

CHAPTER 1

Introduction

Background

1.1 On 7 December 2006, the Senate Selection of Bills Committee referred the *Airports Amendment Bill 2006* (the Bill) to the Senate Standing Committee on Rural and Regional Affairs and Transport (the committee) for inquiry and report by 26 February 2007.

1.2 The Selection of Bills Committee provided the following statement as the reason for referral:

Non aviation development on airport precincts has become very controversial in recent years. Large retail and manufacturing developments have been approved over the objections of State Governments, Local Councils, retailers and local residents. Reference would provide an opportunity for interested and affected parties to make submission concerning whether issues would be addressed in proposed Bill.¹

1.3 The Bill amends *The Airports Act 1996* (the Act), which is the Act that establishes the framework for the regulation of the 22 leased federal airports. The areas of regulatory control covered under the Act include leasing and management ownership and control of airport companies, land use planning and building controls, environmental management, protection of airspace, control of on-airport activities, pricing and quality of service and access and demand management.²

1.4 The purpose of the Bill is to:

- improve the land use planning system in place at leased federal airports through increasing the focus on strategic planning, simplifying planning controls and improving development assessment processes; and
- implement a number of recommendations arising from the Senate Rural and Regional Affairs and Transport References Committee *Report on the Inquiry into the Development of the Brisbane Airport Corporation Master Plan*, align the planning arrangements for Canberra Airport with those for other federal airports, and provide for greater flexibility for future updates of some day-to-day on-airport activities.³

1.5 The key areas in which the Bill amends the Act are:

1 Selection of Bills Committee, Report No. 16 of 2006, 7 December 2006.

2 Explanatory Memorandum (EM), *Airports Amendment Bill 2006*, p. 1.

3 EM, p. 1.

- to make clear the Federal Government's intention at the time of privatisation of the airports, by permitting non-aeronautical development at leased airports, provided such development is consistent with the airport lease and approved master plan;
- excluding Canberra Airport from the operation of the National Capital Plan as provided for in the *Australian Capital Territory (Planning and Land Management) Act 1988*, aligning Canberra Airport's planning obligations with the other leased federal airports which are subject only to the planning provisions of the Act;
- refining the planning and development approval regime attaching to airport master plans, major development plans and environment strategies, including streamlining public comment and assessment periods, providing purpose clauses, ensuring easier public access to a master plan, major development plans and environment strategies, and allowing the Minister to request further information during the assessment process via the 'stop the clock' provisions; and
- clarifying and refining processes associated with the current noise management arrangements applying at the leased federal airports.⁴

Proposed amendments to the Bill

1.6 Since the referral of the Bill, the Federal Government circulated amendments to the Bill in the House of Representatives on 13 February 2007 which alter the public consultation period. The purpose of these amendments 'is to ensure that the Government's benchmark for public consultation in the development of airport master plans, airport environment strategies and major development plans at leased federal airports is one of the longest when compared with other jurisdictions and ensures that members of the community have adequate time to review and provide comment on these important documents'.⁵

Conduct of the inquiry

1.7 The committee advertised the inquiry in *The Australian* newspaper on 12 December 2006, and invited submissions by 19 January 2007, although the committee continued to accept submissions after this date. Details of the inquiry, the Bill, and associated documents were placed on the committee's website. The committee also wrote to a number of organisations and individuals.

1.8 The committee received 73 submissions which are listed at Appendix 1. Submissions were placed on the committee's website for ease of access by the public.

4 EM, p. 1.

5 Supplementary EM, p. 1.

1.9 The committee held a public hearing in Canberra on 30 January 2007. A list of witnesses who appeared at the hearing is at Appendix 2 and copies of the Hansard transcript are available through the Internet at <http://aph.gov.au/hansard>.

1.10 Evidence received during the inquiry was, at times, contentious, and related directly to individual airport developments and conflicts that have arisen in different states between organisations, the community, airport developers and airport corporations. The committee also received correspondence after the public hearing from organisations seeking a right of reply to evidence recorded in Hansard and contained in submissions. This correspondence was placed on the committee's website.

Acknowledgement

1.11 The committee appreciates the time and work of all those who provided written and oral submissions to the inquiry, particularly in light of the tight timeframe imposed. Their work has assisted the committee considerably in its inquiry.

Note on references

1.12 References in this report are to individual submissions as received by the committee, not to a bound volume. References to the committee Hansard are to the proof Hansard: page numbers may vary between the proof and the official Hansard transcript.

