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Brisbane, Australia, 6 December 2022

Royal Schiphol Group responsible for excessive flight path noise pollution across Brisbane, Australia: Request for assistance

Dear honoured members of the Committee on Finance and the Committee on Infrastructure and Water Management,

We write to object to the conduct of Royal Schiphol Group and its negative consequences on families and communities in Brisbane, Australia. Brisbane residents are suffering from unrelenting and unsustainable aircraft noise pollution resulting from the New Parallel Runway at Brisbane Airport and associated flight path design changes to Brisbane's airspace. **We herewith seek the assistance of your committees with lodging a formal complaint to the Dutch Government concerning their support of unethical business practices of the Royal Schiphol Group.**

The Dutch Government through its Ministry of Finance is the majority shareholder (69.77%) of the Royal Schiphol Group. In turn, the Royal Schiphol Group owns a 19.6% share in Brisbane Airport Corporation (BAC) in Australia, with two directors on BAC's board: (i) Dick Benschop, previously the president and CEO of Royal Schiphol Group, and; (ii) Robert Carsouw, Executive Vice President and CFO of Royal Schiphol Group, in addition to BAC CEO Gert-Jan de Graaff, former President and CEO of JFKIAT LLC, the private operators of Terminal 4 at John F. Kennedy International Airport owned by Royal Schiphol Group.

We have prepared a detailed exposé with **explanatory notes in the appendix**, which provides background information supporting our complaint.

We commend the Dutch Government for their intervention that will reduce the maximum number of permitted air transport movements to and from Amsterdam Schiphol Airport to 440,000 per year **as a measure of noise reduction and climate action**. We particularly note the following passages in Minister Mark Harbers' letter (issued 24/06/2022, translated from Dutch to English):

*"In the interests of local residents, the government has given priority to noise nuisance around the airport. [...] A reduction in the number of air transport movements leads to less noise pollution and fewer emissions of CO₂, nitrogen, (ultra)fine particles and other harmful substances. [...] The government realizes that additional steps will continue to be necessary to further reduce noise pollution in the vicinity of the airport."*¹

Already back in 2019, it was reported that, *"The Dutch Government is increasing its focus on responsible [ESG] investment..."*² **We argue that its investment in BAC through the Royal Schiphol Group obligates the Dutch Government to ensure the same standards of ethical and sustainable investment principles in environmental, social and governance terms are applied both domestically in The Netherlands and in international markets such as Brisbane, Australia.**

Our view is backed up by the official guidelines outlining the role of the Dutch Government in state investments, which confirm (translated from Dutch to English):

1. *"Corporate governance: The state-owned companies must operate in accordance with the **Dutch Corporate Governance Code**. [...]"*
2. *"Corporate Social Responsibility: As a shareholder, the national government wants state investments to set an example in the field of Corporate Social Responsibility (CSR). For example, by contributing to the Sustainable Development Goals of the United Nations. The participating interests also set CSR goals for the **environment**, safe working environment, **human rights** and/or anti-corruption."*³

With regards to the Dutch Corporate Governance Code 2016, paragraph **§1.1.1 Long-term value creation strategy** says:

"[...] When developing the strategy, attention should in any event be paid to the following: [...]"

¹ <https://www.rijksoverheid.nl/documenten/kamerstukken/2022/06/24/hoofdlijnenbrief-schiphol>

² <https://www.responsible-investor.com/esg-country-profile-the-netherlands/>

³ <https://www.rijksoverheid.nl/onderwerpen/staatsdeelnemingen/rol-van-de-staat-bij-staatsdeelnemingen>

- vi. *any other aspects relevant to the company and its affiliated enterprise, such as the **environment, social** and employee-related matters, the chain within which the enterprise operates, **respect for human rights**, and fighting corruption and bribery.”⁴*

The Dutch Government’s majority stake in Royal Schiphol Group obligates them to conduct their business in an ethical and socially acceptable manner and to operate within strict rules of corporate governance. Royal Schiphol Group is in violation of these obligations for (i) their failure to obtain a social licence to operate the airport and its associated flight paths, and; (ii) their disrespect of our human rights for a clean and healthy environment (Dutch Constitution, Articles 21 and 22).⁵ These obligations on the Dutch Government to be a good and ethical corporate citizen extend to investments outside The Netherlands as demonstrated in making **International Corporate Social Responsibility (ICSR)** compulsory.⁶ It is the responsibility of governments to defend these rights.

The Tweede Kamer der Staten-Generaal is a key democratic institution upholding accountability, scrutiny and justice in the government’s affairs and conduct. We therefore kindly request assistance from your committees to call on the Dutch Government to exercise its powers as the majority shareholder of Royal Schiphol Group and:

1. Introduce a voluntary **curfew** from 10 pm to 6 am.
2. Introduce a voluntary **flight capacity cap** for Brisbane Airport of 45 flights an hour.
3. Disband the Brisbane Airport Community Aviation Consultation Group (BACACG) sham-committee and call on the Australian Government to establish a strong, independent, permanent, and fully funded **Brisbane Airport Community Forum**.
4. Re-assess the suitability of the Royal Schiphol Group affiliated **directors on the board of BAC** as well as the **CEO of BAC** with regards to their obligations under the Dutch Corporate Governance Code and International Corporate Social Responsibility.

We kindly request your assistance in bringing the plea of thousands of Brisbane families and communities to the attention of the Dutch Government. We ask that the Dutch Government does everything in its power to intervene in the unscrupulous business practices of Royal Schiphol Group and BAC that have led to this social and environmental disaster.

⁴ <https://www.mccg.nl/de-code/publicaties/codes/2016/12/8/corporate-governance-code-2016-en>

⁵ <https://www.government.nl/documents/reports/2019/02/28/the-constitution-of-the-kingdom-of-the-netherlands>

⁶ <https://www.rijksoverheid.nl/onderwerpen/internationaal-maatschappelijk-verantwoord-ondernemen-invo/bevorderen-internationaal-maatschappelijk-verantwoord-ondernemen>



We appreciate an opportunity to brief you in more detail via video conference. Representatives from BFPCA are available to meet with you and your committees and can work around your availability. We look forward to hearing from you how best we can address the Brisbane situation.

Yours faithfully,

Dr Marcus Foth
Chair, Brisbane Flight Path Community Alliance, Inc.

Appendix:

- Explanatory notes

Explanatory Notes

Who are BFPCA?

Brisbane Flight Path Community Alliance (BFPCA) formed in November 2020, soon after the new flight paths become operational when we all realised BAC’s and Airservices Australia’s promises about minimal impacts were lies (Fig. 1). Since then, our community has worked with the Aircraft Noise Ombudsman (ANO), Airservices Australia, and BAC through their established channels to try and effect change. The ANO corroborated the Brisbane community’s experience that community consultation for the introduction of the new airspace architecture was **inadequate and misleading** (see ANO report Oct 2021⁷), but Airservices and BAC failed to act. Instead, evidence from Freedom of Information (FOI) releases and Australian Senate Estimates confirms that they used their immense institutional power to stonewall people suffering and gaslight communities and elected representatives by lying about the volume of complaints they receive through arcane reporting methods.⁸

The **misleading noise forecast modelling, substandard community engagement** leading up to the launch of this major development project, and most importantly the **inadequate noise abatement procedures** have also been corroborated by (i) the Brisbane Airport Post Implementation Review Advisory Forum (BAPAF) – a committee established by the Australian federal government as a result of sustained community pressure and advocacy, as well as (ii) UK-based TRAX International who conducted a review of Brisbane’s airspace commissioned by Airservices Australia. This review produced 49 recommendations across four work packages that could have already been implemented right from the start to mitigate the impacts of aviation noise.

What are the broken promises?

What was promised?	What was delivered?
<p>For years, BAC used the key line, “We’ll fly over the bay” to suggest to Brisbane communities that the New Parallel Runway will enable them to maximise over water routing (called “SODPROPS”). The BAC CEO Gert-Jan de Graaff is on the record (Fig. 2) saying, “The net effect of aircraft flying over the city will decrease.”</p>	<p>✗ The over water operation mode SODPROPS has been removed from the Brisbane Noise Abatement Procedures entirely from 6am to 10pm. Outside that period, it’s a voluntary mode that is subject to many external factors.</p>

⁷ <https://bfpca.org.au/ano-report/>

⁸ <https://bfpca.org.au/ncis/> and <https://bfpca.org.au/estimates/>

<p>Where it is not possible for new flight paths to be over water, flight paths to be concentrated over uninhabited areas where possible.</p>	<p>✗ Flights path use an Instrument Landing System (ILS) that concentrate flight noise over some of Australia’s most densely populated areas. According to their own admission, the excessive noise pollution stretches to at least 169 suburbs of 190 total suburbs of Brisbane. Some badly affected communities such as Upper Brookfield and Samford Valley live some 35 km away from the airport.</p>
<p>If flight paths over residential areas are necessary, then residential areas overflowed by aircraft to be minimised to the extent practicable.</p>	<p>✗ Brisbane Airport is now connected to what’s been infamously known as an aviation superhighway, which maximises flights and thus noise over residential areas.</p>
<p>Residential areas overflowed by departing aircraft should not to the extent practicable also be overflowed by arriving aircraft.</p>	<p>✗ Most residential areas suffer from excessive noise pollution from both departing and arriving aircraft. Those under departure flight paths (SIDs) receive arrival aircraft (STARs) depending on wind direction. However, one thing they can be certain about: They get noise pollution all the time.</p>
<p>BAC sought to engaged all residents living within a 5 km radius of the airport. BAC also claims it has the largest residential buffer zone of 6.7 km.</p>	<p>✗ The consultation process utilised blunt and low-efficacy tools (such as newspaper advertisements, media releases, intercept engagement at markets) instead of targeted engagement of community members under flight paths, for example those located within the N70 or N60 contours. The failure of BAC and Airservices to do so represents a fundamental deficiency against best practice standards typically employed by all levels of Australian government for major projects.</p>

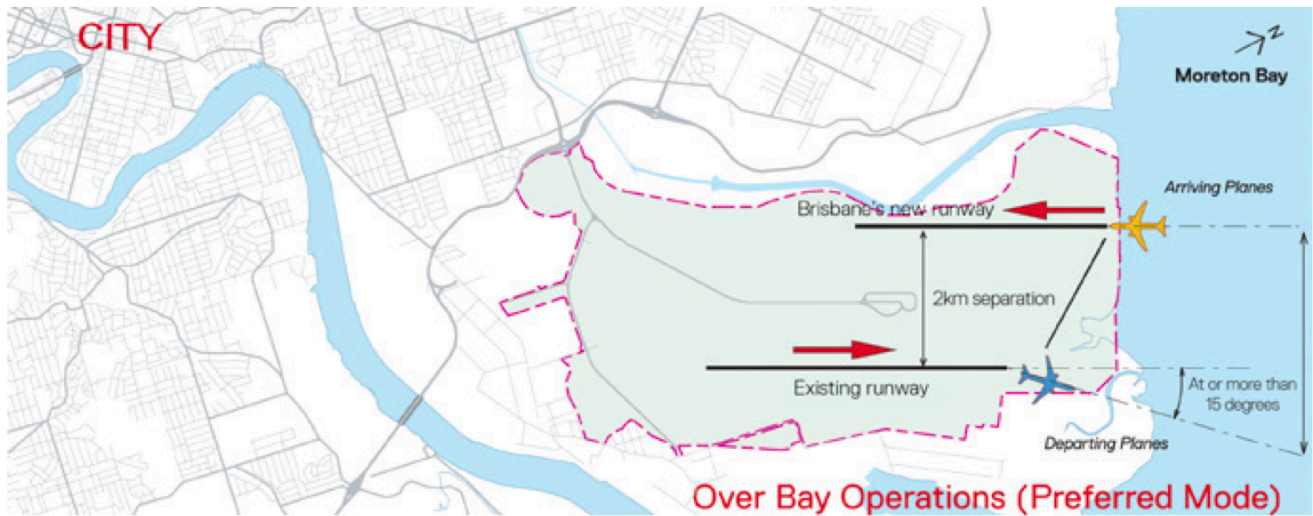


Figure 1: BAC misled the community by framing over-the-bay operations as the “preferred mode” when BAC already knew at that time that daytime utilisation was expected to be low, or almost zero, as is now the case. Source: BAC.⁹



Figure 2: BAC CEO Gert-Jan de Graaff lying on Australian national TV news channel 7 on 21 Feb 2020 saying: “The net effect of aircraft flying over the city will decrease.”¹⁰ – The exact opposite happened since the new parallel runway and associated flight paths launched on 12 July 2020.

⁹ https://www.bne.com.au/sites/default/files/docs/Brisbanes-New-Runway_Operations-Fact-Sheet.pdf

¹⁰ <https://fb.watch/haTHBAeTO0/>

BAC has no social licence to operate an “aerotropolis”

While the flight path design is the responsibility of Airservices Australia, **we have severe concerns about the unethical business conduct of BAC.** Royal Schiphol Group and specifically BAC have long been guided by the vision of turning Brisbane into an “aerotropolis” as proposed by Dr John Kasarda, president and CEO of Aerotropolis Business Concepts LLC and president of the Aerotropolis Institute China.

*“As more and more aviation-oriented businesses are being drawn to airport cities and along transportation corridors radiating from them, a new urban form is emerging — the Aerotropolis — stretching up to 20 miles (30 kilometers) outward from some airports. Analogous in shape to the traditional metropolis made up of a central city and its rings of commuter-linked suburbs, the **Aerotropolis consists of an airport city and outlying corridors and clusters of aviation-linked businesses and associated residential development that feed off each other and their accessibility to the airport.** A number of these clusters such as Amsterdam Zuidas, Las Colinas, Texas, and South Korea’s Songdo International Business District have become globally significant **airport edge-cities representing planned postmodern urban mega-development** in the age of the Aerotropolis. These airport edge cities and other significant aerotropolis commercial nodes are **reorienting the metropolitan center** as they attract substantial concentrations of business functions previously confined to central city downtowns.”¹¹*

We express our strong objection to Royal Schiphol Group's and BAC's plans to turn Brisbane into an unliveable “aerotropolis.” BAC has failed to obtain a social licence to operate the airport with the projected growth trajectory towards 110 flights an hour – this represents as many planes as Hong Kong and Singapore by 2035.¹²

Unethical business conduct and state capture

We draw your attention to the 2021 Masters thesis by Rachelle Verdel at Utrecht University entitled, *“In the shadow of the corporate state: An ethnographic study of the shifting dynamics of the corporate state in the vicinity of Schiphol Airport (the Netherlands) through the exploration of counter-citizenship.”* Her observations outlining Royal Schiphol Group’s social engineering techniques resonate with our own experience.

*“Through three months of fieldwork with action groups and citizens' initiatives and extensive research into the actions of Schiphol and the state by studying public relations efforts and policy decisions, I have identified **two very clear soft techniques of social engineering.** First, at the heart of the efforts of Schiphol's social engineering techniques is the notion of*

¹¹ <https://aerotropolis.com/airportcity/index.php/about/>

¹² <https://bfpca.org.au/brisbane2035/>

*'inclusionary control' (Dunlap & Fairhead, 2014; Dunlap & Verweijen, 2021). **Inclusionary control is about creating pseudo-participatory bureaucratic forums that promise reform and influence in decision-making.** In the case of Schiphol, this is reflected in the Omgevingsraad Schiphol (Schiphol Environmental Council, or ORS) which was set up by the state and created to allow stakeholders to participate in discussions and decisions about the developments of Schiphol. It is an inclusive path to potential reforms that, although they never materialize as my case study will show, can convince people to wait before taking more radical action.*

*Moreover, as the national and global effects of the aviation sector on climate change become increasingly clear, in addition to the local negative effects of noise pollution and health impacts, the pressure on Schiphol to act on this is increasing. To manage those who try to resist the growth of Schiphol as advocates of climate justice and de-growth of the airport, Schiphol and the state constantly present **the narrative of innovation as a solution to the high emissions of the planes and the massive noise pollution they cause.** With this 'innovation talk,' which I will present as the second social engineering technique, the state and Schiphol try to convey that environmental protection and capitalist expansion are not incompatible within a regime that combines scientific innovation with state regulation (Rajak 2020). The constant talk of innovation – both in terms of noise and emissions – legitimizes Schiphol's policy, which is solely focused on more growth. Through this constant innovation talk, the resistance of the disadvantaged at Schiphol and climate activists is losing momentum, allowing the aviation sector to continue its normal course."¹³*

As proof of BAC using precisely the same two social engineering techniques as their mother company Royal Schiphol Group at home in The Netherlands, we present the following evidence:

1. The main 'community' interface for BAC is the Brisbane Airport Community Aviation Consultation Group (BACACG) – *"a consultative forum designed to bring together government, the aviation industry, and the community to discuss a range of topics including aircraft noise, airport developments, airport operations and Terminal access."*¹⁴ – BACACG meets the definition of a "pseudo-participatory bureaucratic forum that promises reform and influence in decision-making." Up until recently, BACACG only included airport-aligned members. BACACG meeting minutes confirm that **the excessive noise pollution had been downplayed or ignored.** The community backlash as a result of communities being thrown into BAC's noise sewer contributed to protest votes that got three new federal Members of Parliament elected in the federal divisions of Brisbane, Griffith and Ryan who in turn

¹³ Verdel, R. (2021). *In the shadow of the corporate state: An ethnographic study of the shifting dynamics of the corporate state in the vicinity of Schiphol Airport (the Netherlands) through the exploration of counter-citizenship.* Masters Thesis, Utrecht University. <https://studenttheses.uu.nl/handle/20.500.12932/169>

¹⁴ <http://bacacg.com.au>

nominated genuine community representatives to join BACACG. Since joining, these three new members have attended two BACACG meetings held so far. Their observations vindicate Rachele Verdell's accurate assessment in her thesis.

2. Resulting from the sustained community pressure and associated reputational damage,¹⁵ BAC has now ramped up its PR spin and advertisement suggesting airport operations will be "sustainable." For example, on 13 Nov 2022, the BAC media release reads, "*Brisbane Airport secures renewable energy future*,"¹⁶ which was directly coordinated with the Queensland State Government. The same day, the Queensland Premier Anastacia Palaszczuk MP posted on her social media, "*Today we're announcing that Brisbane Airport will be 100% powered by renewable energy.*"¹⁷ Both BAC and the Queensland Government are **conveniently omitting that ground operations make up but approx. 1% of an airport's entire carbon footprint**. Further public messaging includes net zero by 2025 and the supply and use of 10% 'sustainable' aviation fuel by 2030 – both measures that have been disproven as mere greenwashing.¹⁸ Specifically with regards to "narratives of innovation as a solution to [...] the massive noise pollution," BAC and their aviation and government partners advocate technological solutionism¹⁹ such as "*the Ground Based Augmentation System (GBAS), known in Australia as Honeywell SmartPath – a satellite-based precision landing system and recognised by ICAO as a potential future replacement for current instrument landing systems (ILS).*"²⁰ While BAC and partners keep suggesting such perpetually imminent innovation will eventually ameliorate the community's noise concerns, our – and our sister organisation SchipholWatch's – observations at other airports confirm that airport operators primarily deploy such technology to increase capacity and drive further growth and NOT to bring about net noise reductions.

BFPCA are concerned that even if there is any small relief, it will be soon overtaken by the expansionist growth plans of BAC aiming to increase demand to fully utilise their entirely unrestricted capacity of 110 flights an hour. **BFPCA notes that BAC have not proposed ANY of their own compromises or sacrifices to the airport's 110 flights an hour capacity. So far, the airport has been unwilling to make any net reductions to safeguard the liveability, health,**

¹⁵ <https://bfpca.org.au/media-coverage/>

¹⁶ <https://newsroom.bne.com.au/brisbane-airport-secures-renewable-energy-future/>

¹⁷

<https://www.facebook.com/annastaciamp/posts/pfbid032ddiAi68yKtbvihrjhr7ffwF6fGRmqvKombJyKtpkd1irQ5oWXrHrrEn3Eq33sfpl>

¹⁸ <https://stay-grounded.org/greenwashing/>

¹⁹ Morozov, E. (2014). *To Save Everything, Click Here: The Folly of Technological Solutionism*. PublicAffairs.

²⁰ <https://www.airservicesaustralia.com/about-us/projects/ground-based-augmentation-system-gbas/>

wellbeing and economic productivity of Brisbane residents and communities trying to live, work, learn, and sleep across 169 suburbs of Brisbane affected by severe noise pollution.

Further Readings

BFPCA have produced a number of well-researched reports and submissions, which further support our case.



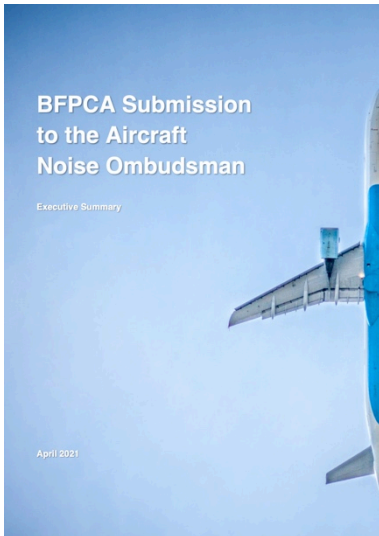
BFPCA Community Survey Report, March 2021

<https://bfpca.org.au/community-survey/>



BFPCA Community Survey Report, Aug 2022

<https://bfpca.org.au/survey2022release/>



BFPCA Submission to the Aircraft Noise Ombudsman, April 2021

<https://bfpca.org.au/duped/>



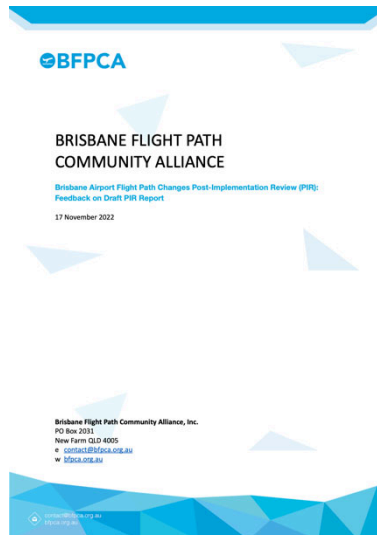
BFPCA Submission to the Brisbane Airport PIR Advisory Committee, Nov 2021

<https://bfpca.org.au/bapaf/>



BFPCA Submission to Airservices Australia's Draft PIR Terms of Reference, Sep 2021

<https://bfpca.org.au/pir/>



BFPCA Submission to Airservices Australia's Draft PIR Report, Nov 2022

<https://bfpca.org.au/pir/>