



Exemption Activities – Guidance Note

Guidance for Airport Building Controllers and building activity applicants

August 2025

Purpose

This document sets out guidance for Airport Building Controllers (ABCs) and building activity applicants on the submission of building activities classified as an ‘exemption’ under Regulation 2.24 of the Airports (Building Control) Regulations 1996 (the regulations) and the role of Section 83A of the *Airports Act 1996* (the Act).

Regulation 2.24 Airports (Building Control) Regulations 1996

Exemptions

The regulations establish the types of building activities that are exempt from requiring a building approval, which is mandated by Section 99 of the Act.

The regulations establish that applicants wishing to undertake building activities that meet the criteria of regulation 2.24 (1) (a-e) are required to notify the ABC *in writing prior* to works being undertaken. In practice, this means that building activity applicants are required to provide an exemption notification to ABCs via the Airport Building Control Online (ABCO) electronic lodgement system.

When providing the exemption notification, applicants must assure themselves that works being applied for, including the way in which the works will be undertaken and any other wider considerations, result in the works being completed in line with all applicable legislation and guidance. This may include, but is not limited to, the Airports (Environment Protection) Regulations 1997 and any departmental environmental guidelines.

Minor Works

Exemptions under 2.24 (1) (f) of the regulations, being works considered *minor in nature*, require the submission of a minor works application, whereby the ABC must *determine* if the proposed works are exempt from Section 99 of the Act.

Section 83A *Airports Act 1996* - Compliance with environment strategy in final Airport Master Plan

Section 83A of the Act outlines that Airport Lessee Companies and third-party applicants must take all reasonable steps to ensure that their activities comply with the final Airport Environment Strategy and final Airport Master Plan.

What do applicants need to do?

When submitting an exemption notification to the ABC in ABCO, applicants are required to confirm, via a mandatory checkbox, that they have read, understood and agree that it is their responsibility to ensure that the building activity complies with section 83A of the Act, any other relevant section of the Act, any applicable federal/state/territory legislation, and that the works are exempt under regulation 2.24 (1) (a-e) of the regulations.

What do ABCs need to do?

Under the regulations:

- ABCs are only required to issue minor work determinations for building activities as described at regulation 2.24 (1) (f).
- ABCs do not have any decision-making role for exemption notifications made under regulation 2.24 (1) (a-e).

This supports ABCs in their duties by redirecting the responsibility to applicants at point of lodgement, moving away from current practices that see ABCs investing time on reviewing exempted activity applications.

Airport Lessee Companies, applicants, and ABCs should remain vigilant and maintain a monitoring and compliance role, ensuring that as part of their day to day duties they satisfy themselves that activities being undertaken and notified as exempted activities are as such.

This policy applies to all exemption notifications made after 1 September 2025.

Questions

Please direct any queries on this matter to the department.

Departmental Contact

Airport Building Controller

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