

12.6.71 **The applicant states that in consultation with the IAA** flight departure routes from the NR have been amended from the routes initially proposed in the original NR permission.

Questions: Does the IAA “consult with applicants”? This seems to imply that the IAA was party to **designing** the flight paths as they are today.

Daa’s implication throughout is that IAA has given its stamp of approval to these flight paths as being the only way to achieve the required level of safety. This is not the case, right?

12.6.75 As per my assessment below, and in the interest of clarity, the Board will note that the flight patterns submitted in the applicant’s supplementary information and included for the purpose of the proposed scenario of the EIAR, differ to those submitted in the original EIS for the NR application. The Board will note that the flight patterns submitted to the planning authority for the original Relevant Action also differed from those submitted with the original EIS for the NR application. The main difference between the revised EIAR and the amended supplementary EIAR is the divergence north from the NR, earlier than previously indicated in the revised EIAR permitted by the planning authority.

The inspector clarifies that the present flight paths are placing noise in an area that is different from that which was granted by the planners in 2007. Furthermore, the area is different from the previous RA that was withdrawn by daa.

The inspector acknowledges that the present operation is not in compliance with Condition 1 of the planning permission.

It is being construed throughout the report that the IAA has required and approved this deviation from the original EIS as being the only way to comply with safety regulations. Furthermore, it is implied that the present deviation northward has been assessed as safer than the originally proposed straight ahead flight path.

12.6.76. I am satisfied that the impact of these alterations has been fully assessed in the submitted documentation and having regard to the Vanguardia Report, further discussed below, I consider that **they relate to air traffic control requirements**. The Board requested additional information on the applicants proposed insulation scheme, which I note aligns with the proposed flight patterns. I am satisfied that the Board can assess the impact of these amendments to the original flight patterns, **and I consider they are acceptable**.

The change of flight paths is “acceptable” to the planning inspector on the basis that they “relate to ATC requirements”.

12.6.112. The IAA requirement to change the flight routes from the NR is raised as one of the greatest concerns in the third-party submissions. The applicant has repeatedly stated that this is a safety issue. **No submissions have been received from the IAA in relation to this requirement**.

The IAA requirement is to comply with the safety standards. The choice of how to do so is not the IAA’s. Thus, characterisation of this as “The IAA requirement to change the flight routes from the NR” is misleading. E.g. changing of the 28L missed approach could obviate or reduce the need for deviation to the north.

12.11.2. The IAA made a submission on the original RA to state they supported the application. No further submissions have been received by the Board. The applicant states throughout the

submitted documentation that the rationale for the alteration to the flight paths along the NR is due to health and safety aspects and requirements of the IAA.

Question: Was this from IAA-SRD or from IAA-ANSP who designed the flight paths and are thus not a disinterested regulator as implied by this paragraph? Did IAA specifically support the change of flight paths in the original RA or simply support the change to conditions 3 and 5?

12.11.3. Third party submissions, some of whom claim to have aircraft experience (i.e. North Runway Technical Group), do not consider the applicants assertion that the flight paths must be amended are correct. They consider there are other feasible options for the flight paths on NR rather than the proposed routes and northern divergence illustrated in the supplementary information.

12.11.4. I consider the alteration in flight paths are considered an air traffic control issue rather than an acoustic requirement, this aside Section 5.1 of the Vanguardia Addendum Report provides an overview to the alterations for the flight paths as stated below:

*The original EIAR for the Northern Runway assumed that aircraft would depart in a westerly direction from the northern runway (28R) in a straight line i.e., on axis with the runway, for 5 nautical miles before diverting from this course. Whereas the flight paths in both the revised and supplementary EIARs follow the ICAO requirement that when parallel runways are in use there must be a 15-degree divergence of aircraft from the runway axes immediately on take-off. **This has been modelled as a 15-degree divergence of aircraft using the North Runway (28R) towards the north-west. This represents the reality of how the Northern Runway has operated since it opened in August 2022.***

(Per ICAO 9643 Ed 2. 2020) The requirements for divergence begin at 10 degrees for dual simultaneous departures, not 15 and the present divergences are 30 and 90 degrees from the route originally proposed in the 2005 EIS not 15 degrees. The runway has never been operated since April 2022 with a 15-degree divergence.

12.11.6. Having regard to the absence of any further correspondence from the IAA on the supplementary information, I do not consider the Board can dismiss the applicant's assertions on the need for the new flight patterns and I consider it reasonable that these would be required for safe operation of aircraft movements departing from the NR.

Taking 12.6.75 and 12.6.75 and 12.11.6 together:

The inspector acknowledges that the "flight patterns submitted in the applicant's supplementary information and included for the purpose of the proposed scenario of the EIAR, differ to those submitted in the original EIS for the NR application." and therefore, are not in compliance with Condition 1. He accepts that this is required by the IAA to comply with safety standards because the IAA has not disputed daa's statements and implications that this is the case.

Paraphrasing: "If daa's contention that they were forced to implement the present flight paths by the IAA for safety reasons was wrong, the IAA would have said so." The inspector spells out that if these routes were not the only way to comply with the safety regulations it's up to the IAA to say so.

12.11.7. Should the Board consider the recommendation of this report, and the proposed alterations to the RD for the air traffic movements and insulation criteria, the Airport Noise Act,

2019, requires further engagement with the IAA during the 14-week additional consultation period.

He seems to say the IAA must be given the opportunity to comment.