



Australian Government

Department of Infrastructure, Transport,
Regional Development, Communications and the Arts

Brisbane Airport Community Airspace Advisory Board

Terms of Reference

February 2023

Introduction

The Australian Government has committed to establish a permanent, independent community body to better manage consultation on aircraft noise impacts around Brisbane Airport. These Terms of Reference govern the establishment and operation of the Brisbane Airport Community Airspace Advisory Board.

Context

The Major Development Plan and Environmental Impact Statement for the New Parallel Runway (NPR) at Brisbane Airport was approved in September 2007, with the runway commencing operations on 12 July 2020. This represented a change to the Brisbane Airport airspace, with operations no longer reliant on the single legacy runway to accommodate flights.

Since the opening of the NPR and implementation of new flight paths surrounding Brisbane Airport, the Australian Government – through Airservices Australia (Airservices) and the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) – and Brisbane Airport Corporation (BAC) have received complaints from residents of surrounding communities under the flight paths about aircraft noise newly affecting their homes.

In December 2022, Airservices completed its Post Implementation Review (PIR) of Brisbane airspace changes. Informed by an independent assurance review undertaken by Trax International, the final PIR report contains a range of recommendations relating to options for improvement of airspace operations and governance mechanisms to oversee implementation of these recommendations, set out in staged packages.

The Australian Government recognises the need to balance the impacts of noise on communities near airports with a strong aviation industry that can meet demand for movement of passengers, tourists, workers, and high-value, time-sensitive freight. In recognition of community concerns about aircraft noise impacts and to ensure appropriate community involvement in the ongoing operations of Brisbane Airport and the implementation of the PIR outcomes, the Government has established the Brisbane Airport Community Airspace Advisory Board (AAB) as an independent community consultation body.

Purpose

AAB is an ongoing independent community-based consultation body that provides an opportunity to share information and advice to and from the community on:

- the management of airspace and flight paths at Brisbane Airport against the Noise Action Plan, which is initially represented by the Final Report on the PIR;
 - The Noise Action Plan will be a living document to be maintained by BAC and Airservices;
- the implementation of the recommendations identified in the PIR; and
- potential and possible noise abatement procedures and airspace improvement measures, with the exclusion of curfews, movement caps or other operating restrictions.

Responsibilities

AAB has the following responsibilities:

- review airport operations in accordance with the Noise Action Plan for Brisbane Airport;
- provide constructive and practical input for feasible options to maintain or improve consistency of airspace operations with the plan, as well as potential and possible airspace improvement measures and noise abatement procedures;
- monitor the implementation of the improvement measures, including identified in the recommendations from the Airservices PIR;
- regularly consult within communities and organisations represented by individual members to ensure that views and input expressed in meetings are representative of broader and differing perspectives;
- through the Chair, provide advice to Government on the consistency of operations with the Noise Action Plan and implementation of the PIR recommendations from a community perspective; and
- operate in a transparent manner to maintain accountability to the community.

Matters outside the scope of the plan, including proposals for curfews, movement caps or other operating restrictions, are excluded from the responsibilities of AAB.

AAB has an advisory role and does not have authority to direct BAC, the department or Airservices, or to compel production of documents.

Relationship to the Brisbane Airport Community Aviation Consultation Group

AAB operates independently of the Brisbane Airport Community Aviation Consultation Group (BACACG), which remains the primary community consultation body for all other Brisbane Airport matters.

AAB will provide a summary of its activities to BACCAG to ensure broader community awareness of ongoing consultation on operational and noise issues.

Relationship to Airservices and the implementation of Post Implementation Review outcomes

Under the *Air Services Act 1995* and the *Airspace Act 2007*, Airservices is responsible for the development of airspace change proposals that support the efficient use of Australian administered airspace and foster equitable access to airspace for all users.

The Civil Aviation Safety Authority is the decision-making body on proposals for airspace arrangements and changes within Australia. Airservices will consult extensively with AAB on the implementation of outcomes of the PIR undertaken following the opening of the NPR, and on other airspace change proposals as required.

Membership

AAB comprises an Independent Chair and five (5) community representative members:

Membership of the Brisbane Airport Community Airspace Advisory Board

Position
Independent Chair
Member - Community representative
Member - Community representative
Member - Community representative
Member - Community representative
Member - Community representative
Member - Community representative
Industry Advisor - Brisbane Airport Corporation representative
Industry Advisor - Airservices representative
Industry Advisor - Airlines representative
Government Representative - Department of Infrastructure, Transport, Regional Development, Communications and the Arts

The following people may attend as advisers:

- Representatives from independent technical advisors

The following people may attend as observers:

- Members of the public or representatives of other organisations, at the invitation of the Chair.

Appointment procedures

Independent Chair

The Independent Chair's term is three years.

The Minister responsible for the *Airports Act 1996* (currently the Minister for Infrastructure, Transport, Regional Development and Local Government) appoints the Independent Chair. The Minister may appoint a currently serving Chair for consecutive terms. The Minister may also appoint a Chair for an interim period of less than three years.

The Independent Chair will be a senior governance professional, with expertise in one or more of the following areas:

- aviation, aviation noise, planning, environmental health, dispute resolution, public policy, stakeholder engagement / consultation, and/or scientific / data analysis.

The Independent Chair may reside outside of the greater Brisbane area.

Members - community representatives

A community representative's term is two years. A currently or previously serving community representative may be appointed for one additional term. Reappointment may be consecutive or non-consecutive, however, a community representative may only serve as a member for a maximum of four years in total.

The Chair may appoint a community representative for an interim period of less than two years, however, a community representative may only serve as a member for a maximum of four years in total.

Membership selection

Community representatives must have their primary place of residence in the greater Brisbane region.

The Chair will run an open expression of interest process to select the community representatives to serve the first two-year term. The Chair appoints successful nominees following consultation with the Minister. The Chair will publish detailed selection criteria for the expression of interest process.

In appointing community representatives, the Chair must be satisfied of the applicants' capability to effectively represent broad community interests and to contribute constructively to discussions.

The Chair must also have regard to the balance of AAB in relation to factors including, but not limited to, gender, geographical representation, and the skills and expertise mix across the AAB. For example, the AAB could draw together skills and experience in:

- aviation, aviation noise, planning, environmental health, dispute resolution, public policy, stakeholder engagement / consultation, and/or scientific / data analysis.

Where the number of membership nominations received are less than the number of community representative vacancies on AAB, the Chair may nominate additional members, giving consideration to the selection criteria and appointment factors outlined above.

In consultation with the Minister, the Chair will determine arrangements for selecting community representatives for subsequent terms.

Remuneration

Members will not be remunerated by the Australian Government for their participation in AAB.

Advisors - representatives of Brisbane Airport Corporation and Airservices Australia

BAC and Airservices advisers are appointed by their respective organisations. These advisers do not have term limits. BAC and Airservices may change their advisers from time to time.

Advisor - airlines representative

The airlines adviser is appointed by agreement between the airlines, including general aviation operators, that provide aviation services at Brisbane Airport. This adviser does not have a term limit. Airlines may change their adviser from time to time by agreement.

Role of Chair

In consultation with members, the Chair:

- Conducts membership selection processes;
- Ensures AAB is operating in accordance with these Terms of Reference;
- Determines a forward meeting schedule;
- Approves meeting agendas prior to distribution;
- Chairs each meeting and:
 - ensures any conflicts of interests of AAB members, the Chair or invited attendees are declared and documented at the beginning of each meeting;
 - leads AAB and facilitates discussion and participation by all members;
 - ensures adequate discussion time is devoted to issues of significance;
 - ensures unanticipated items of business can be discussed;
 - maintains the proper, courteous and respectful conduct of AAB; and
 - ensures a record of attendance, summary of the discussion and action items are maintained;
- Facilitates effective follow-up of action items; and
- Prepares an annual report of AAB's activities.

In consultation with members, the Chair may also provide ad hoc advice to government on the consistency of operations with the Noise Action Plan and implementation of the PIR recommendations from a community perspective.

Role of members

Members have the following responsibilities:

- Attend meetings and participate in discussions;
- Regularly consult within the community to obtain a representative cross-section of interests and views;
- Present the interests and views of the community group or organisation they represent;
- Be contactable by members of the community group or organisation they represent;
- Disseminate information gained at meetings back to their group or organisation;
- Restrict issues and debates to matters that are within the responsibilities of AAB; and
- Respectfully accommodate the broad range of perspectives relating to issues of AAB.

Airservices Australia's advisory responsibilities

The representative of Airservices:

- Provides input to AAB from a technical airspace and noise management perspective;
- Reports to AAB on the consistency of aviation operations with the noise action plan over the previous period in a clear and accessible manner; and
- Provides advice on the implementation of the PIR recommendations, including options for airspace improvements made by the Program Management Office and final decisions made on the preferred option for implementation.

This representative will be a senior executive employed by Airservices.

The Government Representative's responsibilities

The representative of the department:

- provides advice on existing Australian Government policy, legislation and / or regulations relevant to discussions, including consulting and engaging with other Australian Government agencies where required;
- provides advice on governance arrangements and performance reporting relevant to AAB;
- updates AAB on the department's assurance work on the implementation of the Noise Action Plan; and
- does not have specialised flight path design expertise, with Airservices Australia and industry representatives providing the technical advice to support discussions.

This representative will be a senior executive employed by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

Brisbane Airport Corporation's advisory responsibilities

The representative of Brisbane Airport Corporation:

- provides input to AAB from an airport safety, efficiency and capacity perspective;
- provides information to AAB on operational matters that relate to the noise action plan, runway operating modes and airport works; and
- provides AAB with planning or development information (particularly in relation to Master Planning activities) that is relevant to future noise modelling.

Airline Industry Representative's advisory responsibilities

The representative of the airline industry:

- provides input to AAB from an airline safety and efficiency perspective;
- provides AAB with technical advice on aircraft performance and operational capabilities;
- advises AAB on the environmental impacts of proposed flight path changes, including fuel and emission impacts; and
- provides technical operational information to AAB Board members to assist them in providing feedback on flight path proposals to Airservices.

Meeting procedures

AAB is managed by the independent Chair with secretariat support provided by the department. Meetings are generally held quarterly.

For each meeting an agenda and any required pre-reading documents will be provided to members by the secretariat not less than 5 working days before the meeting.

Minutes of each meeting will be distributed to members within 7 working days of the meeting date for review.

Apologies

Apologies should be made through the Chair. In the event the independent Chair is unavailable for a meeting, the role of Chair will be performed by one of the ordinary members for that meeting only.

Substitute representatives

Any request for a substitute representative to attend must be made through the Chair and will be approved at the Chair's discretion. A substitute representative may not re-open discussion on matters previously settled.

Code of Conduct

To ensure smooth and respectful operation of AAB, all members are required to sign and abide by the Code of Conduct at **Appendix A**. The Independent Chair may ask members who do not abide by the Code of Conduct to step down.

Reporting

The Chair prepares an Annual Report to the Minister for each calendar year, which is published on AAB's website. The Annual Report includes details of:

- AAB's activities for that year; and
- The extent to which airspace operations were consistent with the plan in that year.

Media and communications

Only the Independent Chair is authorised to speak to the media on behalf of AAB.

AAB will have a dedicated webpage, initially hosted on the department's website. The webpage provides public access to:

- Information about the purpose, function and activities of AAB, including these Terms of Reference;
- Records of meetings;
- Annual reports; and
- Other information on AAB's activities with the Chair's approval.

To maintain transparency for the community, records of meetings and annual reports are to be published in a timely manner. AAB must also publish contact details for the Secretariat to facilitate provision of feedback to AAB by members of the public.

With the Chair's approval, the Secretariat may respond to public enquiries.

Secretariat

The department provides secretariat services to AAB. The duties of the secretariat include:

- Liaison with the Chair;
- Notification of meetings to members and participants;
- Compilation and distribution of agendas and associated papers;
- Preparation of records of meetings;
- Administrative support to Chair during meetings; and
- Maintenance of AAB's website, including:
 - Publication of materials; and
 - Correspondence management.

Review

The Minister may review AAB's operations from time to time to ensure AAB is working effectively and meeting its responsibilities.

The first review will occur at the end of the first 12 months of operation of AAB.

Amendments to the Terms of Reference

The Minister may issue amendments to these Terms of Reference at any time. The Minister will consult with the Independent Chair prior to issuing amendments.

Appendix A – Code of Conduct

This Code of Conduct outlines rules and responsibilities for all members. It should be read in conjunction with the Terms of Reference, which outline the purpose, composition and functions of AAB.

All members must sign this agreement to abide by the Code before participating in any AAB activities.

CODE OF CONDUCT

As a member of the Brisbane Airport Community Airspace Advisory Board, I agree to:

- Comply with the Terms of Reference of AAB.
- Notify the Chair of any potential conflict of interest that may arise, in accordance with the Australian Public Service Commission’s guidance at: www.apsc.gov.au/publication/aps-values-and-code-conduct-practice/section-5-conflict-interest).
- Attend AAB meetings or provide an apology in advance if I can’t attend. I understand it is expected that, unless there are exceptional circumstances, members will not miss more than one meeting in a row, and will attend three out of every four meetings on a rolling basis.
- Focus my contributions to issues that are within AAB’s responsibilities only.
- To the best of my ability, share authorised information with the people I represent; and provide insight and feedback on their views on the Brisbane Airport Noise Action Plan and its implementation.
- To the best of my ability, obtain and represent the views of the broader community even if they are different to my own.
- Be open and available to community members who wish to provide their thoughts and comments on the Brisbane Airport Noise Action Plan and its implementation.
- Participate in a positive way to finding solutions to issues or concerns.
- Treat industry advisers and government representatives with respect.
- Respect that, while information sharing and discussion is the cornerstone of AAB, it is important to allow meetings to run to appropriate timeframes and to adhere to agendas.
- Respect the ideas and beliefs of AAB members and invited guests.
- Contribute to an atmosphere where all members feel comfortable to participate.
- Maintain confidentiality of information provided, as directed by the Chair.
- Not speak on behalf of or claim to represent AAB without prior written approval from the Chair.
- Not post images on social media of, or otherwise publish, information provided to me at AAB meetings, unless approved by the Chair. Publication of images of meeting participants is not permitted.
- I understand that if I breach the Code of Conduct, the Independent Chair may ask me to step down; and if I represent an organisation it may be requested to nominate a replacement.

Name:	Date:
Signature:	