

AIRPORTS AMENDMENTS BILL 2006

SUBMISSION BY LAUNCESTON CITY COUNCIL

Launceston City Council welcomes the opportunity to make a submission relative to the Airports Amendment Bill 2006.

There are two basic issues Council wishes to highlight.

ALIGNMENT WITH LOCAL PLANNING SCHEMES

In Council's opinion there are two types of land use associated with an Airport. There are operational matters / land uses and there are non operational matters / land uses.

Council firmly believes that operational matters and land uses should remain under the control of the Airport Master Plan process and as such remain outside the scope of the municipal planning systems.

However, recent trends in commercial land uses on airport controlled land highlight the need to bring non operational land uses and matters under the control of municipal planning systems.

Things like Direct Factory Outlets and Homemakers centres have no direct relationship to the operation of an airport. They are purely commercial activities on land that happens to be part of an airport. They do not rely on the airport for their existence. They use the location/name of the airport as a means of advertising their presence. Therefore there should be no seemingly "special" provisions under the Airports Act to exempt these types of uses from the municipal planning systems.

The recent Hobart Airport DFO/Homemaker Centre case highlights the inadequacies of the current system from a public good point of view. The DFO/Homemaker Centre proposal was for a centre in excess of 77,000 sqm of retail space. This was placed on the required public exhibition with no impact statements or justification for a retail centre that is nearly twice the size of the Hobart CBD.

Such a development proposed under a municipal planning system would require a range of studies – traffic, social, economic and impact on established retail centres – to be submitted. These studies would be publicly available for consideration at the time of making submissions.

Our suggestion is that airport operational matters and land uses should remain under the Master Plan process. Non operational matters and land uses should fall under the municipal planning systems in the State or Territory in which the airport is located.

To that end the intent of permitting non-aeronautical development at leased airports, provided such development is consistent with the airport lease and approved master plan is not supported.

The provisions regarding the alignment of Canberra Airport to the other leased federal airports and removing it from the ACT (Planning and Land Management) Act 1988 is not supported for the same reasons.

TIME FOR PUBLIC COMMENT FOR MASTER PLANS

The changes outlined in item 43 – new subparagraphs 79(1) (a) (ii) (Public Comment) are not supported. The idea that reducing the time for public comment time from 90 days to 45 business days aligns it more to a State/Territory planning system is simplistic. The two processes have little in common. The Master Plan process and the developments that flow (like the DFO's/Homemaker Centres) are not supported by studies that are openly available to the public at the time of considering the proposal.

Any municipal planning scheme that was being asked to consider such developments as DFO's and Homemaker Centres would make available a range of studies to justify the proposal. With a whole range of material available for public scrutiny a shorter time frame is justified.

In short the proposal to reduce the timeframe for public consideration of Airport Master Plans can only be supported if the range of studies provided to justify the plan is made available for public scrutiny.

Attached to this submission are extracts from the submission that Launceston City Council made to the DFO/Homemaker Centre proposal at Hobart Airport. This is provided to highlight some of the issues associated with such a development and the failings of the current process under the Airport Act.

Launceston City Council suggested that the amendments proposed to the Airports Act should be rewritten to align non-operational matters/land uses to municipal planning systems appropriate to each State or Territory.

HOBART AIRPORT MAJOR DEVELOPMENT PLAN

DFO, BULKY GOODS / HOMEMAKER RETAIL CENTRE PROPOSAL

REPRESENTATION BY LAUNCESTON CITY COUNCIL

RELATIONSHIP TO AIRPORTS ACT 1996 – The proposal falls outside the scope of the Airports Act 1996 insofar as this is not an operational development for the advancement of the airport. It is a commercial, speculative development and as such should be considered under the State's Planning framework.

RELATIONSHIP TO PLANNING PROCESS – there is little consideration of the scale or location of the development and how it relates to a good planning outcome for the State.

RELATIONSHIP TO PLANNING SCHEME OF CLARENCE COUNCIL – it can not be claimed that this proposal is in line with the Clarence City Council Planning Scheme. The clear intent of the Planning Scheme as it relates to the Airport is to protect the asset and area for air transport services. Reference to “development” in this section means air related developments – not a massive commercial development with little links to air travel.

ECONOMIC IMPACT STATEMENT – the extent of the published economic impact (four paragraphs under the reference 6.14) is totally inadequate, bearing in mind the scale of the development. It is a flaw of the process that the economic impact study is not released publicly for comment. In the recent Novak case around Launceston Airport the Essential Economics report that tried to justify that development was made public as part of the planning process. This development (Novak) was thrown out by the RPDC as being contrary to established retail hierarchy and scale of development proposed.

SCALE OF DEVELOPMENT – Without access to the economic impact it is hard to relate the scale of the proposed development to need. However, it is hard to justify a development of 77,000 sqm when the total retail floor area of Hobart is some 40,000 sqm. It is easy to say a site of this scale can not be found within the existing urban areas. This is true. But then where is the justification that a further 77,000 sqm of retail floor space is needed in the first place.

SUSTAINABILITY OF DEVELOPMENT – the development is not sustainable in terms of its location, scale and reliance on private vehicles to access the site. It is a stand-alone site where there is little opportunity to allow shoppers to engage in multiple experiences.

In the NSW Planning Court (NSWLEC 318) it was stated – “(the Homebush Centre) looks like a shopping centre, it use floor space intensively, it generates large amounts of parking, and it would benefit from location near good public transport. There is no reason why it needs different location criteria from mainstream shopping centres”.

Further, “it is a long standing planning policy in most Australian jurisdictions to locate retail development in metropolitan centres in order to optimise the investment of taxpayer’s funds in public infrastructure and minimise traffic generation.” – Retail Outlet Centres: A Centre By Any Other Name – Milton Cockburn. *Property Australia*, Vol 20 No 11 August 06

The DFO proposed at the Hobart Airport fails the sustainability test on all counts.

LOCATION OF DEVELOPMENT – the site is removed from any established urban area. If there has to be a development (albeit of some other scale) it should be located within or adjacent to an established retail area. A DFO is a retail centre and should be treated the same as any other proposal to expand a retail area.

This approach has been supported recently in NSW where planning policy states “these outlets should be treated like normal retailing outlets unless they are genuinely ancillary to on-site manufacturing and used only occasionally. Other forms of factory outlets (DFO’s) are simply shops seeking low rents and should be encouraged to agglomerate in existing declining centres where they can play a positive role in their revitalisation”.

In summary Launceston City Council oppose this development on the basis that it is being considered outside the State Planning process; it does not relate to the operation of the Airport and therefore should not be able to claim consideration under the Airports Act; there is little published economic data to justify a Centre of this scale; if a Centre is to be considered it should be located within or adjacent to an established retail area and the proposal is not good planning in terms of sustainable development.