

**Submission to the Inquiry into Airports Amendment Bill 2010 –  
Department of Local Government, Western Australia**

**Introduction**

Western Australia is the largest Australian State, occupying one third of the continent and measuring 2,400km from north to south. Perth is the most isolated capital city in Australia, being 2,700km from its nearest neighbour, Adelaide, and closer to Jakarta than Canberra. Air travel and airports have great significance within this environment. Accordingly, the State has an interest in supporting and strengthening this industry for the benefit of the WA population.

Airports have significant impact on the communities situated within close to medium proximity. This includes issues to do with noise; land development implications; commercial competition; and environmental considerations, to name a few. This paper examines to what extent the Airports Amendment Bill 2010 supports the relationship between WA's airports and local governments. It will also look at how the provisions of the Bill will affect the communities of those local governments that are in close to medium proximity to the airports under consideration.

To do so, this paper will focus on the extent to which these proposed amendments align with recommendations relevant to the local government sector that were put forward in the State of Western Australia's 2008 Whole of Government Submission (the 2008 WA Submission) to the National Aviation Policy Green Paper. Four recommendations from that submission are relevant.

It is noted that the Airports Amendment Bill 2010 addresses only those airports which are Commonwealth-owned and which have been leased for 50 years (with a further 49-year option) to private companies. For WA this means that the proposed amendments apply only to the Perth and Jandakot airports. Consequently, some recommendations from the 2008 WA Submission that were relevant to local government do not apply.

**Recommendation 1**

The first applicable recommendation outlined in the 2008 WA Submission proposed that a written bilateral agreement be developed regarding how consultation and joint planning activity would be progressed. Whilst this Bill does not provide for developing a bilateral agreement, the amendments it contains do support greater consultation and joint planning between airports and affected local governments. For example, the amendments provide for:

- Certain developments of the type which the Government considers would normally be incompatible with the operation of an airport would constitute 'major airport developments'. As a result, such developments could only be carried out where they have been subject to a public consultation process.
- A development of a kind that is likely to have a significant impact on the local community is considered a major airport development. This triggers a requirement for the optimal level of public comment to

enable members of the community and other stakeholders to have input into the proposed developments.

- The public consultation period may only be shortened by written consent of the Minister as long as the Minister is satisfied that the development proposal does not raise additional issues that have a significant impact on the local community.

The Airports Amendment Bill 2010 then, does significantly provide for, and increases, consultation and joint planning on issues potentially affecting local government areas adjacent to airports. This will strengthen the position of local governments that may be negatively affected by airport developments. The Department supports these measures which will allow local governments and communities to make comment on and influence significant future developments.

### **Recommendation 2**

The second relevant recommendation from the 2008 WA Submission proposed that detailed articulation should be encouraged for the immediate 3 to 5 year period in an airport's Master Plan, though simultaneously with improved consultation. As outlined in the above discussion on Recommendation 1, the amendments contained in the Bill do provide improved consultation opportunity for local governments.

Greater accessible detail of the Master Plan is also addressed within the amendments, which include proposed requirements that:

- A master plan is required to contain, in relation to the first five years of the master plan:
  - Detailed information on proposed developments that are to be used for any other purpose not related to airport services, and
  - The likely effect of the proposed developments set out in the master plan on employment levels at the airport and on the local and regional economy and community including an analysis of how the proposed developments fit within the planning schemes for commercial and retail development in the area adjacent to the airport.
- A major development plan must set out the likely effect of the proposed development on:
  - Traffic flows at the airport and surrounding the airport,
  - Employment levels at the airport.

These amendments will also have positive flow on effects because by meeting these new requirements, airports will be encouraged to consider the impact and consequences of their developments on surrounding local governments. Additionally, the greater sharing of information has the potential to facilitate better consultation between airports and local governments.

### **Recommendation 3**

The third applicable recommendation from the 2008 WA submission proposed that ground transport plans should be made mandatory to ensure that Federal Airport lessees consider the impact of airport-based activity. It also stated that

the lessees should be required to contribute to related off-airport development of which they are a key benefactor.

The first half of this recommendation is met by the Bill, as the amendments require that a ground transport plan be produced as part of an airport's master plan. The amendments state that:

- A ground transport plan on the landside of the airport should provide details on:
  - Arrangements for working with the authorities responsible for the road network or ground transport system; and
  - The likely effect of the proposed developments set out in the master plan on the ground transport system and traffic flows at and surrounding the airport.

A further provision is that:

- In making a decision whether to approve a draft major development, the Minister will have regard to the likely effect of the development on the ground transport system at, and adjacent to, the airport.

Measures such as these will be welcomed by local governments. For example, the additional requirement of a ground transport plan as part of an airport's master plan will assist in the management of traffic congestion in roads at or near an airport. However, local governments may be concerned that the Bill makes no mention of a requirement for airport lessees to contribute to related off-airport developments of which they are a key benefactor.

#### **Recommendation 4**

The last applicable recommendation from the 2008 WA submission proposed that the Commonwealth Government should provide model guidelines for land-use planning around major airports. This recommendation was made by the then Western Australian Department of Environment and Conservation in regard to noise impacts and relates to a matter of direct concern to local governments, especially those in proximity to an airport and under a flight path.

The Bill does not address the use of land beyond that of the airports concerned, and thus this recommendation has not been directly addressed. However one amendment states that:

- The Minister may determine that a development is not a 'major airport development', and therefore does not require a major development plan, if the Minister is satisfied, on reasonable grounds, that the development will not unduly increase the noise heard by, or unduly cause a nuisance to, the community adjacent to the airport.

This provision has the capacity to improve noise control to some extent. Where the Minister deems a development a 'major airport development', this would trigger related consultation requirements, at his or her discretion, with noise being a consideration.

## **Conclusion**

The Department of Local Government views the Airports Amendment Bill as a positive step in improving relationships between the operators of Commonwealth owned airports and affected local governments. However, two additional areas could be addressed by the Bill. First, it is desirable that airport lessees be required to contribute to related off-airport developments of which they are key benefactors. This would contribute to greater consultation and joint planning between local governments and airports. It would also have the potential to fast track the development of infrastructure designed to improve access to airports. Secondly, it could be beneficial to develop model guidelines regarding land use planning around airports. Such guidelines could assist in matters such as coordinating aircraft flight plans with the needs of communities potentially affected by aircraft noise, taking into account noise impacts on sensitive facilities, such as child and aged care centres. The implementation of model guidelines could also further support the exchange of information and consultation between airports and local governments.

On balance, however, the Department of Local Government views the provisions of the Airports Amendment Bill 2010 as a positive contribution to the way in which local governments interact with and are recognised by the operators of Commonwealth owned airports.