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Sent: Monday, 7 March 2022 10:13 PM
To: Aviation Reform
Cc: [REDACTED]
Subject: Response to Sunsetting Airports Regulations

Categories: SUNSETTING - Consultations

Appendix B – Consolidated Discussion Questions

Option 1: Status quo: Allow the Airports Regulations and the AOISRs to sunset

1. Do you think the Airports Regulations and the AOISRs should be allowed to sunset?

No. Unequivocally, no.

2. What are the benefits of no regulations on airport subleases, licensing and ownership?

There are none. The ALC's have used their leases as a remit to convert airports into industrial estates. The regulations need to be strengthened, not sunset.

3. What are the consequences of no regulations on subleases, licensing and ownership?

Aviation businesses have been displaced at airports in favour of non-aviation businesses. Aviation is dying at urban airports. Australia's critical aviation infrastructure is critically endangered.

Option 2: Remake the Airports Regulations and the AOISRs without changes

1. Do you agree or disagree with keeping the Part 1, 2 and 3 of the Airports Regulations and the AOISRs as is and without changes?

No. However, Option 1 & 3 are worse than Option 2. Option 1 or 3 will accelerate the destruction of aviation infrastructure. Option 2 is the least worst option.

2. What are the benefits or efficiencies in keeping these two Regulations as is?

The benefit is that it keeping regulations as is will least likely result in further decimation of aviation infrastructure at airports. However, keeping the regulations as is will still result in the complete destruction of airports, just at a slower pace than the other two options.

3. What are the inefficiencies in keeping these two Regulations as is?

Whatever inefficiencies exist, they are the only things keeping the ALC's from bulldozing everything aviation related except the runways. Keep them. Expand them.

Option 3: Remake the Airport Regulations and the AOISRs with changes

Subleases and Licensing

1. Do you agree or disagree with the proposed amendments? Please specify.

We disagree completely. The regulations are not fit for purpose to protect aviation infrastructure. The proposed amendments will hasten the demise of these airports. Instead, changes need to strengthen the protections to aviation when subleasing and licensing.

2. Can you suggest any improvements to the proposed amendments (e.g. is there anything else that should be included)?

A Fourth Option to completely re-evaluate the cost to benefits of the Airports Act 1996 needs to be undertaken by either a Parliamentary investigation or a Royal Commission. Without such an investigation, Australia will lose a crown jewel at each location where ALC's are present.

3. What level of benefit would you expect these changes to bring to your business?

As proposed, nothing good. A complete elimination of aviation activities.

4. Are there other opportunities to streamline and reduce red tape in regard to subleases and licensing?

Possibly, however, there needs to be further protection of aviation at airports as the primary focus of any new regulation.

5. Do you agree with the Department's estimate of the regulatory impact of proposed changes?

For ALC's? Perhaps. This "savings" will be offset by the billions in aviation revenue lost through the cessation of aviation activities at airports with an ALC. Australia will suffer.

Ownership

1. Do you agree or disagree with the proposed amendments? Please specify.

We strongly disagree. The current ALC ownership rules have done nothing to ensure that critical Australian aviation infrastructure is protected. We can only shudder to think what damage additional disinterest from foreign ownership would do.

2. Can you suggest any improvements to the proposed amendments (e.g. is there anything else that should be included)?

Absolutely. The ownership rules should be tightened to include a stakeholder interest in an aviation-related business independent of the airport being sub-leased by all ALC applicants.

3. What level of benefit would you expect these changes to bring to your business?

As proposed, nothing good. A complete elimination of aviation activities.

4. How could airport ownership remain as competitive as possible, while protecting Australia's national infrastructure?

By actually protecting the infrastructure. The competition at airports between non-aviation related businesses vs. aviation has destroyed enough of Australia's aviation sector.

5. Do you agree with the Department's estimate of the regulatory impact of proposed changes?

For ALC's? Perhaps. This "savings" will be offset by the billions in aviation revenue lost through the cessation of aviation activities at airports with an ALC. Australia will suffer greatly from the damage to the aviation ecosystem.

The bottom line is that the Airport Act 1996 has had the unintended consequence of making aviation a minor consideration at airports. Those fortunate enough to obtain an ALC approval have reaped huge benefits at the expense of all Australians who now have less aviation infrastructure at a time when there is an incredible demand for the services that only an urban airport can satisfy.

We would welcome the opportunity to work with the Ministry to identify the priorities and solutions to supporting aviation. At airports Please do not hesitate to contact us with any questions or concerns.

Kindest Regards,

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