



Major Development Plans

Process summary under the *Airports Act 1996*

October 2026

Overview

The *Airports Act 1996* (the Act) sets out approval processes for Major Development Plans (MDPs). Section 90 of the Act requires that a major airport development may not proceed without an approved major development plan (MDP).

An MDP is intended to establish the details of a major airport development (which is defined in section 89 of the Act, and includes construction of a new runway), and to ensure the major airport development is consistent with the airport lease and final Master Plan for the airport.

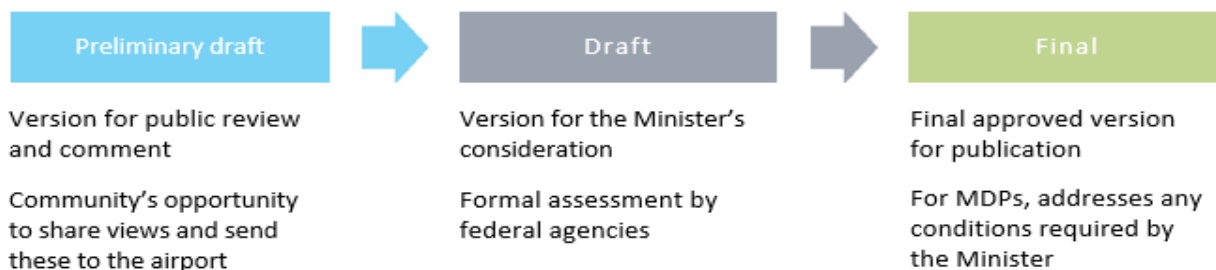
The Minister with responsibility for the Act must make a decision to approve, or refuse to approve, each draft MDP submitted by the airport-lessee company for consideration.

Major airport developments

Section 89 of the Act provides an extensive list of major airport developments that require an MDP. This includes (amongst other things) the following developments:

- a new runway, extend or alter an existing runway, or an exempt sensitive development (these developments require approval irrespective of construction cost or building footprint);
- a building that is not for use as a passenger terminal, a new or extended taxiway, a new or extended road or vehicular access facility, and a new or extended railway or rail handling facility (these require approval where the cost of construction exceeds a specified monetary threshold, which is currently \$25 million);
- constructing a new building wholly or principally for use as a passenger terminal, where the building's gross floor space is greater than 500 m²;
- extending a building that is wholly or principally for use as a passenger terminal, where the extension increases the building's gross floor space by more than 10 per cent; or
- a development that is likely to have a significant environmental or ecological impact, or which affects an area identified as environmentally significant in the Airport Environment Strategy in force for the airport, or which are likely to have a significant impact on the local or regional community (these developments require approval irrespective of construction cost or building footprint).

MDP consideration process



Preliminary draft (including public consultation)

An airport-lessee company is required to publicly exhibit a preliminary draft MDP for 60 business days, and invite members of the public to provide written comments about the preliminary draft during this period, prior to submitting a draft MDP to the Minister. The Minister may approve a shorter consultation period for MDPs (of not less than 15 business days).

Under section 92 of the Act, before giving the Minister a draft MDP, the airport-lessee company for the airport must advise, in writing, the following persons of its intention to give the Minister the draft MDP:

- the Minister of the State in which the airport is situated, with responsibility for town planning or use of land;
- the authority of that State with responsibility for town planning or use of land; and
- each local government body with responsibility for an area surrounding the airport.

An airport-lessee company is required to provide the Minister with copies of the comments it receives from members of the public and other stakeholders, including those listed above, on the preliminary draft version of an MDP. The airport-lessee company is also required to demonstrate due regard for those comments in preparing the draft MDP that is submitted to the Minister.

Draft (submitted to the Minister)

Once a draft MDP is submitted, the Minister must either approve or refuse to approve the plan. The Minister must not approve the plan unless it is consistent with the final Master Plan. The Minister may also choose to approve subject to one or more conditions.

The Minister has 50 business days (or up to 60 business days if a written notice is provided to the airport-lessee company), after a draft MDP is submitted to make their decision. If the Minister does not make a decision by the end of this period, the Minister is taken to have approved the draft MDP.

- If a referral to the Minister for Environment is sought under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), the 50 business day assessment period does not commence until advice from the Minister for Environment has been received (including advice that advice is not required).

If the Minister believes they do not have enough material to make a proper decision to approve or refuse to approve a draft MDP, the Minister may request the airport-lessee company provide specified material relevant to making the decision. A request of this nature stops the Minister's 50 business day assessment period until all requested material is received from the airport-lessee company. The clock resumes the day after this information has been received.

Matters to which the Minister must have regard

Under subsection 94(3) of the Act, in deciding whether to approve or refuse to approve a draft MDP, the Minister must have regard to the following matters:

- the extent to which the plan achieves the purposes of an MDP;
- the extent to which carrying out the plan would meet the future needs of civil aviation users of the airport, and other users of the airport, for services and facilities relating to the airport;
- the effect that carrying out the plan would be likely to have on the future operation capacity of the airport;
- the impact that carrying out the plan would be likely to have on the environment;
- the consultations undertaken in preparing the plan (including the outcome of the consultations);
- the views of the Civil Aviation Safety Authority and Airservices Australia, in so far as they relate to safety aspects and operational aspects of the plan; and
- if the plan relates to a sensitive development:
 - whether the exceptional circumstances that the airport lessee company claims will justify the development of the sensitive development at the airport;
 - the likely effect of the sensitive development on the future use of the airport site for aviation related purposes; and
 - the likely effect of the sensitive development on the ground transport system at, and adjacent to, the airport.

Final (approved by the Minister)

Should the Minister approve a draft MDP, the airport-lessee company must publish the final MDP within 50 business days after approval. Major airport developments must be carried out in accordance with an approved MDP (which may, or may not be, subject to conditions).

Unless otherwise stated in the approval by the Minister, the approval is subject to a condition that the development be substantially completed before the end of a specified period ending no later than 5 years after the approval. The Minister, may extend, or further extend, that period by up to 2 years (this extension may also be subject to conditions).

There are provisions under the Act for the airport-lessee company to submit draft minor variations to the MDP if required while the plan is in force.

There are also provisions under the Act for the airport-lessee company to withdraw a MDP by notice to the Minister, should exceptional circumstances beyond the airport-lessee company's control have made proceeding the major airport development unviable.

Refusal

Should the Minister refuse to approve a draft MDP, the Minister must advise the airport-lessee company in writing of their decision, and provide a statement of reasons.

Review of decisions

The Minister's decision to approve, or refuse to approve, a draft MDP may be subject to appeal to the Administrative Review Tribunal (ART). An application to the ART for review of a decision may be made by the person or persons whose interests are affected by the decision. The ART will then make an assessment on whether an applicant has standing.