

26 October 2022

Mr. Mark Shen
Director, Airports Reform and Sunsetting
Domestic Aviation & Reform Division
Department of Infrastructure, Transport, Regional Development, Communications and the Arts
GPO Box 594
CANBERRA ACT 2601

Via email: aviationreform@infrastructure.gov.au

Dear Mr. Shen,

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

The Australian Airports Association (AAA) welcomes the opportunity to comment on the Department of Infrastructure, Transport, Communications and Regional Development's (the Department) Consultation Paper for Stage 2 of Sunsetting Airport Regulations.

The submission supports those provided by AAA members deemed individual Airport Leasing Companies (ALCs), such as Adelaide Airport Limited, Asia-Pacific Airports Corporation (Melbourne and Launceston), Brisbane Airport Corporation, Canberra Airport, Essendon Fields Airport, Sydney Airport Corporation and Sydney Metro Airports. It also contains advice provided by other ALCs.

1. Liquor control in airports outside NSW

The current regulatory framework regarding the control of liquor at airports is appropriate and fit for purpose. As a result, the AAA supports Option 2, to remake the regulations in the same form, subject to minor amendments required to update legislative referencing and account for minor variations in liquor control legislation in each jurisdiction.

Regarding liquor control for airports within NSW (Sydney, Bankstown and Camden Airports), the AAA supports the existing regulatory controls.

2. Consumer trading hours

The current regulatory framework regarding retail trading hours on airports is appropriate and fit for purpose. The AAA supports Option 2, remaking of the regulations in the same form, subject to minor amendments required to update legislative referencing.

3. Landside vehicle parking

Given that many ALCs have developed different responses to the enforcement of landside vehicle parking, the AAA supports Option 2, to remake the regulations in the same form.

4. Airside vehicles

Airside vehicle management is mandated by Commonwealth regulation through *the Civil Aviation Safety Regulations* 1998 (CASR) Part 139.B.2 (subparagraph 139.095(a) (ii) Airside Vehicle Control). Under the regulations, aerodrome manuals must include applicable traffic rules and the means of enforcing these rules. Inclusion of airside vehicle management in the CASR reflects the safety impacts airside vehicles can have on the aviation system.

The AAA's view is that the regulations remain fit for purpose in that they ensure a level of national consistency for airside vehicle control, with the exercise of airside vehicle control through the aerodrome manual (which allows individual circumstances at each aerodrome to be recognised and codified) as the most appropriate approach. Therefore, the AAA supports Option 2, remaking the airside driving regulations without substantive changes and retaining the current authorisations.

5. Gambling

The AAA notes that since privatisation of airports in the late 1990s, government policy has remained consistent in prohibiting gambling in any form at Federally-leased airports. The AAA supports Option 3, of remaking the regulations with changes. These changes should not only:

- Protect ALCs with legacy gambling (poker machine) facilities on airport land, but also;
- Allow on-airport businesses (e.g., Newsagencies and gift shops) to sell lottery/lotto tickets in a manner consistent with similar businesses located off-airport.

In remaking the regulations, 'hard' forms of gambling to airports (e.g., poker machines, off-course betting and casinos) should not be allowed on airport land, except in those cases where legacy gambling facilities already exist. In terms of the sale of lottery and lotto tickets, the blanket ban prevents on-airport newsagents and other retailers from selling these products and hinder ALCs in providing a modern retailing offer to passengers.

6. Smoking

On smoking at Federally-leased airports, the AAA supports Option 2 – to remake the regulations without substantive changes.

7. Infringements

Regarding the infringements regime, the AAA supports Option 2 – to remake the regulations without substantive changes.

The AAA looks forward to working with the Department on Stage 3 of the sunseting process dealing with environmental and planning issues.

Should you require further information, please contact Mr. Scott Martin, Director of Policy & Advocacy on 0437 285 739 or at smartin@airports.asn.au.

Yours sincerely



James Goodwin
Chief Executive