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**To:** [aviationconsumer](#)  
**Subject:** submission to: Aviation Consumer Protections – subordinate legislation (including the Aviation Consumer Protections Charter) [SEC=OFFICIAL]  
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Submitted by: Anonymous

Submitted values are:

## Step 1: Your submission

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### Private Submission

No

### Published name

City of Kalgoorlie-Boulder.

## Upload attachments

### File uploads

- [final-ckb-submission-on-aviation-consumer-protections-consultation-paper-part-two-24-10-25.pdf](#) (297.3 KB)

## Step 2: Contact details

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**Consultation name**

Aviation Consumer Protections – subordinate legislation (including the Aviation Consumer Protections Charter)

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# City of Kalgoorlie Boulder

**Submission to the Department of Infrastructure, Transport,  
Regional Development, Communications, Sport and the  
Arts**

Aviation Consumer Protections Consultation Paper

## Submission by the City of Kalgoorlie-Boulder

The City of Kalgoorlie-Boulder (CKB) thanks the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts for the opportunity to provide feedback on the Aviation Consumer Protections Consultation Paper September 2025.

The City's feedback on the subordinate legislation is as follows:

### Background (as included in the City's first submission on the primary legislation)

- CKB is the owner of the Kalgoorlie-Boulder Airport, a major strategic regional airport and crucial transport hub that is the gateway to the Western Australian Goldfields region.
- As well as supporting domestic travel for business and community, the airport facilitates a range of emergency response services, including the Royal Flying Doctor Service and State Emergency Service.
- With a resident population of 30,000 and a regional population of 60,000, the airport plays a key role in supporting not only those who live in Kalgoorlie-Boulder, but fly-in fly-out (FIFO) workers (estimated at 10% of Kalgoorlie-Boulder's population) that work mainly in the mining sector and contribute to Kalgoorlie-Boulder's \$15 billion annual economic output.
- At 30+ years old, the Kalgoorlie-Boulder Airport's ageing infrastructure requires significant upgrades to meet modern standards, increased operational demands, and regulatory requirements.
- In 2018, CKB developed a comprehensive Kalgoorlie-Boulder Airport Master Plan 2018-2032 for the airport. At the time, passenger numbers were 266,915 (for 2018-19) and forecast to reach 375,000 in FY32.
- The airport has seen rapid growth in numbers since then, reaching about 350,000 in 2022-23, 422,000 in 2023-25 and 450,000 in 2024-25.
- The City is currently undertaking a feasibility assessment on the future of the Kalgoorlie-Boulder Airport terminal, with modelling and forecasting being undertaken to determine future terminal design and capacity.
- In addition to terminal capacity, internal layout will be reviewed to alleviate the significant congestion that occurs at the airport during peak times, particularly at the sterile screening checkpoint and in the departures lounge (sterile area). The airport's ageing security infrastructure poses significant risks, both in terms of operational safety and regulatory compliance.
- **Sixty-two percent of commercial flights to and from Perth (from January to September 2024) were delayed due to screening and congestion issues.**
- A Cost Benefit Analysis (CBA) was undertaken to assess the economic impact of the project to the Kalgoorlie-Boulder community and industry by Stickland Park Economics. Using estimates of flight delays for a 12-month period due to slow

security screening and a value of travel time savings of \$125/hour (Merkert and Beck, 2017) it was possible to estimate the value of reduced delays due to the expected improvements in security screening. This amounted to \$2.5 million dollars in present value terms over a period of 15 years using a real discount rate of 5%.

- The City has previously applied for a number of grants to progress works identified in the Master Plan (prior to the feasibility study being undertaken):
  - CKB applied unsuccessfully to Round 2 of the Growing Regions Program in 2024 for \$15 million towards the airport upgrade. CKB is generally not eligible to apply for Federal or State grants due to passenger numbers and revenue.
  - CKB has previously received three small grants in the last several years from the WA State Government Regional Airports Development Scheme (RADS): \$98,000 for airport air conditioner, \$50,000 for strategic financial management network, and \$32,000 for runway lighting upgrades (the \$32,000 grant was not uplifted).
  - There are no other grant opportunities at present for which CKB can apply for the required airport infrastructure work.

### **General feedback (as included in the City's first submission on the primary legislation)**

- The limitation on potential State and Federal grant funding airport assistance and high infrastructure upgrade costs are important context for Kalgoorlie-Boulder Airport's screening, congestion and departure issues, and flight delays.
- CKB notes the inclusion of airports in the proposed new framework, and that the Government has declined suggestions from some stakeholders that smaller airports be exempt from the framework. CKB also notes that costs of the framework will be recovered from regulated entities. This will add additional costs to the operation of Kalgoorlie-Boulder Airport.
- CKB also notes that government processes such as security screening will be included in the framework. Given Kalgoorlie-Boulder Airport's infrastructure and budgetary constraints, CKB is concerned that additional regulatory requirements may impose additional cost and legal liability.
- CKB notes that in terms of flight disruption and delays, the customer relationship would be with the airline, and that airlines would in turn rely on contracts such as those with airports. CKB is concerned that, given its current inability to fund upgrades needed to alleviate congestion that is causing significant flight delays, the new framework will impose additional pressure on relationships between CKB and airlines, and liability on CKB and its airport.
- CKB notes that activities such as baggage handling, and airport accessibility services provided by or on behalf of an airline or airport (even where there isn't a direct consumer relationship) will be included in the framework. For the City of Kalgoorlie-Boulder, this is Menzies Aviation, who oversee and are responsible for baggage handling.

- Given the airport's baggage handling area requires upgrading, CKB is concerned at additional regulations in this area, at a time when CKB is unable to fund the required upgrades.
- In general, when CKB is ineligible for most Federal and State grants to assist with airport infrastructure upgrades, CKB is concerned about additional costs, regulatory requirements and legal liability that may occur with the new framework.

## Responses to consultation questions regarding subordinate legislation

### 4. Do the proposed Charter standards cover the core elements of the aviation consumer experience relating to the delivery of airline services, airport services and airport accessibility services? Are there any missing elements?

- *CKB considers the proposed regulation of airline services broadly covers the core elements of the aviation consumer experience, relating to the delivery of airline services, airport services, and airport accessibility services, and notes the additional detail and clarity provided in the September 2025 consultation paper. CKB supports a consumer protection framework, rather than any mandatory delay-focused compensation scheme as is seen in some other international jurisdictions.*
- *As stated in our submission on the primary legislation, **accessibility** is an area at Kalgoorlie-Boulder Airport which requires enhancement to meet accessibility requirements. However, funding support would be required for this also – this represents an additional consideration and cost when considering terminal layout and upgrades. Additional regulation in this area, when CKB is unable to fund improvements in this area, would also strain the Kalgoorlie-Boulder Airport. **The City submits that the complexities of funding and operational structures of regional airports, who may have limited opportunities for funding support from the Federal and State government, are not recognised in the proposed Charter, which imposes additional regulation and responsibilities without providing avenues for support to achieve this.***
- *In addition, we note that the proposed regulation does not include **charters**. This is a significant component of Kalgoorlie-Boulder Airport flights. In terms of clarifying the extent of consumers covered by the proposed Charter applies, CKB suggests that the Consumer Protections Charter clarify if it will apply to charters that may be over a certain number of passengers, or if a charter flight has eligible public passenger tickets on that flight.*

### 5. Do the proposed Charter standards reflect reasonable standards? Are there any operational or technical considerations that would affect the ability of airlines or airports to meet the proposed standards?

*Generally, operational and technical challenges regarding the Kalgoorlie-Boulder airport are related to the frequent congestion at the airport, particularly in the security screening area. As stated above the City is concerned about additional regulation*

*relating to areas such as this for which regional airports have limited funding options, leading to services under strain which may not meet the proposed standards.*

*In terms of standards related to flight disruptions, collection of consumer contact details, and complaint resolution timeframes specifically, the City notes that it will primarily be airlines who have a direct relationship with the consumer and would be required to provide redress in terms of compensation, collect consumer contact details, and meet complaint resolution timeframes.*

*As per the City's submission on the primary legislation, the City does however have concerns that, given its current inability to fund upgrades needed to alleviate congestion that is causing significant flight delays, the new framework will impose additional pressure on relationships between CKB and airlines, and liability on CKB and its airport.*

*Additionally, the City notes another consideration. The Kalgoorlie-Airport has no jurisdiction over what might be determined to have caused a delay – the reason for a delay, e.g. security congestion, is determined by and communicated to airlines by the City's contracted ground handler. The City suggests that standards in the proposed Charter should reflect that airports do not always have control over delays, or what is determined to have caused a delay.*

**8. If different cost recovery levies are applied to regulated entities based on the nature or size of their operations, what metrics should be used to differentiate them?**

*As per above, CKB notes the inclusion of airports in the proposed new framework, and that the Government has declined suggestions from some stakeholders that smaller airports be exempt from the framework. CKB notes that recovering the costs of the framework will add additional costs to the operation of Kalgoorlie-Boulder Airport.*

*The City supports a differential levy whereby smaller entities pay a smaller variable, for example the suggested threshold of airlines/airports that service more than one million passengers per year (covering the four major domestic airlines, and two-thirds of international passengers; and almost 90% of all passenger movements in Australia respectively).*

*However, it also submits there should be scope for differentiating levies between airlines and airports, as suggested in the proposed Charter, such as applying lower levies to airports, given the majority of the work under the framework is expected to be associated with airlines.*

**9. For each of the duration/situation timeframes listed in Table 4 of the consultation paper (1 to 3 hours, 3 to 6 hours, 6 to 12 hours and more than 12 hours) what are reasonable values for food and drink vouchers per meal, and how many food and drink vouchers should affected passengers receive?**

*Again the City notes that it will primarily be airlines who have a direct relationship with the consumer and be required to provide compensation such as vouchers. It also notes the proposed timeframes in the Charter for refunds by airlines reflect international learnings and the impacts on vulnerable consumers with limited funds.*

*Internationally, it is best practice to provide meal vouchers for significant flight delays, and overnight accommodation for longer delays. Some international airlines provide compensation based on the km distance of the delayed trip. Most airlines seem to only provide meal voucher compensation for flights delayed by more than two hours – the City suggests compensation may not be necessary for a flight delay of less than two hours.*

*CKB notes that the ability to use meal vouchers may be more limited in regional airports, where food and beverage operators and their hours of operation may be more limited than at large metropolitan airports. Nevertheless, CKB suggests the following, including a regrouping of the delay (hours) brackets, considering that meal voucher compensation may not be necessary for flights that are delayed by only one hour:*

FLIGHT DELAY	Meal voucher compensation
<i>2-4 hours (no greater than 4 hours)</i>	<i>Refreshment voucher of \$30</i>
<i>4-6 hours (no greater than 6 hours)</i>	<i>Meal voucher of \$40</i>
<i>Between 6-12 hours</i>	<i>Meal vouchers totalling \$60</i>
<i>More than 12 hours</i>	<i>Meal vouchers totalling \$80</i>



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