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Ms Jeanette Radcliffe
Committee Secretary
Rural and Regional Affairs and
Transport Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600

**OFFICE OF MAJOR PROJECTS AND
INFRASTRUCTURE**

Level 12, Roma Mitchell House
136 North Terrace
Adelaide SA 5000

P O Box 1
Walkerville SA 5081

Telephone: 08 8463 6222
Facsimile: 08 8463 6229

ABN 92 366 288 135

Dear Ms Radcliffe,

Thank you for your e-mail of 21 December 2006 to Ms Bronwyn Halliday, Executive Director Planning SA inviting submissions to the Committee's inquiry into the *Airports Amendment Bill 2006* and the *Airspace (Consequential and Other Measures) Bill 2006*. We are pleased to provide the following comments on the *Airports Amendment Bill*. We have no comments on the *Airspace (Consequential and Other Measures) Bill*.

We consider that the proposed amendments to the *Airports Act 1996* will generally make the Federal planning provisions applying to Adelaide and Parafield Airports more compatible with those administered by State and local governments outside the airports. The amendments will also facilitate greater public access to airport development proposals and master plans.

We support a number of the proposed amendments in particular:

- Amendment 23, which introduces a requirement for airport master plans to have greater regard for the compatibility of on-airport development with surrounding land uses.

However, it is not clear how this will be enforced and we believe that specific requirements should be added to the proposed sub-section (2)(d) to ensure that master plans are compatible with State planning schemes, eg the *Planning Strategy for Metropolitan Adelaide* (August 2006).

- Amendment 26, which adds sub-sections to section 71 (2) to specify the type of noise exposure forecasts that must be included in master plans and adds a new requirement to specify flights paths.

This recognises that Australian Noise Exposure Forecasts (ANEF) are a necessary statutory land use planning tool utilised by State and Local Government authorities, but also that additional information related to aircraft noise should be made available to purchasers of properties in proximity to airports.

- Amendment 33, which adds a subsection to section 71(4) that allows for matters in the master plan to be imbedded for a period longer than the “life” of the existing master plan.

We are of the view that this will help ensure that developments proposed in master plans do not jeopardise long term aeronautical developments (such as potential runway extensions) required outside of the existing master plan period.

- Amendment 48, which adds a new section 80A that allows the Federal Minister to “stop the clock” during draft master plan/variation processes by requesting more information of the airport. Similarly, Amendments 86 and 133, which add new sections relating to major development plan and environmental strategy processes.

We believe that these amendments should assist the Federal Minister to ensure that issues raised during the various consultation phases are properly addressed without unreasonable time constraints.

- Amendment 74, which adds a new subsection (4) to section 89 making it clear that consecutive or concurrent projects and extensions to existing buildings constitute part of a major development when considering whether the total development value will reach the new \$20m threshold to trigger a major development process.

Notwithstanding the increase in the trigger value, this amendment effectively ensures that the cumulative effects of a major project, as distinct from effects of incremental stages, will be considered as part of a major development plan assessment process.

- Amendment 90, which introduces a 5 year timeframe for completion of approved airport developments.

While we support a timeframe for completion, we are of the view that a commencement timeframe of 12 months should be adopted with the development to be completed within three years from date of commencement. Extensions of time could be made available on application to the Federal Minister. This timeframe would reduce the possibility of additional issues arising that were not considered during assessment.

- Amendment 93, which adds sub-section (2)(c) to section 95 that allows the Federal Minister to require an airport to seek public comment on a draft variation to an approved major development plan.

We support this amendment because it triggers statutory consultation periods that are otherwise absent.

Section 81 lists the matters that the Minister must have regard to in approving a draft master plan. We consider that these same matters are relevant to the Minister's review of a minor variation to the master plan under section 84. Similarly, this comment applies in relation to approval of minor variations of approved major development plans (sections 94 and 95) and environmental strategies (section 126 and 129) in relevant sections of the Airport Act 1996.

We note that none of the proposed amendments require negotiated off-airport infrastructure contributions to be stated as a condition of the Federal Minister's approval of a development on an airport. Given the Commonwealth's recognition of the need for competitive neutrality, we suggest that provision be made for approval of an airport development to be conditional on whatever developer contribution requirements that prevail in the state in which the airport is situated.

We suggest that these issues should be addressed in the amendments.

Should you require clarification of any aspects of our advice, please contact Mr Brett Fundak, Senior Project Officer, Office of Major Projects and Infrastructure, on (08) 8463 6240 or via e-mail at brett.fundak@saugov.sa.gov.au

Thank you again for the opportunity to provide input to the Senate Committee review.

Yours sincerely,



Rod Hook
Executive Director
Office of Major Projects and Infrastructure



Dean Lambert
A/- Executive Director
Planning SA

25 January 2007