

Memo

To: Aircraft Noise Community Consultative Group

From: Kylie Higgs

Date: June 2024

Subject: Review of Aircraft Noise Community Consultative Group Terms of Reference

Purpose

The purpose of this memo is to:

- advise members that the Terms of Reference (ToR) for the Aircraft Noise Community Consultative Group (ANCCG) is due for review; and
- outline the review process and provide a timeline of key dates.

Background

Under condition 9(a) of Designation 1100 of the Auckland Unitary Plan Auckland International Airport Limited (AIAL) is required to maintain at its cost, the existing ANCCG within the ToR.

9a. AIAL shall maintain at its cost, the existing ANCCG within the Terms of Reference which are contained in Attachment A (ANCCG Terms of Reference) of this designation, or such other terms or amended terms of reference that are approved by the Council pursuant to Part 8 of the RMA

In the current ToR there is no prescribed review period, however it is considered good practice to conduct a periodic review of the ToR to ensure that the document remains relevant and effective over time. This review will allow us to complete a full evaluation of the current ToR and enact updates to reflect any changes required to ensure the ANCCG continues to remain relevant and effective.

Please note, any proposed amendments to the ANCCG Terms of Reference will require an alteration to Designation 1100 in the Auckland Unitary Plan being applied for by AIAL and processed by Auckland Council, pursuant to section 181 of the Resource Management Act 1991. Section 181 sets out the process for altering a designation.

181. Alteration to designation

- (1) A requiring authority that is responsible for a designation may at any time give notice to the territorial authority of its requirement to alter the designation.*
- (2) Subject to subsection (3), sections 168 to 179 and 198AA to 198AD shall, with all necessary modifications, apply to a requirement referred to in subsection (1) as if it were a requirement for a new designation.*
- (3) A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if—*
 - (a) the alteration—*
 - (i) involves no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
 - (ii) involves only minor changes or adjustments to the boundaries of the designation or requirement; and*
 - (b) written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
 - (c) both the territorial authority and the requiring authority agree with the alteration— and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration.*
- (4) This section shall apply, with all necessary modifications, to a requirement by a territorial authority to alter its own designation or requirement within its own district.*

Review Process & Key Dates

The purpose of the ANCCG ToR is to articulate how the members will work together in the pursuit of their shared goal of making recommendations to AIAL, on aircraft noise issues and concerns that arise from the operation and activities at Auckland International Airport ("Airport"). Specifically, it outlines the purpose, activities, roles, membership, and processes of the ANCCG.

This review will

- consider all elements of the ToR and assess whether they are still fit for purpose; and
- assess elements of the ToR that are outdated, or which are no longer observed; and
- revisit the purpose and activities of the group.

Indicative Timeline	Key Actions
10 th June ANCCG	<ul style="list-style-type: none"> • AIAL to advise members that a ToR review is due. • AIAL to provide members with an outline of the ToR review process and provide a timeline of key dates. • AIAL to provide members with a copy of the existing ToR and invite them to provide input into the updating. • Members to provide input by 1st July 2024
August	<ul style="list-style-type: none"> • AIAL and Auckland Council staff to review current ToR with consideration to member's input. • AIAL and Auckland Council compile a draft report that outlines recommended updates.
September ANCCG	<ul style="list-style-type: none"> • AIAL to present a draft report to members that provides recommendations for changes along with a draft tracked-changed version for members to consider and provide feedback on. • Members to provide feedback by 30th September 2024
November	<ul style="list-style-type: none"> • AIAL and Auckland Council to consider feedback from members on recommended ToR changes. • AIAL and Auckland Council to compile final report.
December ANCCG	<ul style="list-style-type: none"> • AIAL to provide a final report and updated version of ToR for members to approve for submission to AIAL.
January – February 2025	<ul style="list-style-type: none"> • AIAL in its role as a Requiring Authority, gives notice to Auckland Council of its requirement to alter the ANCCG Terms of Reference.

Next Steps

Members of the ANCCG are asked to review the current ToR (Appendix A) and provide their views on improvements that could be made to ANCCG_Secretariat@aucklandairport.co.nz by the **1st July 2024**.

Appendix A: Aircraft Noise Community Consultative Group Terms of Reference

DESIGNATION AIAL 1100 — ATTACHMENT A

AIRCRAFT NOISE COMMUNITY CONSULTATIVE GROUP ("Group")

TERMS OF REFERENCE

Purpose

To consider, and where appropriate make recommendations to Auckland International Airport Limited ("**AIAL**"), on aircraft noise issues and concerns that arise from the operation and activities at Auckland International Airport ("**Airport**").

Activities

1. To identify community concerns regarding aircraft noise.
2. To co-operatively formulate and propose rules and procedures to minimise the impact of aircraft noise on the community and to consider how AIAL should respond to community concerns regarding aircraft noise.
3. To assist and advise AIAL and Council in the dissemination of relevant information to the community.
4. To regularly review the current procedure for handling noise complaints, modify that procedure where necessary and make it publicly available as soon as practicable.
5. To assist AIAL in the review of and, where necessary, to recommend modifications to, the Annual Noise Management Report's recommended initiatives, methods and procedures for reducing noise levels from Aircraft Operations and engine testing. AIAL is to consider any recommended modifications in good faith and provide the Group with a written response to the recommendations, including the reasons for rejecting any recommendations, should such a response be requested by the Group.
6. To monitor noise levels and compliance with the noise abatement procedures and Annual Noise Management Report.
7. To access appropriate technical expertise and guidance as required, including to, where appropriate, independently peer review noise monitoring and other technical data provided to the Group by AIAL.

Chairperson

Meetings will be chaired by an independent chairperson appointed by Council and AIAL jointly. The chairperson may invite other persons on an ad hoc basis to address the Group on particular agenda items. Where a matter is to be considered by the Group which would be likely to directly affect residents of a local board that is not otherwise represented on the Group, then the chairperson should notify the chair of that local board and invite them to the relevant meeting.

Membership

Local Board Representatives	(x 12)	<ul style="list-style-type: none"> • Mangere-Ōtāhuhu • Otara-Papatoetoe • Manurewa • Howick • Franklin • Maungakiekie-Tamaki • Albert-Eden • Puketepapa • Whau • Orakei • Waitakere Ranges • Papakura
Auckland Council Representative	(x 1)	
Industry Representative (freight forwarder or manufacturer, etc)	(x 1)	
Airways Corporation Representative	(x 1)	
Board of Airline Representatives of New Zealand	(x 2)	
AIAL Representatives	(x 2)	
Mana Whenua Representatives	(x 2)	
Community Representatives (one of whom must live within the Aircraft Noise Areas)	(x 2)	

General

1. The Group will meet at least every three months.
2. Meetings of the Group will be held at a place decided by the chairperson anytime between 2:00 pm and 9:00 pm.
3. AIAL will provide secretarial and support services at AIAL's cost and expense.
4. The selection of the Local Board and Community Representatives will be on the basis of: (a) one Representative on behalf of each of the Local Boards namely, Mangere-Ōtāhuhu, Otara-Papatoetoe, Manurewa, Howick, Franklin, Maungakiekie - Tamaki, Albert-Eden, Puketepapa, Whau, Orakei, Waitakere Ranges and Papakura; and (b) two Community Representatives, one of whom must live within the Aircraft Noise Areas. The appointment will be made by the majority of the chairperson, the Council Representative and one AIAL Representative. Applications are to be made in writing and will be called for by way of a notice on the internet and an advertisement in both the New Zealand Herald and the Manukau Courier.
5. The term of office for Local Board appointed Representatives and Community Representatives will be the same as the local body electoral term, that is three years. Council will be responsible for any payments to be made to the Local Board appointed Representatives.
6. AIAL will be responsible for any payments that are to be made to the Mana Whenua and Community Representatives in return for their services to the Group.
7. AIAL and Council will share equally the reasonable costs of the independent chairperson.
8. AIAL will provide data and technical information on aircraft movements and a noise complaint summary. The Group will monitor AIAL's process for responding to noise complaints and queries. Noise complaints will not be dealt with on an individual basis. The Group has an objective to reach consensus, however, dissenting views will be recorded.

Meeting procedure

1. **Chairperson:** AIAL and Council will be jointly responsible for appointing and removing the chairperson. The terms of appointment will set out the conditions of appointment and removal, and will include that the term of appointment for the chairperson is limited to 5 years, unless the Group otherwise agrees. The chairperson will chair the meeting. If the chairperson is not present within 15 minutes of the time appointed for the meeting then the Group will appoint another person to chair the meeting.
2. **Notice of meeting:** AIAL will arrange for:
 - public notice of the meeting to be published on the internet, including the contact details of all members of the Group; and
 - a reminder of meeting, together with any other relevant information to be sent to all members of the Group at least 5 working days before the meeting. The notice of meeting will set out the time and place of the meeting, and the nature of the business to be discussed. Members of the Group may advise AIAL of items to be included in the notice of meeting.
3. **Method of holding meeting:** Meetings will be held by a number of members, who constitute a quorum, being assembled together at the place, date and time appointed for the meeting.
4. **Quorum:** No business may be transacted at a meeting of the Group if a quorum is not present. A quorum is present if there are at least 6 people including three Local Board representatives, one Board of Airline Representatives of New Zealand representative, the Airways Corporation representative and one AIAL representative. If a quorum is not present within 15 minutes of the time appointed for the meeting then the meeting is to be adjourned to the same day in the following week at the same time and place or to such other date, time and place as the Group may appoint.
5. **Members may act by representative:** A member of the Group may appoint a representative to attend one or more meetings of the Group. A Representative appointed on behalf of the Community Representative who lives within the Aircraft Noise Areas, must also live within the Aircraft Noise Areas.
6. **Minutes:** The Group will ensure that minutes are kept of all proceedings and that the minutes are made available as soon as possible after the meeting on the internet. Minutes of the previous meeting will be sent to members with the notice of meeting for the next meeting.
7. **Public Forum:** A brief public forum may be held at the start of each meeting for one or more members of the public to speak in front of the Group. The allocation of time for the public forum and speaking rights are to be pre-arranged with, and managed by, the chairperson.