advising of significant upcoming events
- the information available on the RAAF Flying Activity website at <https://www.airforce.gov.au/operations/flying-operations/flying-activity>, alerting the public to upcoming events or changes
- the information available on the RAAF Amberley Flying Operations website at: <https://aircraftnoisemap.airforce.gov.au/assets/site.html?869#base/5>.

The ANO noted numerous examples of each of the above notifications. The ANO also notes that foreseeable and unforeseeable variations are identified and reported on in the Annual Super Hornet Noise Reports.

The ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

NMP-26

Requirement:

Page 21 - The Super Hornet NMP will be reviewed annually. The review will consider:

- a. any foreseeable variations approved by the SADFO-Amberley, as outlined in paragraph 51-53;
- b. any changes to Super Hornet flying operations limitations or planning assumptions, which occur as a result of the complaints process detailed in the Noise Monitoring and Complaints Handling Strategy; and
- c. the results of audits of compliance with the 2009 PER conditions of approval.

Where a review of this Plan identifies a need to modify this Plan, a revised Plan will be submitted to Government for approval. Until such time the new Plan is approved flying operations should adhere to the most recently approved Plan.

Audit validation, testing, assessment and supporting documentation:

The ANO notes that an Annual Review of the Noise Management Plan (V3.0) in line with the requirements of the above was conducted in December 2016 and led to the development of version 4.0 of the Noise Management Plan.

On 9 December 2016 a revised version of the Noise Management Plan (V4.0) was internally approved by Defence and submitted for Ministerial approval 23 December 2016. Records indicate that Department of the Environment and Energy (DoEE) staff requested more information for the purpose of considering the revised Plan and that this further information was not provided until after the end of the audit period (31 December 2018). DoEE staff have advised:

“DoEE has provided comments on the revised plan and asked question [sic] in relation to it 5 times since then. The responses from Defence have been so protracted (reponses [sic] to the last request are still awaited) and often incomplete, that the ASH Noise management plan V4.0 has not yet been approved.”

This is clearly an inadequate way to progress revision of the Noise Management Plan and Defence should endeavour to be more responsive to the DoEE. Recommendation 1 of COA-08 addresses the need for Defence to establish robust administrative systems that ensure it obtains the required approvals for changes to its activities prior to implementing those changes, which should assist in addressing this issue.

The revised Plan was therefore not approved during the Period 2 audit period and V3.0 remained the most recently approved Plan to which Defence's activities should adhere.

However, the revised Plan (V4.0) was adopted in practice by Defence who published it on the Defence website and undertook changed practices, such as changes to instrument approach recovery profiles to improve noise impacts to the west and north west of Amberley when flying instrument recoveries, and new requirements for departures to reduce noise impacts in various residential areas.

While this activity reflected improved noise management practices that potentially reduced noise impacts for residents, which is in keeping with the overall intent of the Conditions of Approval and Defence's public commitments to minimise noise impacts where practicable, Defence was technically carrying out flying operations that did not adhere with the most recently approved Noise Management Plan (V3.0).

Unfortunately, V4.0 of the Noise Management Plan was significantly ‘streamlined’ and much administrative detail was removed, including the entire section on “Maintenance of this Plan” and its requirement for annual reviews. Defence did not provide any evidence that any subsequent annual reviews of the NMP were undertaken. Had there been such reviews, the oversight in finalising approval of V4.0 may have been detected sooner.

For the reasons outlined above, the ANO considers Defence was non-compliant with this requirement for part of the audit period.

Finding:

Non-Compliant

Recommendation 3: Defence should:

- a. review its draft version 4.0 Noise Management Plan in light of the findings of this audit report, the questions and comments made to date by the Department of the Environment and Energy, and in consideration of any other changes or assumptions that may be now relevant;
- b. ensure the revised Noise Management Plan retains a level of detail that is appropriate to its purpose as a public account of Defence’s planned noise management activities and includes an appropriate requirement to regularly review the plan in light of any outcomes of its Noise Monitoring Program;
- c. set out clearly the changes compared to the version 3.0 Noise Management Plan and outline the reasons for these;
- d. re-submit the revised version 4.0 Noise Management Plan for approval in line with Condition 8 of its approval.

Recommendation 4: Defence should regularly review its Noise Management Plan, with consideration to be given to relevant matters, including but not limited to:

- a. any foreseeable variations approved by the SADFO-Amberley;
- b. any changes to Super Hornet flying operations limitations or planning assumptions, which occur as a result of evaluation of the noise monitoring outcomes and the complaints process detailed in the Noise Monitoring and Complaints Handling Strategy; and
- c. the results of audits of compliance with its Conditions of Approval for Australian Super Hornet Flying Operations.

NMP-27

Requirement:

Page 21 - Condition 9 of the Variation of Approval requires Air Force to maintain a formal documentation trail to enable *the substantiation of activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans required* by the approval. To satisfy the requirement of Condition 9, and Recommendation 1 of the 2015 ANO Review, Air Force will maintain the required documents and copies of relevant communications on the DRMS document management system.

Audit validation, testing, assessment and supporting documentation:

During the conduct of this audit, Defence provided a significant number of records that substantiated their activities associated with the Conditions of Approval and the associated management plans and strategies. However, there were some instances where Defence was not able to provide records to substantiate some actions taken in accordance with the approved plans and strategies, for example:

- Website publication dates
- Reasons for foreseeable or unforeseeable variations
- data to demonstrate performance against each of the components of requirements in the Noise Management Plan.

Record-keeping deficiencies were identified in the Period 1 audit and a recommendation was made at that time by the ANO. The recommendation was accepted and closed following Defence's provision of evidence that it had implemented a number of systems for improved records management. Unfortunately it appears that these systems were not maintained effectively as similar issues have been identified in this Period 2 audit.

Public accountability for compliance with the Conditions of Approval is an important aspect of the EPBC Act, which was given specific attention in this Condition. Defence's ongoing failure to maintain complete and accurate records to substantiate its activities means that the ANO has assessed Defence as non-compliant with this element of this Condition.

Finding:

Non-Compliant

Recommendation 2 in COA-09 addresses Defence's record management practices to ensure it can demonstrate its compliance with the Conditions of Approval and the requirements of the plans and strategies required by these Conditions.

5 Noise Monitoring and Complaints Handling Strategy

Background to the Noise Monitoring and Complaints Handling Strategy

- 5.1 Condition 2 of the Conditions of Approval requires that Defence must implement the approved Noise Monitoring and Complaints Handling Strategy. The first and only approved version of Defence's Noise Monitoring and Complaints Handling Strategy was approved by the Environment Minister on 16 March 2012.
- 5.2 In August 2016, following an annual review and incorporating the outcomes of the Period 1 audit, the Strategy was revised to V1.1. It was approved within Defence on 22 September 2016, but was never submitted to the Environment Minister for approval. Consequently, V1.0 remained the only approved version and this is the version against which Defence's compliance has been audited. However, the ANO notes that the differences from V1.0 to V1.1 are largely clarification of administrative arrangements to support the same objectives, with some changes made to address the recommendations and improvement suggestions from the Period 1 audit.

The Amendment Certificate in V1.1 reads: *"All changes in Version 1.1 of this plan are administrative in nature and do not change the methods or strategies originally approved by the Department of Environment to monitor aircraft noise and administer noise complaints. Accordingly, approval of this plan by the Department of Environment is not required."*

Although Defence could not demonstrate that this approach had been raised with or supported by the Department of Environment, the ANO accepts Defence's interpretation that its revisions were only administrative in nature and did not constitute a major modification to the methods or strategies compared to V1.0.

The only change that would relate to a change in noise outcomes for the community is in a shift in the assumption about what percentage of the Super Hornets flights will occur other than at RAAF Base Amberley – in V1.0 it was estimated at approximately 60%; in V1.1 this was amended to 70%. This change reflects the actual percentage of previous years, as identified by the noise and flight path monitoring program. This amendment was made in the Noise Management Plan V3.0, which was approved by the Environment Minister, so inclusion of the most recently approved percentage in the revised Noise Monitoring and Complaints Handling Strategy was an administrative correction for consistency, rather than a modification to the approved strategy.

Compliance with the Noise Monitoring and Complaints Handling Strategy

- 5.3 To conduct this component of the audit, the ANO reviewed the Noise Monitoring and Complaints Handling Strategy V1.0 and extracted the statements that placed a requirement on Defence for action. These 'requirements' are highlighted in this section in the green text box and include the relevant page number from the Noise Monitoring and Complaints Handling Strategy V1.0 for ease of cross-referencing. Each requirement is numbered using the format NMCHS-XX, where XX is the requirement reference number.
- 5.4 One requirement was not assessed as part of this review. This relates to the requirement that "an independent audit of compliance with the Conditions of Approval is to be conducted in 2012, 2014 and 2018" (page 13). This requirement was superseded by the April 2014 amendment to the Conditions of Approval (EPBC 2008/4410). Therefore, compliance with this requirement was not assessed and no finding has been made.

5.5 Requirements that replicate a requirement from the Noise Management Plan are only assessed once, in the assessment of that requirement in the Noise Management Plan section.

5.6 The following table summarises the ANO's findings in relation to Defence's compliance with the requirements of the Noise Monitoring and Complaints Handling Strategy.

	Compliant	Non-compliant	Not applicable	Undetermined	Total
Noise Monitoring and Complaints Handling Strategy V1.0	15	3	0	0	18

5.7 The ANO considers that Defence has generally complied with the intent of the Noise Monitoring and Complaints Handling Strategy, versions V1.0 and V1.1.

NMCHS-01

Requirement:

Page 5 - Air Force to monitor the noise generated from the operation of the Super Hornet and to have systems in place to manage noise enquiries (complaints) related to Super Hornet flying operations [with] effective mechanisms to consult with individuals, community groups, and organisations.

Audit validation, testing, assessment and supporting documentation:

This requirement comprises several components:

1. *Defence shall monitor the noise generated from the operation of the Super Hornet. Defence has implemented a comprehensive Noise and Flight Path Monitoring System at RAAF Base Amberley.*

The system enables the monitoring and reporting of noise at specific points around the Air Force Base, provided by an external provider, Bruel & Kjaer (B&K). Analysis allows for identification of Super Hornet operations distinct from other operations. The ANO is satisfied that the reports demonstrate the existence and operation of an effective noise monitoring system.

2. *Defence shall have systems in place to manage noise enquiries (complaints) related to Super Hornet flying operations.*

During the audit, Defence demonstrated that noise enquiries (complaints) are managed in accordance with published procedures and instructions (Air Command Instruction (AC SI (OPS) 03-11)). Defence records reviewed during the audit, including a random selection of individual "Record of Aircraft Noise Complaint" forms (OA 039) and an extract of the complaints spreadsheet for 2018 demonstrated general compliance with the procedures.

3. *Defence shall have effective mechanisms to consult with individuals, community groups, and organisations.*

Defence demonstrated a number of ways that it meets this requirement:

- During the audit, the ANO reviewed a random selection of individual "Record of Aircraft Noise Complaint" forms (OA 039). These indicated timely and appropriate consultation with individuals about their aircraft noise concerns.
- The ANO reviewed the minutes from the Amberley Community Working Group meetings for the Period 2 audit period, which are available on the Defence website. Such meetings are held regularly and the minutes reflect the routine engagement between Defence and its stakeholders. The ANO considers this an effective mechanism for consultation with individuals, community groups and organisations, alongside other measures.
- The Defence website provides access to a range of information about Super Hornet operations originating from RAAF Base Amberley.
- The ANO noted examples of Defence using local media to advise the community of upcoming Super Hornet activities.

The ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

NMCHS-02

Requirement:

Page 8 - NFPMS reports are produced quarterly and enable the validation (or otherwise) of the Super Hornet noise modelling and compliance with the Super Hornet Noise Management Plan. An NFPMS report will provide the following metrics:

- a. average 24 hour LAeq;
- b. quarterly average LAeq;
- c. LMax (low, high and average) for departures, arrivals and circuits, and
- d. total and average N70, N85 and N95 noise events.

Audit validation, testing, assessment and supporting documentation:

This requirement comprises several components:

1. NFPMS reports were produced quarterly during the audit period from 1 January 2015 until end June 2017. After this, reporting was made available in a monthly format. Reports for 2015 and 2016 are available from the archive location: <http://www.defence.gov.au/AircraftNoise/NFPMS/Historic.asp>. Reports for 2017 and 2018 are available at this location: <http://www.defence.gov.au/AircraftNoise/NFPMS/Default.asp>. Despite the change to the reporting frequency, the ANO considers that data is available to meet the intent of this component and therefore considers Defence is compliant.
2. NFPMS reports enable validation (or otherwise) of the Super Hornet noise modelling and compliance with the Super Hornet Noise Management Plan. Defence draws on the quarterly NFPMS reports to produce the Annual Super Hornet Noise reports in which Super Hornet noise modelling and compliance with the Noise Management Plan are considered.
3. An NFPMS report will provide the following metrics:
 - a. average 24 hour LAeq – this requirement has been met.
 - b. quarterly average LAeq – this requirement has been met.
 - c. LMax (low, high and average) for departures, arrivals and circuits – NFPMS reports include average LMax metrics, but do not include LMax low and high for departures, arrivals and circuits. In recognition of the ANO recommendation 8 from the Period 1 audit, Defence has amended the description of this requirement in its published V1.1 of the Strategy to refer only to the daily average LMax values. Noting this amendment, the intent of this requirement has been met.
 - d. total and average N70, N85 and N95 noise events – NFPMS reports do not include N95 noise events, but do provide N70, N80 and N90 so equivalent information is available to inform the community. In recognition of the ANO recommendation 8 from the Period 1 audit, Defence has amended the description of this requirement in its published V1.1 of the Strategy to refer to the LMax levels reported being N70, N80, N90 and N100. Noting this amendment, the intent of this requirement has been met.

The ANO considers that Defence has demonstrated compliance with this requirement.

Finding:

Compliant

NMCHS-03

Requirement:

Page 8 - Consultation with noise affected people or groups in the area surrounding RAAF Base Amberley will inform any future requirements for the relocation or addition of EMUs [Environmental Monitoring Units]. This consultation will occur through the established Amberley Community Engagement Forum (ACEF) and Amberley Consultative Working Group (ACWG). In addition, the number and location of EMUs must as a minimum comply with the operating requirements of the NFPMS to ensure the efficient collection of noise data.

Audit validation, testing, assessment and supporting documentation:

This requirement comprises two components:

1. *Consultation with noise affected people or groups in the area surrounding RAAF Base Amberley (through the established Amberley Community Engagement Forum (ACEF) and Amberley Consultative Working Group (ACWG)) will inform any future requirements for the relocation or addition of EMUs.*

The ANO noted during the Period 1 audit that the Amberley Community Engagement Forum no longer convenes as the consultative requirements are met through the establishment of the Amberley Consultative Working Group. In line with the ANO Improvement Suggestion 2 from the Period 1 audit, Defence has updated its published V1.1 of the Strategy to delete references to the Amberley Community Engagement Forum. It also noted that references to EMUs have been amended to refer to Noise Monitoring Terminals (NMTs) in the published V1.1 of the Strategy.

The ANO reviewed the published ACWG minutes and noted reference to consultation about the location of EMUs / NMTs in meetings held in Feb 2015, May 2015, Feb 2016, May 2016, Aug 2016, Nov 2016 and May 2018. The ANO considers that Defence has demonstrated compliance with this component of the requirement.

2. *The number and location of EMUs must as a minimum comply with the operating requirements of the NFPMS to ensure the efficient collection of noise data.*

The ANO noted that a total of four permanent EMUs are located on the Base at the end of each runway and four temporary EMUs are located off-Base within the community. Each has been configured by the NFPMS supplier to ensure the efficient collection of noise data. The ANO considers that Defence demonstrated compliance with this component of the requirement.

The ANO considers that Defence has demonstrated compliance with this requirement.

Finding:

Compliant

NMCHS-04

Requirement:

Page 9 - NFPMS reports will be produced on a quarterly basis [and] DSG is to make the quarterly reports available via the DSG website

Audit validation, testing, assessment and supporting documentation:

The ANO confirmed that the NFPMS reports were produced quarterly or monthly throughout the audit period and are available on the Defence Aircraft Noise website at:

<http://www.defence.gov.au/aircraftnoise/nfpms/Default.asp>

In line with the ANO Improvement Suggestion 1 from the Period 1 audit, Defence has updated its published V1.1 of the Strategy to correct website references for the location of NFPMS reports.

The ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

NMCHS-05

Requirement:

Page 9 - RAAF Amberley Air Base Executive Officer is to coordinate the compilation of an Annual Super Hornet Noise Report that compares the NFPMS quarterly reports with the Australian Super Hornet Noise Management Plan. The Annual Super Hornet Noise Reports are to evaluate the accuracy of noise modelling undertaken for the PER and monitor compliance with the Australian Super Hornet Noise Management Plan.

Audit validation, testing, assessment and supporting documentation:

This requirement comprises a number of components:

1. *RAAF Amberley Air Base Executive Officer is to coordinate the compilation of an Annual Super Hornet Noise Report.*

The ANO is satisfied that the RAAF Amberley Air Base Executive Officer has coordinated compilation of the Annual Super Hornet Noise Reports for each year covered by the Audit 2 audit period: 2015, 2016, 2017 and 2018.

2. *The Annual Super Hornet Noise Reports compare the NFPMS quarterly reports with the Australian Super Hornet Noise Management Plan*

The ANO is satisfied that the Annual Super Hornet Noise Reports for 2015, 2016, 2017 and 2018 draw on NFPMS data from the relevant quarterly/monthly reports and compares this with the requirements of the Australian Super Hornet Noise Management Plan. The ANO notes that the 2018 report compared the data with the updated but not yet approved V4.0 of the Noise Management Plan, rather than the approved V3.0 Plan.

3. *The Annual Super Hornet Noise Reports enable evaluation of the accuracy of noise modelling undertaken for the PER.*

The ANO is satisfied that the 2015 and 2016 Australian Super Hornet Annual Noise Reports explicitly evaluated the accuracy of the noise exposure modelling undertaken as part of the 2009 Public Environment Report process. The reports for 2017 and 2018 make no reference to, and do not explicitly evaluate the accuracy of, the noise exposure modelling undertaken as part of the 2009 Public Environment Report process.

The ANO notes that, in late 2016, updated noise modelling was conducted for RAAF Base Amberley in support of the 2029 Australian Noise Exposure Forecast (ANEF). The new ANEF was made available publicly and Defence held a number of consultation sessions with community and other stakeholders through 2017 before it was finalised and endorsed for technical accuracy in January 2018. It would be appropriate for Defence to use its Annual Super Hornet Noise Reports to enable evaluation of the accuracy of noise modelling undertaken for the PER, and to also now include evaluation of the accuracy of the 2016 noise modelling undertaken for the ANEF 2029.

4. *The Annual Super Hornet Noise Reports enable monitoring compliance with the Australian Super Hornet Noise Management Plan.*

The ANO is satisfied that Annual Super Hornet Noise Reports provide information that compares actual Super Hornet operations with planned operations set out in the Australian Super Hornet Noise Management Plan. However, the ANO notes that the 2018 report compared the data with the updated but not yet approved V4.0 of the Noise Management Plan, rather than the approved V3.0 Plan.

The ANO considers the intent of this requirement is that Defence uses its noise monitoring data to report annually on its compliance with its approved Noise Management Plan and to evaluate the accuracy of the noise modelling undertaken for the PER. While the ANO considers Defence's reports are adequately presented to achieve this, the 2017 and 2018 reports did not explicitly evaluate or comment on the noise outcomes in comparison to the PER noise modelling (nor the updated 2016 noise modelling).

Further, the oversight in not obtaining approval for V4.0 of the Noise Management Plan has meant Defence's 2018 reports did not address the approved Plan (V3.0).

Therefore, the ANO considers Defence was only partially compliant with this requirement.

Finding:

Non-compliant

Recommendation 5: Defence should use its Annual Super Hornet Noise Reports to explicitly evaluate noise outcomes against the noise modelling undertaken for the Public Environment Report 2009, and also for any subsequent approved noise modelling undertaken.

NMCHS-06

Requirement:

Page 9 - Annual Super Hornet Noise Reports will be tabled at the Amberley Consultative Working Group (ACWG). Additionally, the Annual Super Hornet Noise Reports and minutes of the ACWG meetings are to be made available on the RAAF Amberley internet website.

Audit validation, testing, assessment and supporting documentation:

This requirement comprises three components:

1. *Annual Super Hornet Noise Reports will be tabled at the Amberley Consultative Working Group (ACWG).*

The ANO reviewed the minutes of the ACWG Meetings held during the Period 2 audit period and notes that these do not reflect the tabling of reports at any of the ACWG Meetings.

2. *The Annual Super Hornet Noise Reports are to be made available on the RAAF Amberley internet website.*

At the time of this report, the ANO notes that the 2015, 2016, 2017 and 2018 reports are available on the Defence website.

3. *The minutes of the ACWG meetings are to be made available on the RAAF Amberley internet website.*

At the time of this report, the ANO notes that, while there have been some delays in the past with publication of these minutes, the minutes of all meetings to date are available on the Defence website.

Given that the ACWG minutes do not reflect the tabling of Annual Noise Reports at any of the ACWG Meetings, the ANO considers that Defence has not complied fully with this requirement.

Finding:

Non-compliant

Recommendation 6: Defence should table its Annual Super Hornet Noise Reports at the Amberley Consultative Working Group (ACWG) meetings and ensure this is minuted.

NMCHS-07

Requirement:

Page 9 - The aircraft noise monitoring and reporting described [in the Noise Monitoring and Complaints Handling strategy] will occur for a minimum of three years from Jan 2012.

Audit validation, testing, assessment and supporting documentation:

The ANO notes that noise monitoring commenced well before January 2012 and has been continuous since, going well beyond the minimum requirement of monitoring and reporting until January 2015. As at the date of this report, reports published on the Defence website include:

NFPMS reports:

- All quarterly reports from Q1-2010 to Q2-2017
- All monthly reports from 2017 to present
- All annual reports for 2010 to 2012
- Interactive reporting capability for 2013 to present

Annual Super Hornet Noise Reports:

- All annual reports for 2011 to 2018

The ANO notes Defence increased the number of noise monitors it had in place around Amberley since the original approval, thereby enhancing the extent as well as duration of monitoring and reporting.

The ANO considers that Defence has exceeded the minimum requirement for noise monitoring and reporting in terms of its timeframe and scope, and has therefore demonstrated compliance with this requirement.

Finding:

Compliant

NMCHS-08

Requirement:

Page 10 - Air Force has an established noise enquiry / complaints handling process in operation at RAAF Base Amberley. In order to minimise nuisance to local communities, Air Force Instructions and RAAF Amberley Standing Instructions provide guidance on actions to be undertaken by aircraft captains, air traffic personnel and maintenance personnel to minimise aircraft noise.

Audit validation, testing, assessment and supporting documentation:

This requirement comprises two components:

1. *Defence has established a noise enquiry/complaint handling process at RAAF Base Amberley.*

The ANO reviewed the Air Command Standing Instruction (AC SI (OPS) 03-11) that outlines the noise enquiry/complaint handling processes for all Air Force bases, including at RAAF Base Amberley. It is noted that clear processes are well established and, by reviewing use of the complaint form and systems by staff, the ANO considers these processes appear to be generally well understood by staff. The ANO considers that Defence demonstrated compliance with this component of the requirement.

2. *Air Force instructions and RAAF Amberley Standing Instructions provide guidance on actions to be undertaken by aircraft captains, air traffic personnel and maintenance personnel to minimise aircraft noise.*

The ANO noted the following relevant instructions:

- Air Command Instruction (AC SI (OPS) 03-11), which provides guidance to aircraft captains, air traffic control and maintenance personnel on noise minimisation
- Airfield Ground Operations (Amberley Aerodrome Manual V3.0), which provides guidance for maintenance and air traffic personnel on noise minimisation

The above are examples that the ANO considers demonstrate compliance with this component and are not an exhaustive list of all relevant instructions.

The ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

NMCHS-09

Requirement:

Page 10 - The ABCP Operations Clerk or DM will complete a Record of Aircraft Noise Complaint, including specific details as follows:

- a. full name and contact details of the complainant;
- b. time and date of the incident;
- c. details of the complainant's location (preferably a Lat/Long if available);
- d. number (and type, if known) of aircraft, altitude and heading;
- e. any other details the complainant may wish to provide; and
- f. whether the complainant requests further action.

Audit validation, testing, assessment and supporting documentation:

The ANO reviewed the "Record of Aircraft Noise Complaint" form (OA 039) and noted that it contained the following fields:

- *'Name of complainant', 'Address', and 'Telephone number'*. The ANO considers this to be in compliance with component a. above.
- *'Time of incident' and 'Date of incident'*. The ANO considers this to be in compliance with component b. above.
- *'Location of incident', 'Address' and 'Details of complaint'*. While a lat/long field is not included on the form, the ANO considers that the intent of component c. above is met.
- *'Details of complaint', 'Nature of operation relevant to complaint', 'Aircraft type' and 'Operator / Squadron'*. While there are no specific fields included on the form for number of aircraft, altitude or heading, the ANO considers that these details may not always be relevant to the investigation and there is room for recording these details (when known) in free-text fields. The ANO therefore considers this to be in compliance with the intent of component d. above.
- *'Details of complaint' and other free-text fields*. The ANO considers this to be in compliance with component e. above.
- *'Details of explanation to complainant and any response'*. The ANO considers this to be in compliance with component f. above.

The ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

NMCHS-10

Requirement:

Page 10 - Complaints may also be received through the internet via the RAAF website address <<http://www.airforce.gov.au/contactus/aircraftnoise.aspx>>.

Audit validation, testing, assessment and supporting documentation:

The ANO notes that the Defence website includes information on the methods of complaint lodgement available to complainants. These methods include an online complaint form.

The ANO considers that Defence demonstrated compliance with this requirement.

Finding:**Compliant**

NMCHS-11

Requirement:

Page 10 - The noise enquiry is then referred to the relevant Squadron for investigation. Upon completion of the investigation, the complainant will be contacted by Base Management to discuss the event that caused the noise enquiry. Base Management will contact the complainant as soon as practicable, but no later than 28 days from when the complaint was recorded.

Audit validation, testing, assessment and supporting documentation:

This requirement comprises several components:

1. *The noise enquiry is referred to the relevant Squadron for investigation.*

The ANO notes that the Air Command Instruction (AC SI (OPS) 03-11) requires that the complaint be referred to the relevant Squadron for investigation:

“An investigation and response is to be provided, when applicable, by Air traffic Control, WGs and/or SQNs. This data is to be used by the investigator to provide a response to a complainant.”

The “Record of Aircraft Noise Complaint” form (OA 039) includes a section for recording the details and outcome of the Squadron’s investigation. The ANO reviewed sample complaint records that demonstrated Defence complies with this component of the requirement.

2. *On completion of the investigation, the complainant will be contacted by Base Management to discuss the event that caused the noise enquiry.*

The ANO notes that Air Command Instruction (AC SI (OPS) 03-11) requires that the Base Management contacts the complainant and advises the outcome of the investigation:

“The ABCP should attempt to contact the complainant verbally three times or provide a written response within 28 days before considering a matter closed.”

The ANO reviewed sample complaint records that demonstrated Defence complies with this component of the requirement.

3. *Base Management will contact the complainant as soon as practicable, but no later than 28 days from when the complaint was recorded.*

The ANO notes that the Air Command Instruction (AC SI (OPS) 03-11) requires that complainants are contacted within 2 days to acknowledge receipt of their complaint and thereafter kept informed of the progress of their complaint:

“A complainant should be contacted within 2 working days to inform them the complaint has been received. Investigations into noise complaints should be completed with 28 working days. The complainant is to be advised of the outcome or keep updated of progress if complaint cannot be resolved within 28 working days.”

The ANO sampled a random selection of individual “Record of Aircraft Noise Complaint” forms (OA 039) as well as reviewed an extract of the 2018 spreadsheet that is used to track complaints. While the ANO noted that in some instances the complaint records were incomplete, the ANO considers that in general complainants are contacted within the 28 day period.

The ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

NMCHS-12

Requirement:

Page 10 – If the complaint requires further action, or Base Management believes that the matter warrants further investigation, the matter is then passed to 82 Wing Headquarters, who will investigate the matter. 82 Wing Headquarters have a range of mitigation and resolution options available to deal with the noise enquiry. These options include, but are not limited to:

- a. contact with the complainant to discuss the matter,
- b. a review of 82 Wing procedures for notification of abnormal events,
- c. application of avoidance measures to operating units, or
- d. the possible establishment of a Noise Sensitive Area.

Audit validation, testing, assessment and supporting documentation:

This requirement details the mitigation and resolution options to be considered by Defence when further action is required, beyond an initial investigation and explanation to the complainant. The ANO notes that the Air Command Instruction (AC SI (OPS) 03-11) references the importance of addressing noise complaints effectively, describes closure of a complaint needing to reflect that:

“all reasonable steps have been taken to investigate the complaint and an appropriate remedy and/or a full explanation for the situation has been offered to the complainant or person seeking information”

It also makes specific mention of Noise Sensitive Areas (NSAs):

“FEGCDRs are to ensure Wings have a clear process for evaluating noise complaints and determining whether a NSA is necessary”

The ANO further notes that the “Record of Aircraft Noise Complaint” form (OA 039) includes a mandatory section for documenting consideration of any potential for noise improvements:

*Noise improvement comments **

Include details of noise improvement opportunities (eg changes to flight paths, community engagement, NFA)

During the conduct of the audit, the ANO noted, from a random selection of individual “Record of Aircraft Noise Complaint” forms (OA 039) as well as reviewed an extract of the 2018 spreadsheet that is used to track complaints, that the mitigation and resolution options listed above were considered as part of a complaint investigation process.

The ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

NMCHS-13

Requirement:

Page 11 - The final notification of the outcome of the investigation conducted by Base Management will include:

- a. information on the option of referring the complainant for independent review in accordance with Condition 3, (see paragraph 8.b.); and
- b. an offer to refer the complaint for independent review in accordance with Condition 3, provided that the complainant provides written consent for that referral.

Audit validation, testing, assessment and supporting documentation:

The ANO reviewed a random selection of individual "Record of Aircraft Noise Complaint" forms (OA 039) and the Defence website to confirm appropriate details are available about the option of seeking an independent review of complaints handled by Defence.

The ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

NMCHS-14

Requirement:

Page 12 - The Australian Super Hornet Noise Monitoring and Complaints Handling Strategy will be made available on the website within three months of the Environment Minister's approval of this strategy. <<http://www.airforce.gov.au/bases/amberley.aspx>>

Audit validation, testing, assessment and supporting documentation:

This requirement comprises two components:

1. *The Australian Super Hornet Noise Monitoring and Complaints Handling Strategy (the 'Strategy') will be made available on the website.*

At the time of the audit, the ANO noted that the latest approved version of the Strategy was not available on the Defence website. Rather, a revised version – version 1.1 – was available. The ANO notes that from soon after approval of V1.1, Defence implemented the revised version and technically was not implementing the approved version. However, the nature of the changes was largely clarification of administrative arrangements to support the same objectives in relation to aircraft noise management. The Amendment Certificate in V1.1 reads: *"All changes in Version 1.1 of this plan are administrative in nature and do not change the methods or strategies originally approved by the Department of Environment to monitor aircraft noise and administer noise complaints. Accordingly, approval of this plan by the Department of Environment is not required."*

Although Defence could not demonstrate that this approach had been raised with or supported by the Department of Environment, the ANO accepts Defence's interpretation that its revisions were only administrative in nature did not constitute a major modification to the methods or strategies outlined in the document. Noting that the intent of the requirement is for the approved strategy to be available to the public – and noting that the strategy itself is unmodified, except administratively to enhance clarity and accuracy – the ANO considers that Defence has complied with the intent of this component of the requirement, even though V1.0 was replaced by V1.1.

2. *The Strategy will be published on the Defence website within three months of the Environment Minister's approval.*

Defence was not able to provide records for exactly when the revised Strategy was published so it is not possible to determine if this occurred within the required three months. While it is probable that Defence has met the requirement of publication within 3 months, the ANO has assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the requirement.

Given the above findings, the ANO considers Defence compliant with this requirement. However, the ANO notes that records of website publication dates should be recorded appropriately so that Defence can demonstrate its compliance – this is the subject of Recommendation 2 in COA-09.

Finding:

Compliant

NMCHS-15

Requirement:

Page 12 - NFPMS quarterly reports are to be published on the website <<http://www.defence.gov.au/id/nfpms.htm>> within three months of report finalisation.

Audit validation, testing, assessment and supporting documentation:

This requirement comprises two components:

1. *The NFPMS quarterly reports will be made available on the website.*

At the time of the audit, the ANO noted that NFPMS quarterly reports up to Quarter 2 of 2017 were available on the Defence website, although not at the actual address specified in the requirement. Monthly reports are then available for the period July 2017 to July 2018 inclusive, allowing for even greater detail. Both the quarterly and monthly reports include an interactive facility for users to filter the available data in a variety of useful ways. The ANO considers that Defence demonstrated compliance with the intent of this component of the requirement.

2. *The NFPMS reports will be published on the Defence website within three months of report finalisation.*

Defence was not able to provide records for exactly when the revised Strategy published so it is not possible to determine if this occurred within the required three months. The ANO therefore assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the Condition. That said, the ANO notes that, at September 2019, the monthly reports to July are available – that is, well within the three months' timeframe. While it is probable that Defence has met the requirement of publication within 3 months, the ANO has assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the requirement.

Given the above findings, the ANO considers Defence demonstrated compliance with this requirement. However, the ANO notes that records of website publication dates should be recorded appropriately so that Defence can demonstrate its compliance – this is the subject of Recommendation 2 in COA-09.

Finding:

Compliant

NMCHS-16

Requirement:

Page 12 - Annual Super Hornet Noise Reports are to be published on the website <<http://www.airforce.gov.au/bases/amberley.aspx>> within three months of report completion.

Audit validation, testing, assessment and supporting documentation:

This requirement comprises two components:

1. *The Annual Super Hornet Noise Reports will be made available on the website.*

At the time of the audit, the ANO noted that all Annual Super Hornet Noise Reports for 2011 through to 2018 were available on the Defence website (although not directly at the link provided in the requirement). The ANO considers that Defence demonstrated compliance with this component of the requirement.

2. *The Annual Super Hornet Noise Reports will be published on the Defence website within three months of report completion.*

Defence was not able to provide records for exactly when the revised Strategy published so it is not possible to determine if this occurred within the required three months. The ANO therefore assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the Condition. That said, the ANO notes that the 2018 report, which was approved by Defence on 25 June 2019 was accessible from 31 August 2019 – that is, well within the three months' timeframe. While it is probable that Defence has met the requirement of publication within 3 months, the ANO has assessed Defence's compliance as 'undetermined' for this publication timeliness aspect of the requirement.

Given the above findings, the ANO considers Defence demonstrated compliance with this requirement. However, the ANO notes that records of website publication dates should be recorded appropriately so that Defence can demonstrate its compliance – this is the subject of Recommendation 2 in COA-09.

Finding:

Compliant

NMCHS-17

Requirement:

Page 13 - The Australian Super Hornet Noise Monitoring and Complaints Handling Strategy will be reviewed annually by the RAAF Base Amberley Air Base Executive Officer, in the first quarter of each year. Where a review of the strategy identifies a need for its modification, then a revised strategy will be submitted, through Air Force Headquarters, to the Environment Minister for approval. Until such time the new strategy is approved, noise monitoring and complaints handling will adhere to the most recently approved strategy. The strategy review is to consider:

- a. any changes required to the positioning or number of NFPMS noise measurement terminals, informed through public consultation;
- b. any changes in Defence policy that affect this strategy; and
- c. amendments to the strategy as a result of audits of compliance with the Super Hornet PER Conditions of Approval.

Audit validation, testing, assessment and supporting documentation:

This requirement comprises four components:

1. *The Australian Super Hornet Noise Monitoring and Complaints Handling Strategy will be reviewed annually by the RAAF Base Amberley Air Base Executive Officer, in the first quarter of each year.*

Defence did not provide any supporting evidence to suggest that annual reviews of the Australian Super Hornet Noise Monitoring and Complaints Handling Strategy were undertaken by the RAAF Base Amberley Air Base Executive Officer in the first quarter of any year.

The Amendment Certificate in the revised version 1.1 of the strategy identifies that an annual review was conducted in August 2016, with the revised version approved internally in September 2016. This shows that in this year only, the Annual Review was undertaken, although later than the first quarter.

Unfortunately there is no evidence that subsequent annual reviews occurred in the remaining years of the Period 2 audit period. The ANO considers Defence was non-compliant with this component of the requirement.

2. *Where a review of the strategy identifies a need for its modification, then a revised strategy will be submitted, through Air Force Headquarters, to the Environment Minister for approval.*

The ANO notes that the Amendment Certificate identifies:

“All changes in Version 1.1 of this plan are administrative in nature and do not change the methods or strategies originally approved by the Department of Environment to monitor aircraft noise and administer noise complaints. Accordingly, approval of this plan by the Department of Environment is not required.”

Defence could not demonstrate that this approach had been raised with or supported by the Department of Environment at the time.

The ANO has compared the two versions – V1.0 and V1.1 – and notes that the changes made in the revised version 1.1 are minor, are largely clarifications of administrative arrangements to support the same noise management objectives, and address the recommendations and improvement suggestions from the Period 1 audit.

The only change that would relate to a change in noise outcomes for the community is in a shift in the assumption about what percentage of the Super Hornets flights will occur other than at RAAF Base Amberley – in V1.0 it was estimated at approximately 60%; in V1.1 this was amended to 70%. This change reflects the actual percentage of previous years, as identified by the noise and flight path monitoring program. This amendment was made in the Noise Management Plan V3.0, which was approved by the Environment Minister, so inclusion in the revised Noise Monitoring and Complaints Handling Strategy was for consistency with the most recently approved percentage and so to this extent the change was an administrative correction, rather than a change to the approved strategy.

Given that Defence clearly identified that its modification of the Strategy document was not affecting the approved methods or strategies – and its numbering system reflected this – the ANO accepts Defence’s interpretation. On this basis, the ANO has therefore assessed this component of the requirement as ‘Not applicable’.

3. *Until such time the new strategy is approved, noise monitoring and complaints handling will adhere to the most recently approved strategy.*

As there was no substantive difference between V1.0 and V1.1 of the strategy, the ANO considers that Defence has in effect complied with this requirement, noting that Defence was not fully compliant with all requirements of the strategy – with these oversights addressed in recommendations made in this section.

4. *The strategy review is to consider:*

- a. *any changes required to the positioning or number of NFPMS noise measurement terminals, informed through public consultation;*
- b. *any changes in Defence policy that affect this strategy; and*
- c. *amendments to the strategy as a result of audits of compliance with the Super Hornet PER Conditions of Approval.*

The Amendment Certificate in V1.1 identifies the items considered. The ANO considers Defence has complied with this component of the requirement in the case of the one annual review it undertook.

In the one case that Defence did conduct an annual review of the strategy, it met this requirement, excepting the timeline for completion. However, given the requirement was for annual reviews, and Defence could not demonstrate that further annual reviews were undertaken, the ANO considers Defence was non-compliant with this requirement.

Finding:

Non-compliant

Recommendation 7: Defence should regularly review its Noise Monitoring and Complaints Handling Strategy, with consideration to be given to relevant matters, including but not limited to:

- a. any changes to the Noise Management Plan and Noise Mitigation and Complaints Resolution Strategy;
- b. those arising through the complaints process detailed in the Noise Monitoring and Complaints Handling Strategy; and
- c. the results of audits of compliance with its Conditions of Approval for Australian Super Hornet Flying Operations.

NMCHS-18

Requirement:

Page 13 - Accurate records substantiating all activities associated with the implementation of this strategy must be maintained. These records must be made available upon request from DSEWPC [Department of Sustainability, Environment, Water, Pollution and Communities – now the Department of Environment and Energy] and may be subject to audit by DSEWPC or an independent auditor, or used to verify compliance with the Conditions of Approval.

Audit validation, testing, assessment and supporting documentation:

This requirement comprises several components:

1. *Defence will maintain accurate records substantiating all activities associated with the implementation of this strategy.*

During the conduct of this audit, Defence provided a significant number of records that substantiated its activities associated with the Noise Monitoring and Complaints Handling Strategy. However, there were some instances where Defence was not able to provide records to substantiate the timing of website publication in relation to some requirements of this strategy (as noted elsewhere in this report). On this basis, the ANO considers Defence has demonstrated partial compliance with this component of the requirement.

2. *These records must be made available upon request from the Department of the Environment and Energy (DoEE).*

During the audit, the ANO checked with the DoEE and was advised that no request for records was made during the Period 2 audit period.

3. *These records may be subject to audit by the DoEE or an independent auditor, or used to verify compliance with the Conditions of Approval*

The ANO checked with the DoEE and was advised:

“EPBC Compliance Monitoring Section conducted compliance monitoring inspection on 24 August 2016 against the conditions of approval. Nothing was noted as an issue.”

Given the above findings, the ANO considers that Defence was non-compliant with the first component of the Condition, the second component of this Condition was assessed as ‘not applicable’ and Defence was compliant with the third component of the Condition. Taken as a whole, and noting that the issue of record keeping for website publication dates has been addressed in Recommendation 2 (COA-09), the ANO has assessed Defence as generally compliant with this requirement.

Finding:

Compliant

6 Noise Mitigation and Complaint Resolution Strategy

Background to the Noise Management and Complaint Resolution Strategy

- 6.1 Condition 3 of the Conditions of Approval requires that Defence must implement the approved Noise Management and Complaint Resolution Strategy. The first and only version of Defence's Noise Monitoring and Complaints Handling Strategy was approved by the Environment Minister's delegate on 29 April 2014.
- 6.2 In August 2016, following an annual review and incorporating the outcomes of the Period 1 audit, the Strategy was revised to V1.1. It was approved within Defence on 22 September 2016, but was never submitted to the Environment Minister for approval as required by the Conditions of Approval. Consequently, V1.0 remained the only approved version and this is the version against which Defence's compliance has been audited. The ANO notes that the differences from V1.0 to V1.1 are minimal and are largely a clarification of administrative arrangements to support the same objectives, with some changes made to address the recommendations and improvement suggestions from the Period 1 audit.

Compliance with the Noise Management and Complaint Resolution Strategy

- 6.3 To conduct this component of the audit, the ANO reviewed the Noise Management and Complaint Resolution Strategy V1.0 and extracted the statements that placed a requirement on Defence for action. These 'requirements' are highlighted in this section in the green text box and include the relevant page number from the Noise Management and Complaint Resolution Strategy V1.0 for ease of cross-referencing. Each requirement is numbered using the format NMCRS-XX, where XX is the requirement reference number.
- 6.4 Requirements that replicate a requirement from the Noise Management Plan are only assessed once, in the assessment of that requirement in the Noise Management Plan section.
- 6.5 The following table summarises the ANO's findings in relation to Defence's compliance with the requirements of the Noise Management and Complaint Resolution Strategy.

	Compliant	Non-compliant	Not applicable	Undetermined	Total
Noise Management and Complaint Resolution Strategy V1.0	4	2	3	0	9

- 6.6 The ANO considers that while Defence has generally complied with the intent of the Noise Management and Complaint Resolution Strategy, two aspects would benefit from improvement and these are addressed by the recommendations outlined in the following section.

NMCRS-01

Requirement:

Page 9 – Recommendations made to Air Force in accordance with paragraph 16 of this Strategy will be considered by the Senior Australian Defence Force Officer (SADFO) Amberley.

Audit validation, testing, assessment and supporting documentation:

From January 2015, the ANO replaced the Commonwealth Ombudsman as the avenue of independent review. In the Period 2 audit period, the ANO made 12 recommendations to Defence in relation to those aspects outlined in paragraph 16 of the Strategy.

The ANO was satisfied that the SADFO Amberley would have considered these recommendations. The ANO was provided with a copy of a Minute from the Deputy Chief of Air Force dated 24 August 2015, advising SADFO Amberley (among others) of the audit and its recommendations and seeking implementation and ongoing management of the recommendations.

The ANO considers that Defence has demonstrated compliance with this recommendation.

Finding:**Compliant**

NMCRS-02

Requirement:

Page 9 – SADFO Amberley will advise affected persons in writing of the recommendations made by the [ANO] and the specific action taken by Air Force in response. Where the action taken was other than implementation of the recommendation in full, SADFO Amberley will advise affected persons and the Ombudsman of the reasons for the decision.

Audit validation, testing, assessment and supporting documentation:

The ANO was satisfied that systems and procedures are in place to ensure that the SADFO Amberley would have appropriately advised affected persons of the Period 1 audit recommendations, following receipt of the DCAF's minute of 24 August 2015.

All recommendations were accepted and implemented in full.

The ANO considers that Defence has demonstrated compliance with this recommendation.

Finding:

Compliant

NMCRS-03

Requirement:

Page 9 – If an affected person is not satisfied with a decision made by the SADFO in relation to the implementation of a recommendation from the [ANO], the complaint will be referred to the Air Commander Australia (ACAUST).

Audit validation, testing, assessment and supporting documentation:

Defence has advised that there were no complaints made and no affected person identified dissatisfaction with a decision made by the SADFO in relation to the implementation of a recommendation from the ANO.

The ANO therefore assessed this requirement as 'not applicable'.

Finding:

Not applicable

NMCRS-04

Requirement:

Page 9 – Upon receipt of a referral under paragraph 19, ACAUST will review the decision of SADFO Amberley and decide whether it is appropriate to implement the recommendation. ACAUST will communicate this decision to the affected person and the Ombudsman. Where the decision is other than implementation of the recommendation in full ACAUST will advise the affected person and the Ombudsman of the reasons for the decision.

Audit validation, testing, assessment and supporting documentation:

Defence has advised that there has been no complaint.

The ANO therefore assessed this as 'not applicable'.

Finding:**Not applicable**

NMCRS-05

Requirement:

Page 9 – SADFO Amberley is to coordinate the publication of an annual report that details:

- a. all recommendations that have been made by the [ANO] during the reporting period in relation to the Australian Super Hornet Noise Management Plan and the Australian Super Hornet Noise Monitoring and Complaints Handling Strategy;
- b. the action taken by Air Force in response to each recommendation; and
- c. where the action taken was other than implementation of the recommendation in full, the reasons for the decision.

Audit validation, testing, assessment and supporting documentation:

In the Period 1 audit, the ANO made 12 recommendations in relation to the Australian Super Hornet Noise Management Plan and the Australian Super Hornet Noise Monitoring and Complaints Handling Strategy. The ANO could not identify any 'annual report' conducted since these recommendations were made that is published on the Defence website that provides the details outlined above.

The ANO notes that V3.0 of the Noise Management Plan was published on Defence's website after approval by the Environment Minister and that Annex B of this document detailed:

1. each recommendation made by the ANO
2. the action taken by Air Force in response to each recommendation (at the date of report finalisation - 31 December 2015)
3. that there were no instances where the action was other than implementation of the recommendation in full.

Defence did not provide and the ANO could not identify any other published reports by Defence that demonstrated compliance with this requirement. Therefore, the ANO considers Defence has not complied with this requirement.

Finding:

Non-compliant

Recommendation 8: Defence should identify and implement an effective method for publicly reporting on its actions in response to recommendations made in relation to its Conditions of Approval for Australian Super Hornet Flying Operations.

NMCRS-06

Requirement:

Page 10 – NFPMS data will be collected for a minimum of three cycles of the Annual Super Hornet Noise Report, in accordance with the undertakings outlined in the Australian Super Hornet Noise Monitoring and Complaints Handling Strategy. Relevant data will be made available to The Ombudsman, noting this data may have limited value in regards to individual noise complaints.

Audit validation, testing, assessment and supporting documentation:

This requirement comprises two components:

1. *NFPMS data will be collected for a minimum of three cycles of the Annual Super Hornet Noise Report, in accordance with the undertakings outlined in the Australian Super Hornet Noise Monitoring and Complaints Handling Strategy.*

The ANO notes that Defence has collected NFPMS data since quarter 1 of 2010, and has since issued eight Annual Super Hornet Noise Reports (2011 to 2018 inclusive). The ANO considers that Defence demonstrated compliance with this component of the requirement.

2. *Relevant data will be made available to The Ombudsman.*

The NFPMS reports have been published on the Defence website and to this extent are available to the Ombudsman. The ANO considers that Defence demonstrated compliance with this component of the requirement.

The ANO considers that Defence demonstrated compliance with this requirement.

Finding:

Compliant

NMCRS-07

Requirement:

Page 10 – The Australian Super Hornet Noise Mitigation and Complaint Resolution Strategy will be reviewed annually by the Air Base Executive Officer – RAAF Base Amberley, in the first quarter of each year. Where a review of the Strategy identifies a need for its modification, then a revised Strategy will be submitted, through Air Force Headquarters, to the Environment Minister for approval.

Audit validation, testing, assessment and supporting documentation:

This requirement comprises two components:

1. *The Australian Super Hornet Noise Mitigation and Complaint Resolution Strategy will be reviewed annually by the Air Base Executive Officer – RAAF Base Amberley, in the first quarter of each year.*

Defence did not provide any supporting evidence to suggest that annual reviews of the Australian Super Hornet Noise Mitigation and Complaint Resolution Strategy were undertaken by the RAAF Base Amberley Air Base Executive Officer in the first quarter of any year.

The Amendment Certificate in the revised version 1.1 of the strategy identifies that an annual review was conducted in August 2016, with the revised version approved internally in September 2016. This shows that, in this year only, the Annual Review was undertaken, although later than the first quarter.

Unfortunately there is no evidence that subsequent annual reviews occurred in the remaining years of the Audit 2 period. The ANO considers Defence was non-compliant with this component of the requirement.

2. *Where a review of the Strategy identifies a need for its modification, then a revised Strategy will be submitted, through Air Force Headquarters, to the Environment Minister for approval.*

The ANO compared the two versions – V1.0 and V1.1 – and notes that the changes made in the revised version 1.1 are minor, are largely clarifications of administrative arrangements to support the same noise management objectives, and address the recommendations and improvement suggestions from the Period 1 audit.

The only change that would relate to a change in noise outcomes for the community is in a shift in the assumption about what percentage of the Super Hornets flights will occur other than at RAAF Base Amberley – in V1.0 it was estimated at approximately 60%; in V1.1 this was amended to 70%. This change was also made in the Noise Management Plan V3.0, which was approved by the Environment Minister. Inclusion of this percentage in the revised Noise Mitigation and Complaint Resolution Strategy was for consistency with the most recently approved percentage and so to this extent the change was an administrative correction, rather than a change to the approved strategy.

Given that Defence clearly identified that its modification of the Strategy document was not affecting the approved methods or strategies – and its numbering system reflected this – the ANO accepts Defence's interpretation. On this basis, the ANO assessed this component of the requirement as 'Not applicable'.

Given the above findings, the ANO considers Defence non-compliant with this requirement.

Finding:

Non-compliant

	Recommendation 9: Defence should regularly review its Noise Monitoring and Complaints Handling Strategy, with consideration to be given to relevant matters, including but not limited to: a. any changes to the Noise Management Plan and Noise Monitoring and Complaints Handling Strategy; b. those arising through the complaints process detailed in the Noise Monitoring and Complaints Handling Strategy; and c. the results of audits of compliance with its Conditions of Approval for Australian Super Hornet Flying Operations.
--	--

NMCRS-08

Requirement:

Page 10 – In accordance with the EPBC Act approval Condition 7, the Environment Minister may request specific revisions to this strategy at any time, should the Minister believe it is necessary or desirable for the better protection of the environment.

Audit validation, testing, assessment and supporting documentation:

During the audit, the ANO sought advice from the Department of Environment and Energy about whether, for the period from 1 January 2015 to 31 December 2018, the Minister or a delegate has made any requests for specific revisions to the management plans specified in the Conditions of Approval that the Minister believed were necessary or desirable for the better protection of the environment. The Department advised that *"No request has been made by the Minister"*.

On this basis the ANO assessed this requirement to be 'not applicable'.

Finding:

Not applicable

NMCRS-09

Requirement:

Page 10 – Accurate records substantiating all activities associated with the implementation of this strategy must be maintained. These records must be made available upon request from the Department of Sustainability, Environment, Water, Population and Communities (CDSEWPC) [now the Department of the Environment and Energy (DoEE)] and may be subject to audit by DSEWPC, or an independent auditor, or used to verify compliance with the Conditions of Approval.

Audit validation, testing, assessment and supporting documentation:

This requirement comprises two components:

1. *Defence will maintain accurate records substantiating all activities associated with the implementation of this strategy.*

During this audit, Defence provided relevant records that substantiated its activities associated with the Noise Monitoring and Complaints Handling Strategy. On this basis, the ANO considers Defence has demonstrated compliance with this component of the requirement.

2. *These records must be made available upon request from the Department of the Environment and Energy (DoEE) and may be subject to audit by DoEE or an independent auditor, or used to verify compliance with the Conditions of Approval.*

During this audit, the ANO checked with the DoEE and was advised:

“EPBC Compliance Monitoring Section conducted compliance monitoring inspection on 24 August 2016 against the conditions of approval. Nothing was noted as an issue.”

On this basis, the ANO considers Defence has demonstrated compliance with this component of the requirement.

Given the above findings, the ANO has assessed Defence as compliant.

Finding:

Compliant

Attachment 1 Approval of ANO as auditor



Australian Government
Department of the Environment and Energy

Our reference: EPBC 2008/4410

Mr Mark Green
Air Commodore
Director General Air Capability Enablers
Air Force Headquarters
PO Box 7902
CANBERRA BC 2610

Dear Mr Green

Re: DEPARTMENT OF DEFENCE, AUSTRALIAN SUPER HORNET FLYING OPERATIONS, RAAF BASE AMBERLEY (EPBC 2008/4221) – NOMINATION OF INDEPENDENT AUDITORS

Thank you for your correspondence dated 4 March 2019, regarding nomination of auditors to undertake the second compliance audit of the *Australian Super Hornet Flying Operations, RAAF Base Amberley Project*, approved 23 March 2010 under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) – EPBC 2008/4410.

In accordance with Condition 5 of the EPBC Act approval, you have sought approval for auditors from the Aircraft Noise Ombudsman and Umwelt (Australia) Pty Ltd to be appointed as the independent auditors to undertake the second compliance audit of the EPBC 2008/4410 project.

This request has been assessed and I am pleased to inform you, as delegate of the Minister for the Environment, that I approve the appointment of the auditors from the Aircraft Noise Ombudsman and Umwelt (Australia) Pty Ltd.

Please note that once the full composition of the audit team from the Aircraft Noise Ombudsman is determined, all additional team members undertaking the compliance audit will be required to complete an independence declaration.

If you would like to discuss this matter further please contact Mr Nicholas Scholar on (02) 6274 1284 or email audit@environment.gov.au.

Yours sincerely

Ms Monica Collins
Chief Compliance Officer
Office of Compliance

9 April 2019

Attachment 2 Summary of response to Period 1 Audit Recommendations

Ongoing recommendations	ANO assessment of agency response
Recommendation 1 – Defence should adopt appropriate record management practices to ensure identified gaps in record-keeping are addressed.	<u>Completed</u> – Defence has demonstrated improved record management practices that align with its published Noise Management Plan.
Recommendation 2 – Defence should work with the NFPMS supplier to improve the accuracy and reliability of the data captured by the NFPMS and presented in reports.	<u>Completed</u> – Defence has worked with the NFPMS supplier to improve the accuracy and reliability of the data captured and reported.
Recommendation 3 – Defence should ensure that requirements in Standing Instructions and similar documents are aligned with the Super Hornet Conditions of Approval and associated plans and strategies.	<u>Completed</u> – The ANO has reviewed the updated Noise Management Plan (V3.0) and the amended Standing Instructions to confirm alignment.
Recommendation 4 – Defence should as soon as possible 3. conduct a review of the state of implementation against the recommendations of the Vipac report completed in 2011. d. report the findings of this review to the Commonwealth Environment Department in accordance with the Conditions of Approval.	<u>Completed</u> – Defence has demonstrated that a review of action taken following the recommendations of the 2011 Vipac report has been conducted and that the findings were reported to the Commonwealth Environment Department.
Recommendation 5 – Defence should: 4. update the Noise Management Plan and delete the requirement for a copy to be provided to the Ipswich Library, or provide a copy to the library 5. update the Noise Management Plan to correct the telephone number for obtaining a copy of the Plan.	<u>Completed</u> - The ANO has reviewed the updated version of the Noise Management Plan and confirmed this recommendation is completed.
Recommendation 6 – Defence should review the reporting requirements in the Noise Management Plan and establish systems to ensure adherence to the requirements.	<u>Completed</u> – Defence has demonstrated that it promulgates information and reports that align with the requirements of Noise Management Plan.
Recommendation 7 – Defence should routinely review and update (as required) the Noise Management Plan in line with the documented requirements. Defence should document the review process and outcomes.	<u>Completed</u> – Defence has amended the relevant Standing Instruction to specify accountabilities for annual reviews and implemented a system for recording reviews.

Ongoing recommendations	ANO assessment of agency response
Recommendation 8 – Defence should ensure that future quarterly reports include information to support the requirements of the current version of Noise Monitoring and Complaints Handling Strategy.	<u>Completed</u> – Defence has published version 1.1 of the Noise Monitoring and Complaints Handling Strategy and quarterly reports reflect the requirements of this version.
Recommendation 9 – Defence should publish reports and meeting minutes in a reasonable timeframe.	<u>Completed</u> – Defence has updated its website with all current reports and meeting minutes and introduced a tracking system to ensure ongoing compliance.
Recommendation 10 – Defence should expedite establishment of an online complaint lodgement capability.	<u>Completed</u> – Defence launched its online complaint capability on 12 July 2017.
Recommendation 11 – Defence should routinely review and update (as required) the Australian Super Hornet Noise Monitoring and Complaints Handling Strategy in line with the documented requirements. Defence should document the review process and outcomes.	<u>Completed</u> – Defence has amended the relevant Standing Instruction to specify accountabilities for annual reviews and implemented a system for recording reviews.
Recommendation 12 – Defence should routinely review and update (as required) the Australian Super Hornet Noise Mitigation and Complaint Resolution Strategy in line with the documented requirements. Defence should document the review process and outcomes.	<u>Completed</u> – Defence has amended the relevant Standing Instruction to specify accountabilities for annual reviews and implemented a system for recording reviews.

Attachment 3 Period 2 Audit Recommendations and Improvement Suggestions

The following table lists the recommendations made in this review.

Recommendations arising from this review
Recommendation 1 – Defence should establish robust administrative systems that ensure it obtains the required approvals for changes to its activities prior to implementing those changes. These systems should ensure annual reviews are conducted that would enable the identification and early rectification of any non-compliances.
Recommendation 2 – Defence should re-instate or adopt new or additional record management practices to ensure it can demonstrate its compliance with the Conditions of Approval and the requirements of the plans and strategies required by these Conditions.
Recommendation 3 – Defence should: a. review its draft version 4.0 Noise Management Plan in light of the findings of this audit report, the questions and comments made to date by the Department of the Environment and Energy, and in consideration of any other changes or assumptions that may be now relevant; b. ensure the revised Noise Management Plan retains a level of detail that is appropriate to its purpose as a public account of Defence's planned noise management activities and includes an appropriate requirement to regularly review the plan in light of any outcomes of its Noise Monitoring Program; c. set out clearly the changes compared to the version 3.0 Noise Management Plan and outline the reasons for these; and d. re-submit the revised version 4.0 Noise Management Plan for approval in line with Condition 8 of its approval.
Recommendation 4 – Defence should regularly review its Noise Management Plan, with consideration to be given to relevant matters, including but not limited to: a. any foreseeable variations approved by the SADFO-Amberley; b. any changes to Super Hornet flying operations limitations or planning assumptions, which occur as a result of evaluation of the noise monitoring outcomes and the complaints process detailed in the Noise Monitoring and Complaints Handling Strategy; and c. the results of audits of compliance with its Conditions of Approval for Australian Super Hornet Flying Operations.
Recommendation 5 – Defence should use its Annual Super Hornet Noise Reports to explicitly evaluate noise outcomes against the noise modelling undertaken for the Public Environment Report 2009, and also for any subsequent approved noise modelling undertaken.
Recommendation 6 – Defence should table its Annual Super Hornet Noise Reports at the Amberley Consultative Working Group (ACWG) meetings and ensure this is minuted.
Recommendation 7 – Defence should regularly review its Noise Monitoring and Complaints Handling Strategy, with consideration to be given to relevant matters, including but not limited to:

Recommendations arising from this review
a. any changes to the Noise Management Plan and Noise Mitigation and Complaints Resolution Strategy; b. those arising through the complaints process detailed in the Noise Monitoring and Complaints Handling Strategy; and c. the results of audits of compliance with its Conditions of Approval for Australian Super Hornet Flying Operations.
Recommendation 8 – Defence should identify and implement an effective method for publicly reporting on its actions in response to recommendations made in relation to its Conditions of Approval for Australian Super Hornet Flying Operations.
Recommendation 9 – Defence should regularly review its Noise Monitoring and Complaints Handling Strategy, with consideration to be given to relevant matters, including but not limited to: a. any changes to the Noise Management Plan and Noise Monitoring and Complaints Handling Strategy; b. those arising through the complaints process detailed in the Noise Monitoring and Complaints Handling Strategy; and c. the results of audits of compliance with its Conditions of Approval for Australian Super Hornet Flying Operations.

The following table lists the improvement suggestions made in this review.

Improvement suggestions arising from this review
Improvement suggestion 1 – Defence should include commentary in its Annual Super Hornet Reports that explains any reported activities where compliance with the Conditions of Approval is not otherwise readily apparent from the information in the report.
Improvement suggestion 2 – Defence should include data and commentary in its Annual Super Hornet Reports that explicitly demonstrates its performance against each aspect of the Noise Management Plan requirements.