



Brisbane Flight Path Community Alliance, Inc.

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Senator the Hon Murray Watt

Minister for the Environment and Water

Department of Climate Change, Energy, the Environment and Water

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Brisbane, 21 Oct 2025

EPBC Act Reform

Dear Minister

Brisbane Flight Path Community Alliance (BFPCA) is aware that drafting is currently underway to prepare legislation amending the *Environment Protection and Biodiversity Conservation Act* 1999. Notwithstanding that an advanced stage has already been reached with preparing the proposed reforms, we have become aware from recent reports in the media, such as your Perth doorstep on 15 October, that you have been continuing to consult intensively with a wide range of stakeholders, including community organisations and environmental groups.

As a Queenslander, we are confident that you would personally already be very familiar with the long history of widespread community concerns regarding the approvals process and ongoing noise management issues associated with Brisbane Airport's 'New Parallel Runway' or NPR.

BFPCA represents over 5,000 families across more than 220 suburbs of Greater Brisbane.

We formed in 2020 in response to the launch of a new aerodrome design for Brisbane Airport's New Parallel Runway, which introduced new flight paths concentrating aircraft noise over densely populated areas. Despite assurances that the runway would prioritise "over-water" operations and reduce overflights of the city, the opposite has occurred. Independent reviews by the Aircraft Noise Ombudsman, the Brisbane Airport Post Implementation Review Advisory Forum, TRAX International, AAB, and a 2024 Senate Inquiry have confirmed that communities were misled through flawed noise modelling and inadequate consultation.

Given this, **BFPCA has a clear and direct interest in EPBC Act reform**, particularly regarding how environmental impacts such as aircraft noise on Commonwealth land are assessed and regulated. We would welcome an opportunity to meet with you to ensure the lived experience of affected



Brisbane communities is reflected in the forthcoming reforms. The specific legislative issue that we would like to draw to your attention is this:

When the NPR was referred to your department in 2005, this occurred partly because it was proposed on Commonwealth land. Accordingly, EPBC referral 2005/2095 was subject to the standard assessment process for general environmental impacts, rather than being limited to specific MNES (Matters of National Environmental Significance) triggers such as threatened species. However, in December 2006, during the period when the legislation was within the portfolio of Malcolm Turnbull, the new provisions of Chapter 4 Part 11 inserted by the *Environment and Heritage Legislation Amendment Act (No. 1) 2006* made **very significant changes for airports regarding the assessment of general environmental issues such as noise**. These aspects were split off into 'advice' only (rather than an 'approval' process). This advice then only needs to be 'taken into account' by the Transport department (and other applicable Commonwealth agencies, such as AirServices). For the environmental impacts of projects covered by these Ministerial advice provisions, State and Territory laws are completely overridden under Section 160(5). Under Section 489 of the EPBC Act, normally, it is an offence to submit information that is false or misleading in a material particular, where this has been done recklessly or negligently, if the information has been submitted under parts 7, 8, 9, 13 or 13A. **Yet, it is not an offence to submit false or misleading information under Part 11, which seems to be quite a substantial loophole.** (We note that any false or misleading information submitted before December 2006 would still have been an offence.)

BFPCA has noted that there have been many statements in the media generally to the effect that the EPBC Act reforms currently underway are proposed to create a framework that (in summary): streamlines approval timeframes, reduces duplication between State and Commonwealth processes, improves environmental standards and improves confidence in transparency, accountability and consistency.

However, for airports:

- BFPCA is concerned that there is **no transparency or accountability**, because there is no requirement for information to be not false or misleading. In Brisbane, this loophole has had practical implications. Our supporters are concerned that Brisbane Airport Corporation and Airservices have been less than frank (both at the time of the original referral and subsequently with changes in 2018/2019), in circumstances where this would not have been acceptable from a private proponent. We would be happy to discuss those concerns further.
- There is clearly **no consistency**, for example, some airports have curfews and others (such as Brisbane) do not.
- Neither a State government environmental agency nor a Commonwealth government environmental agency has power to address general environmental issues such as noise from airports on Commonwealth land, by either refusing or approving subject to enforceable conditions. Instead of duplication, **there is a black hole**.



- As demonstrated by the recommendations of the Senate Inquiry Report on the *Impact and Mitigation of Aircraft Noise* published November 2024, **we do not have high environmental standards for airports**. Although some attempts have subsequently been made to address those recommendations, those attempts have so far fallen far short of achieving acceptable standards for Brisbane residents.

BFPCA would warmly welcome an opportunity to discuss these concerns with you in further detail on your next visit home to Brisbane. While we appreciate that you have already committed to introducing a Bill before the end of the year, we understand that it is anticipated that the Bill will be subject to a Senate Inquiry, as well as negotiations with other parties, so there should still be ample time to talk about some fine-tuning to address our concerns.

Please contact us at contact@bfpca.org.au or [REDACTED] to arrange a suitable time to meet.

Best Regards,

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About BFPCA

With the launch of Brisbane Airport's New Parallel Runway on 12 July 2020 came a new airspace design and flight paths that concentrate aircraft noise over densely populated residential areas. Brisbane Airport and Airservices Australia sold this project to Brisbane communities suggesting the New Parallel Runway will enable them to prioritise "over water" operations that direct planes away from residential areas. The CEO Gert-Jan de Graaff is on the record saying, "the net effect of aircraft flying over the city will decrease."

Brisbane families and communities are suffering from excessive noise pollution and associated health and related impacts from Brisbane Airport's new flight paths launched in July 2020. The Aircraft Noise Ombudsman report, the Brisbane Airport PIR Advisory Forum (BAPAF) and flight path design consultants TRAX International have all confirmed that Brisbane communities were misled using flawed noise modelling, deceiving community engagement, and offered inadequate noise abatements.

Brisbane Flight Path Community Alliance (BFPCA) came together in 2020 to fight back on behalf of all Brisbane families and communities experiencing this noise pollution.

For more background information, visit: <https://bfpca.org.au/>

