

Sunsetting Airports Regulations Stage 2: Control of On-Airport Activities

Consultation paper response

September 2022

Name:	Airport Development Group
Confidential submission:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Industry type:	<input type="checkbox"/> Government Body <input type="checkbox"/> Airline <input checked="" type="checkbox"/> Airport Lessee Company <input type="checkbox"/> General Aviation <input type="checkbox"/> Community Group <input type="checkbox"/> Retail <input type="checkbox"/> Industry Body <input type="checkbox"/> Other (please specify)
If you ticked other above, please specify:	

Responding to this paper

In acknowledgement of the size and scope of this submission paper, respondents are welcome to provide responses to aviationreform@infrastructure.gov.au via other formats. However, the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the Department) recommends the use of this submission paper to assist with analysing and reviewing of submissions.

Please provide submissions or direct your questions to aviationreform@infrastructure.gov.au.

Privacy and confidentiality

Written submissions **will be made publicly available** in full on the Department's website unless you clearly indicate that you would like all or part of your submission to remain in confidence.

Any personal information respondents provide to the Department will be used for purposes related to considering issues raised in the consultation paper, in accordance with the *Privacy Act 1988* (see **Appendix B** of the consultation paper). You are also welcome to provide submissions confidentially.

Introduction

Please provide relevant background information to help the Department to understand your perspective. Relevant factors may be who you are or what organisation you are from, and what your interests are in responding to the sunseting review of the Airports (Control of On-Airport Activities) Regulations 1997 (the Regulations).

Airport Development (ADG) owns and operates Darwin International Airport, Alice Springs Airport and Tennant Creek Airport, as well as strategic and diverse assets across the Territory including hotels and resorts, utilities and a significant property portfolio. ADG has been part of the Northern Territory community for over two decades and is one of Northern Australia's largest companies.

1: Liquor control in airports outside NSW

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| 1. How appropriate do you think the current regulatory settings are for liquor in leased federal airports outside NSW? What works well? What needs to be fixed? | |
| 2. What is your preferred sunseting option (sunseting without remaking, remaking without substantive changes, or remaking with changes)? Why? | ADG supports maintaining the current regulatory responsibilities for liquor control with the Territory authority. |
| 3. Are there any modifications of state or territory liquor laws, or other provisions of the Regulations relating to the control of liquor outside NSW (Part 2 or Schedule 1 of the Regulations), that are no longer required? If so, what are they and why? | |
| 4. Are there any modifications of state or territory liquor laws, or other provisions, that are out of date or ineffective and so require updating? If so, what are they and why? What is the nature of the update required? | |
| 5. What disparate requirements (for example, different requirements that apply to different airports within a state or territory, or to different parts of an airport such as the terminal area only) need harmonisation, if any? What would be the impacts of this harmonisation? | |

2: Consumer trading hours

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| 6. How appropriate do you think the current regulatory settings are for consumer trading hours in leased federal airports? What works well? What needs to be fixed? | ADG is comfortable with the existing consumer trading hour arrangements in place at its airports. ADG wants to ensure its commercial offerings are competitive with equivalent off-airport offerings (e.g. service stations, quick-service-retail, supermarkets) and wants to ensure these are not restricted. |
| 7. What is your preferred sunseting option (sunseting without remaking, remaking without substantive changes, or remaking with changes)? Why? | |
| 8. Should the Regulations include any new provisions (e.g. exemptions to consumer trading hours for Western Sydney International (Nancy-Bird Walton) Airport)? What would be the impact on your operations if the provisions were or were not included? | |
| 9. If you think it is appropriate for exemptions to continue to apply (or new exemptions to apply) under the Regulations to state or territory consumer trading restrictions, should these apply to the whole of the airport site, or only the terminal area? Why? Would your views be different if any change only impacted new businesses trading on the airport site? | |

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10. Are there any provisions in the Regulations relating to consumer trading hours (e.g. exemptions to state laws) that are no longer required? If so, what are they and why?
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11. Are there any provisions in the Regulations relating to consumer trading that are out of date or ineffective and so require updating? If so, what are they and why? What is the nature of the update required?
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3: Landside vehicle parking

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12. Should the Parking Infringement Notice Scheme (PINS) framework continue in its current form? Why?
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| 13. What are the benefits (or issues) to your business of the current arrangements at the airport you are located at or manage? (PINS or non-PINS) | ADG is in favour of keeping the current arrangements in place at Darwin International Airport and Alice Springs Airport. ADG believes it is important to maintain the ability of controlling on-airport activities (e.g. car parking breaches) through the issuing of infringement notices. |
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14. What additional changes would make the PINS work better if it was retained?
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15. What benefits (or issues) would there be from the use of state and territory regulations?
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4: Airside vehicles

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| 16. Should airside vehicle controls be nationally consistent? Why? | Yes. Uniformity nationally will assist, given a number of companies operate airside at several Australian airports. |
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17. Would there be an impact on your operations if the airside vehicle control provisions within the Regulations were allowed to sunset?
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| 18. What additional changes would make this part of the Regulations work better if it was retained? | ADG is comfortable with the existing provisions for airside vehicles. |
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5: Gambling

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19. How appropriate do you think the current regulatory settings are for gambling in leased federal airports? What works well? What needs to be fixed?
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| 20. What is your preferred sunset option (sunset without remaking, remaking without substantive changes, or remaking with changes)? Why? | ADG supports transferring the regulatory responsibilities for gambling activities to the relevant state/territory authority. |
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21. Would you support the lifting of the gambling prohibition? What impacts would an increase in gambling activities on leased federal airports have?
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22. Would you support the transfer of regulatory responsibilities for gambling activities under existing authorities to the relevant South Australian and Victorian government authorities?
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23. Are there any provisions relating to the control of gambling (Part 5 of the Regulations), that are no longer required? If so, what are they and why?
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24. Are there any provisions relating to the control of gambling (Part 5 of the Regulations), that are out of date or ineffective and so require updating? If so, what are they and why? What is the nature of the update required?
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6: Smoking

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| 25. Do the current smoking regulations adequately control smoking at leased federal airports? | ADG supports the proposed 'Option 3: Remake the Regulations with changes' to reflect the modern smoking regulations more appropriately, such as vaping and e-cigarettes. |
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26. Are the penalties appropriate for the contravention of smoking?
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27. What additional changes would make smoking provisions under the Regulations work better if it was retained?
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28. Would state and territory governments need to make changes to their frameworks if smoking provisions under the Regulations were to sunset?
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7: Other comments

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| 29. Do you have any other comments you would like to share with the Department in relation to the sunset review of the Airports (Control of On Airport Activities) Regulations 1997? | ADG would like to commend the Department on the comprehensive consultation packages prepared for this stage as well as earlier stages. |
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