

PLAN4132

Thesis Project

**Planning, Secondary Airports and the Role
of the Commonwealth: A case study of
Bankstown Airport**

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ABSTRACT

A key feature of Australian cities is the secondary airport, providing for a range of general aviation activities rather than international and large-scale domestic passenger travel. While many secondary airports, like most land uses, are subject to state and territory planning laws, a key feature of a certain class of secondary airports is that they come under the provisions of the Commonwealth *Airports Act 1996*. The *Airports Act 1996* provides state and local government with a very limited role in the control of development at airports, with power resting with the Commonwealth and a large role for airport lessees. At the same time, airport privatisation has coincided with a rise in non-aeronautical development at secondary airports, as airport lessees have sought to manage airports on a more commercial basis. This thesis explores the effectiveness of the role of the Commonwealth and the *Airports Act 1996* in ensuring that good development outcomes exist at secondary airports. Bankstown Airport is used as a case study with the views of key stakeholders in its development being analysed. This thesis suggests ways that the planning system applying to secondary airports under Commonwealth control can be improved to enhance confidence amongst stakeholders.

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Introduction

BACKGROUND

Aviation is a significant activity in Australia. Aviation plays a key role in transporting people, whether it be for business purposes, tourism or personal business. Aviation also plays an important role in the movement of freight. Other civil uses of aviation, in addition to transport, include a variety of general aviation activities such as recreational flights and flying training.

Because of the key role of aviation in Australia, it is perhaps unsurprising that Australia is well served by a range of airports to cater for different uses. These airports range from larger ones that cater primarily for travel (both international and between Australian cities) and a variety of other uses to smaller airports that primarily serve general aviation activities, with limited capacity for air travel.

Airports in Sydney

There is a hierarchy of civil (ie. non-military) airports in the Sydney basin. An outline of this hierarchy can be seen below:

- Sydney Airport (Kingsford Smith International Airport): A major international and domestic passenger airport handling in excess of 29 million passengers during 2005-06 and 255 401 aircraft movements (Bureau of Infrastructure Transport and Regional Economics 2008). Sydney Airport also plays a significant role in air freight. This airport serves a full range of aircraft types including very large commercial airliners with the capacity to carry hundreds of people.
- Bankstown Airport: A major general aviation airport with very limited passenger travel and a limited freight role, handling over 367 170 aircraft movements in during 2007-08 (Air Services Australia 2008a). This airport primarily serves smaller aircraft including large numbers of private aircraft.
- Camden Airport: A smaller general aviation airport with essentially no dedicated passenger role. Used primarily as an overflow airport for Bankstown Airport, with fewer volumes of private aircraft movements. Camden Airport handled slightly over 46,000 aircraft movements during 2003 (Air Services Australia 2008b).
- Other airports/airstrips: A small number of other small airports and airstrips exist within the

Sydney basin. These airports typically have limited general aviation use and limited hours of operation. Examples of these facilities include Wedderburn and The Oaks.

Within the above hierarchy, Sydney Airport can be seen as Sydney's primary airport, generally playing the most important role in terms of economic activity and patronage. Bankstown and Camden Airports can be seen as secondary airports, with less significant economic activity and patronage, generally playing a supporting role to Sydney's main airport.

Secondary Airports

While primary airports are generally far more significant than secondary airports in economic and patronage terms, secondary airports typically also occupy large areas of land, either within or on the fringe of cities and hence they are not necessarily less significant in terms of land use planning and in ground based development. Secondary airports can also be closer to communities and for this reason have often generated controversy, for example protests by local residents have occurred in relation to Essendon Airport in Victoria (Reynolds 2008).

Privatisation

The Commonwealth government has traditionally played a major role in relation to airports in Australia and their ownership and management. Recent years, however, have seen the privatisation of many airports, with civil airports owned by the Commonwealth sold to the private sector on 50 or 99 year lease arrangements from 1996, under the provisions of the *Airports Act 1996*. Privatisation has seen airports managed on a more commercial basis, with attempts to ensure that adequate returns are received from investment by airport lessees.

Non-aeronautical development

While aeronautical facilities such as runways, hangars and terminal facilities are perhaps the main feature of airports, another key feature of many airports are non-aeronautical developments, or developments that are secondary to the main use of the airport. Examples of these developments at

airports in Sydney include shopping centres, office buildings and manufacturing facilities.

While always a feature of many airports in Sydney, the privatisation of airports has in many cases coincided with a rise in non-aeronautical developments at airport sites. Certain non-aeronautical development at airport sites has generated controversy amongst members of local communities and division between different levels of government. This in turn has led to close scrutiny of the land use planning and development assessment regime applying to airports.

Government responsibilities and legislation

A key feature of planning in relation to airports is that while the vast majority of responsibility for planning and development approvals in Australia rests with state and local government, planning and development approvals at most of Australia's larger airports is a Commonwealth responsibility. Indeed, given that the Commonwealth Government plays a relatively limited role in planning, responsibilities for planning at airports is perhaps the most important activity undertaken by the Commonwealth within the context of planning. The Commonwealth's role in planning at airports primarily lies under the *Airports Act 1996*, which provides for a planning system at certain airports, amongst other matters.

The issue of which level of government is most appropriate to exercise planning responsibilities for airports and assess and approve development proposals is another issue that has generated controversy. Different stakeholders, with different interests in the process have argued both for the status-quo of Commonwealth control, or for a greater role for state and/or local government.

While the legislative role of state and local government at airports that fall under the *Airports Act 1996* is relatively limited, airport lessees and government authorities have at times entered into arrangements to improve cooperation that are not specifically required under legislation. An example of this includes a memorandum of understanding between Bankstown City Council and Bankstown Airport Limited signed in 2008.

The issue of division of powers between different levels of government is perhaps more controversial for secondary airports than it is for airports in general. Most primary and international airports are

subject to Commonwealth control and it has been argued that this is most appropriate because these airports are of “national significance”. Planning responsibility for secondary airports is more varied with many (including those in the Sydney basin such as Camden and Bankstown) subject to Commonwealth control, while others, including many in regional areas, fall under the control of state and territory planning regimes. It is perhaps more difficult to argue that secondary airports are of “national significance”, hence arguments both for and against Commonwealth control are more varied.

The role of the Commonwealth government in regulating development at secondary airports has shifted as privatisation has occurred. In the past, government ownership meant that the Commonwealth government had responsibility for instigating development proposals as well as ensuring that they were consistent with planning principles for the airport. Today, the Commonwealth's role is more limited to approving airport master plans and larger development proposals, with such proposals originating from the lessees of privatised airports rather than the government itself.

THESIS PRESENTATION

Case study of Bankstown Airport

Within the context of airports in NSW and recent privatisation, development and planning at Sydney airport in recent years has been studied relatively extensively, however less study has been given to the impact of current policy on secondary airports such as Bankstown Airport and Camden Airport.

Bankstown Airport is the second largest airport in Sydney in terms of patronage and the largest in terms of aircraft take off and landings. It is a significant centre for general aviation in Australia, with a number of private aircraft, flying schools and air charter services. In addition to its core aviation function, the airport contains a large business park including aviation related business such as those involved in aircraft manufacture and servicing and also others that are non aviation related, for example a large hardware store is situated on the airport's land.

In aviation terms, Bankstown Airport is very much secondary to Sydney Airport, although given that it occupies a large area of land within Sydney that is surrounded by other land uses, it is not necessarily

less significant in land use planning or in terms of the impacts development at the airport may have on surrounding development.

Objectives

This thesis will analyse the current planning regime applying to secondary airports in Sydney using Bankstown Airport as a case study. Particular emphasis will be given to development occurring at the airport and views on the current regime amongst different stakeholders including the airport lessee company, members of the community, lobby groups and the local Council.

In light of controversy and differences of opinion amongst different stakeholder in relation to the planning system applying to airports in Sydney and in particular Bankstown Airport, the objectives of this thesis are to analyse the following areas of relevance to planning and development at Bankstown Airport:

- The success of the *Airports Act 1996* in meeting the needs of stakeholders of Bankstown Airport, in particular, the airport lessee company, state and local government and members of the local community.
- The suitability of the Commonwealth Government being responsible for land use planning and development approvals at Bankstown Airport, as opposed to state or local government.
- Whether it is appropriate for Bankstown Airport to have a separate planning regime to essentially all other land uses or whether its unique character justifies a separate planning regime.
- Whether development that has been permitted and constructed under the current planning regime at Bankstown Airport is consistent with the public interest and good planning.

Theory

The key theoretical and conceptual contexts of this thesis are planning undertaken by different levels of government in the context of a federal system of government, land use conflicts, development and privatisation. All four form key components of the research and all are interrelated to some degree in

the context of planning for and development at airports.

In further detail, theory and concepts relating to strategic planning and development approval processes form key areas of analysis. Within these areas of analysis, a variety of outcomes are examined including efficiency, consultation, transparency and stakeholder confidence.

Sources

A variety of sources of information are used to assist the publication of this thesis. Literary documentary in the form of books and journal articles forms an important source of information in the first three chapters of the thesis particularly, this literature relates to privatisation, Australian airports and Bankstown Airport and its history. Legislation of relevance to planning and planning policies and regulations applying to airports also form key sources of information. A limited geographical analysis of development and Bankstown Airport is also provided

Academic literature in the form of journal articles or books in relation to the planning system applying to Bankstown Airport and indeed secondary airports in Australia generally is severely limited. Because of this, the second half of the thesis which relates specifically to stakeholder views on the planning system applying to Bankstown Airport makes extensive use of other sources. The most significant of these are in-depth interviews which were conducted with representatives of Bankstown Airport Limited, Bankstown City Council and a community group known as "Bankstown Airport Out Tourism In".

A key feature of this thesis is that its time of writing has coincided with the release of an issues paper by the Commonwealth Government titled *Towards a National Aviation Policy Statement*. This issues paper is a prelude to a review of government aviation policy, with a white paper to be published in 2009. Submissions to the issues paper were invited and a number of submissions were made by airport owners and other relevant stakeholders, including in relation to Bankstown Airport. Because these submissions were in response to the issues paper, they form the views of stakeholders on the current planning regime applying to many airports including Bankstown. The submissions to the discussion paper hence form important sources of information for second half of this thesis.

Structure

This thesis contains a total of seven chapters. The first three chapters of the thesis discuss airports generally including current planning policy and legislation applying to airports and the impact of privatisation. A general description of the case study of the thesis, Bankstown Airport is provided, including current planning policies and legislation that apply to Bankstown Airport specifically.

Chapters 4 to 6 of the thesis explore stakeholder views on the effectiveness of the operation of the current planning regime applying to Bankstown Airport, including the views of the airport lessee company, government, and community groups. Chapter 7 provides a discussion and evaluation having regard to the objectives of the thesis and the material researched, conclusions are provided.

Chapter 1 - Planning responsibilities and legislation applying to airports and the role of the three levels of government in Australia

INTRODUCTION

This chapter explains and discusses legislation of relevance to planning applying to airports in Australia and specifically NSW. The roles of the three levels of government in Australia are discussed under three main headings. A description of legislation including master planning and development approval processes are provided.

Planning responsibilities for airports in Australia are divided between the three levels of government, Commonwealth, state and local. Typically, however, the Commonwealth government plays the most important role, as it is responsible for essentially all of the largest airports in terms of passenger volumes. The role of state and local government is more important in relation to smaller airports, especially in rural and regional areas.

THE ROLE OF THE COMMONWEALTH

Constitutional background

In order to examine why the Commonwealth typically plays the most important role in terms of owning and regulating airports, it is necessary to analyse the Australian constitution. The Australian Constitution does not specifically list the control of airports and/or planning for airports to be within the powers of the Australian parliament. Indeed, the original text of the Australian constitution was written at a time before widespread aviation came into existence.

Section 51 of the Australian Constitution lists the powers allocated to the Australian parliament, with all other powers, known as 'residual' powers being within the domain of state parliaments. Airport planning and/or management are not listed under section 51 of the constitution as powers of the Australian parliament, despite this, however, section 52 of the Constitution states that:

The Parliament shall, subject to this Constitution, have exclusive power to make laws for the peace, order, and good government of the Commonwealth with respect to:

(i.) The seat of government of the Commonwealth, and all places acquired by the Commonwealth for public purposes

Hence, provided that the Commonwealth government maintains ownership of land where airports are developed, it retains exclusive power to make laws with respect to the airport, including planning for the airport, as an airport can be defined as a “public purpose”.

Commonwealth ownership of airports

The situation in Australia today is one where the Commonwealth maintains significant ownership of airport land and hence has exclusive powers to make laws with respect to these airports, if it so desires. There are a total of 22 Commonwealth owned civil airports in Australia (House of Representatives 2007), with all of these 22 being leased to private sector operators. Other airports are typically smaller in terms of passenger numbers and aircraft movements, with many being located in rural and regional areas.

The three most significant airports in Sydney, Kingsford Smith, Bankstown and Camden are all located on Commonwealth owned land. A variety of smaller, less significant airports are situated on private land. Figure 1.1 shows a map of airports including those on Commonwealth owned land in the Sydney region. Other than the three Commonwealth leased airports, private airfields include Wedderburn, The Oaks and Wilton, with smaller private airstrips being located at St Marys and Wallacia.

Figure 1.1 – Airports & Airstrips in the Sydney region

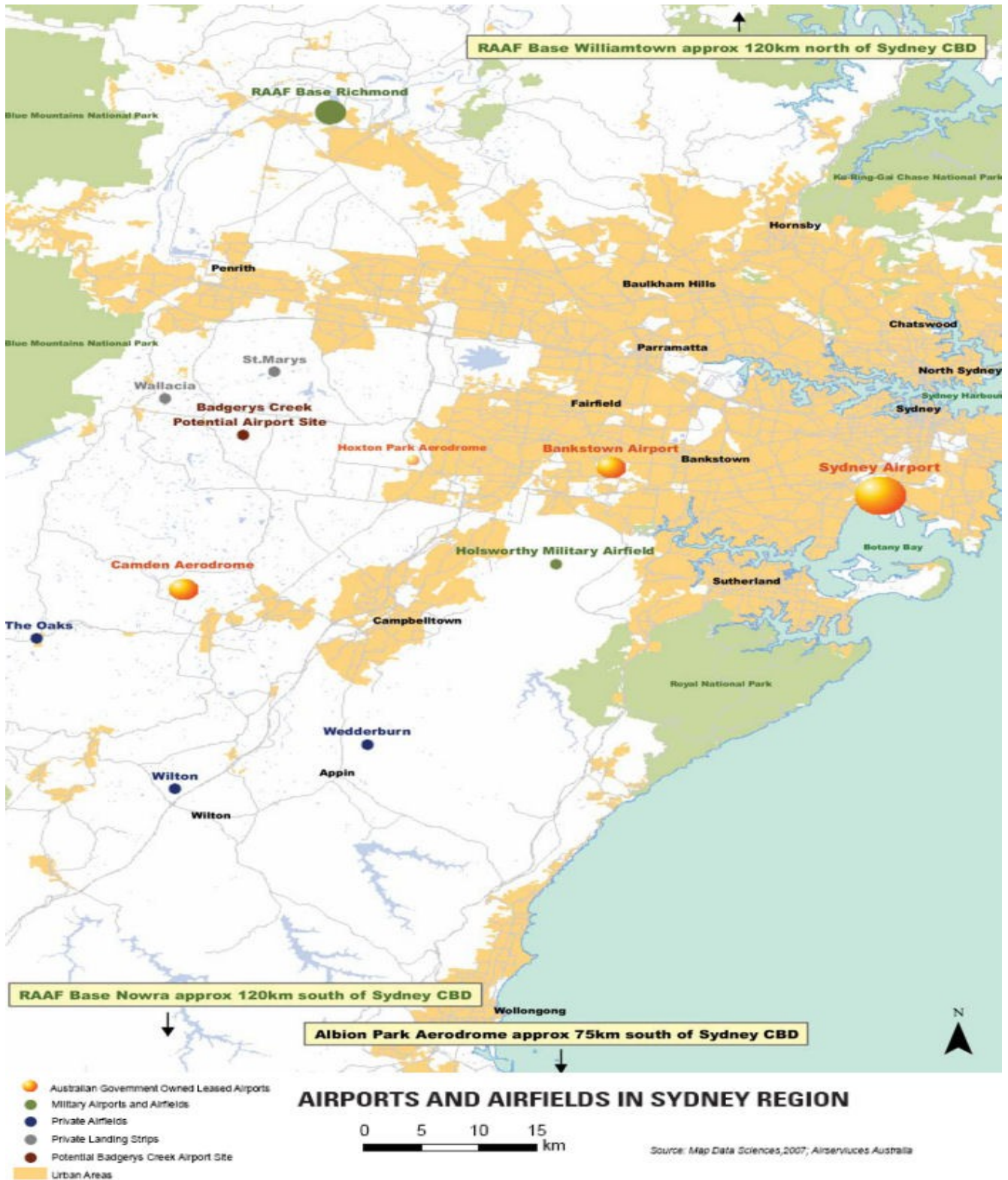


Image sourced from Sydney Airport Master Plan 2009 Preliminary Draft

While the Australian Constitution prescribes the powers of the Australian parliament with respect to laws and regulation for airports, to enact on these powers, it is necessary to create specific laws and regulations to provide for the planning and management of airports.

The Airports Act 1996

The main instrument applying to planning for airports that are situated on Commonwealth land is the *Airports Act 1996*. Introduced in 1996, the *Airports Act*, has been amended on a number of occasions, the most recent being through the *Airports Amendment Bill 2006*, the provisions of which came into effect in 2007. Planning for airports is an important area covered by the *Airports Act*, however it covers many areas in addition to planning these include:

- Regulation of airport leases
- Restrictions on airport ownership
- Environmental management of airports
- Accounting and reporting of airport operator companies
- Control of activities undertaken at airports such as, trading, smoking and service of alcohol
- Protection of airspace around airports
- Access to airports and air traffic management of airports
- Rescue, fire fighting services and other matters at airports

Matters relating to planning and control of development at airports covered in the *Airports Act* include:

- Airport master plans
- Major development plans
- Building control

In addition to the *Airports Act 1996*, there are subordinate Commonwealth regulations concerning airports. The most relevant of these to planning at airports is the *Airports (Building Control) Regulation 1997*, although the *Airports Regulations 1997* contain certain matters relating to land use, planning and building controls.

Section 52 of the Australian Constitution gives the Australian parliament the exclusive power to make laws with respect to peace order and good government at sites acquired by the Commonwealth for public purposes. The *Airports Act 1996* invokes this power under section 112 which states:

- (1) It is the intention of the Parliament that this Part is to apply to the exclusion of a law of a State or Territory.
- (2) In particular, it is the intention of the Parliament that this Part is to apply to the exclusion of a law of a State or Territory relating to:
 - (a) land use planning; or
 - (b) the regulation of building activities

Sections of the *Airports Act 1996* which relate to planning and development approvals can be summarised into the three areas of airport master plans, major development plans and building control. Airport master plans are essentially strategic planning documents with building control under the Act forming the statutory planning and building/fire safety regulation components. Major development plans fall somewhere between these two areas, in one sense involving the process of preparing a plan although on the other hand implying the concept approval of a development proposal.

Airport master plans

The *Airports Act 1996* provides that an airport master plan must exist for each airport regulated under the Act. The Act provides that a master plan must be approved by the Minister, although the text and contents of a master plan are generally prepared by the airport lessee. The Act provides the Minister with the opportunity to refuse to approve the plan if satisfied that the master plan does not comply with considerations under the Act.

The Act provides that master plans shall exist for a period of 5 years, once enacted, however the contents of the master plan shall refer to a “planning period” of 20 years. Before being submitted to the minister, the airport lessee is required to consult with the community and other levels of government on the contents of a draft master plan, this process must take place for a minimum of 60 business days and requires actions such as the publication of notices in newspapers and the provision of advice in writing to local and state government planning authorities with responsibility for land surrounding the airport.

An outline of the process of preparing and approving a master plan under the *Airports Act 1996* is shown in figure 1.2.

Figure 1.2 – An Outline of the Master plan preparation and approval process under the *Airports Act 1996*

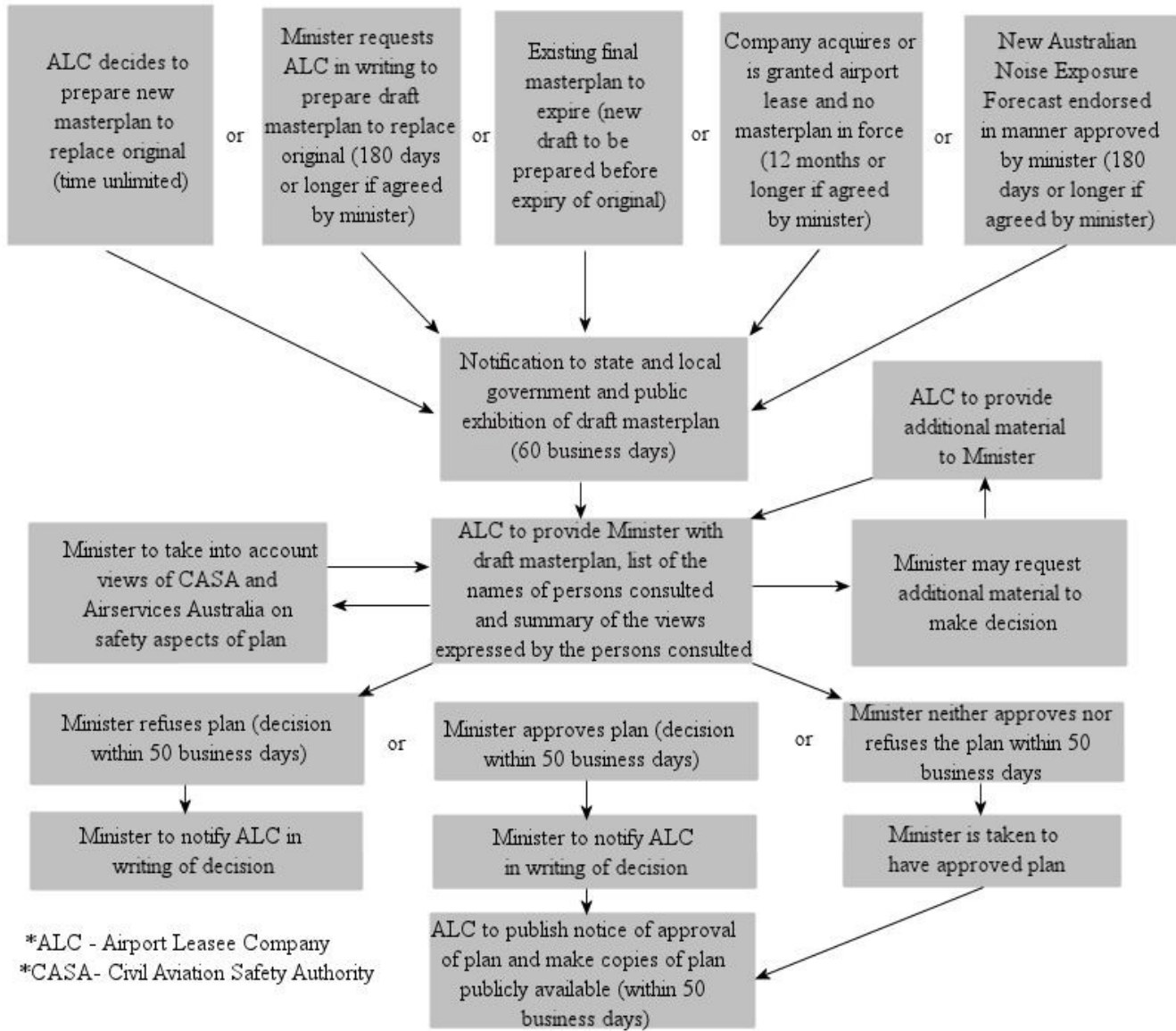


Chart prepared by David Carey

A process also exists under the *Airports Act 1996* for the making of minor variations to airport master plans. Such variations also require the approval of the Minister with responsibility for the Act with the opportunity for the variation to be refused. Consultation by the airport lessee company is also required prior to the application for a variation, however this process is slightly less rigorous than for a new master plan, with the required minimum period being 15 business days rather than 60.

Once approved, notice of approval of an airport master plan must be made in a newspaper by the airport lessee and copies of the master plan must be made available for inspection for as long as the master plan remains in force.

Major development plans

Major development plans are plans that are required to be approved for major development proposals at airports under the *Airports Act 1996*. Section 89 of the Act defines what constitutes “major development” at airports. Many types of development are defined as “major development” if their value is above \$20 million, while other types of development are defined as major development regardless of their value. The \$20 million figure was raised from \$10 million through the *Airports Amendment Bill 2006*.

The Act provides consultation requirements for airport lessee companies in the preparation of a major development plan. These requirements are similar to those for airport master plans in that consultation with local and state government planning authorities is required, along with the publication of newspaper advertisements and the total consultation period being no less than 60 business days.

Major development plans submitted by airport lessees may be either approved or refused by the minister, having regard to the matters for consideration under the Act. If the major development plan is approved, there is a requirement for airport lessees to publish a notice in a newspaper stating that the plan has been approved and make copies of the plan available for members of the public for a period of 180 days.

Building control

The *Airports Act 1996* provides that “building activities” on airport sites require approval. Building activities are defined under section 98(1) of the Act and refer to a number of types of works including earthworks land clearing and roads. “Building activities” hence are not limited to the construction of new buildings.

The Act and subordinate regulations, especially the *Airports (Building Control) Regulations 1996* provide that certain activities require the approval of the airport lessee and/or the Airport Building controller. A flow chart of the entire process of approvals (including major development plan approvals) based on a chart prepared by Bankstown Airport Limited is shown in figure 1.3.

Figure 1.3 – Development & building approvals process under *Airports Act 1996*

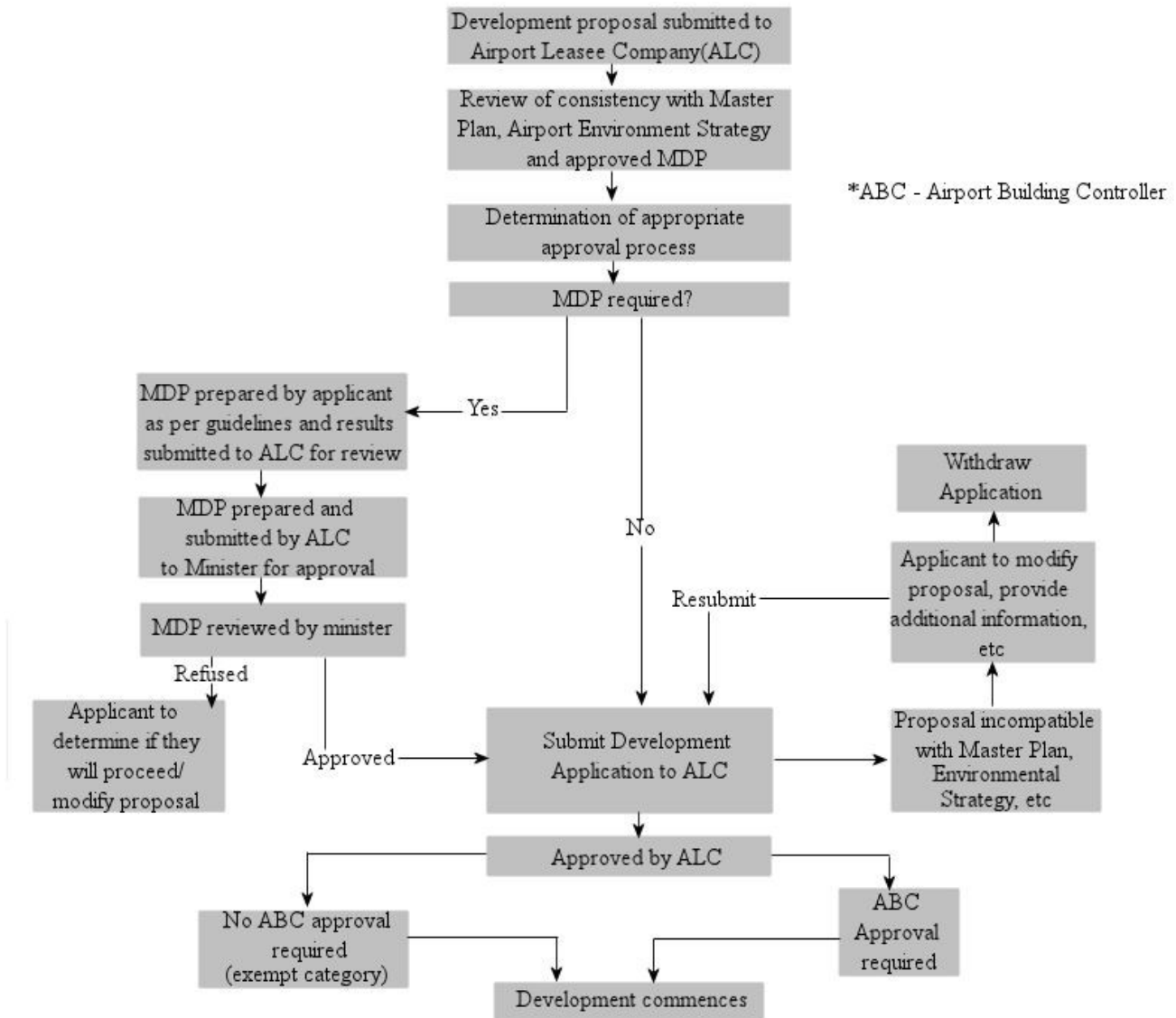


Chart prepared by David Carey based upon chart provided to author by Bankstown Airport Limited

The Airport Building controller is a separate authority to the airport lessee and is appointed by the Commonwealth Department responsible for administering the *Airports Act 1996*, currently the

Department of Infrastructure, Transport, Regional Development and Local Government through an open tender selection process. The airport building controller for Bankstown Airport is currently a private company known as Philip Chun & Associates (Department of Infrastructure Regional Development and Local Government 2008a).

Consent for development is required from the airport lessee company before approval can also be given by the Airport building controller. The role of the airport lessee company in assessing development proposals is broadly to ensure that the proposal is consistent with the airport master plan, planning objectives and to ensure there are no adverse impacts on airport infrastructure and operations. The airport building controller is responsible for assessing applications against the Building Code of Australia (BCA) and other relevant standards where the BCA does not apply.

Not all development at airports requires approval and the regulations provide that minor development with little impact such as building repairs and alterations is exempt from requiring the approval of the airport building controller. There is a requirement, however, that the airport building controller be notified of this development (Department of Infrastructure Regional Development and Local Government 2008a).

There are no legislative requirements that require airport lessee companies or the airport building controller to consult with members of the community, state or local government through building approvals (other than those which also require a major development plan). The regulations provide for some appeals to the Administrative Decisions Tribunal in relation to decisions made by the airport lessee company or airport building controller.

The role of the *Environmental Protection and Biodiversity Conservation Act 1999*

While the *Airports Act 1996* and subordinate regulations are the main legislation applying to planning and development approvals at Commonwealth owned airports, *The Environmental Protection and Biodiversity Conservation Act 1999*, also referred to as the “EPBC Act” can also play an important role in planning and development assessment.

The EPBC Act provides that certain activities require approval from the Commonwealth Minister administering the EPBC Act, currently the Minister for the Environment. Development that requires this approval can generally be divided into:

- Actions that are considered to be of national environmental significance.
- Actions that are considered to have a significant impact on the environment in general (by Commonwealth agencies or on Commonwealth land) or on the environment within Commonwealth land (when the action is outside Commonwealth land).

Note that most major airports are situated on Commonwealth land, under a 50 or 99 year lease arrangement. Hence any proposed activity on these airports considered to have a significant impact on the environment requires assessment under the EPBC Act. Due to the fact that major development on Commonwealth airport land requires assessment under the EPBC Act, an integrated assessment process under both the *Airports Act 1996* and EPBC Act has been developed. Figure 1.4 shows the assessment process for major development under both the EPBC Act and *Airports Act 1996*.

Figure 1.4 – An outline of the major development plan process including EPBC Act provisions

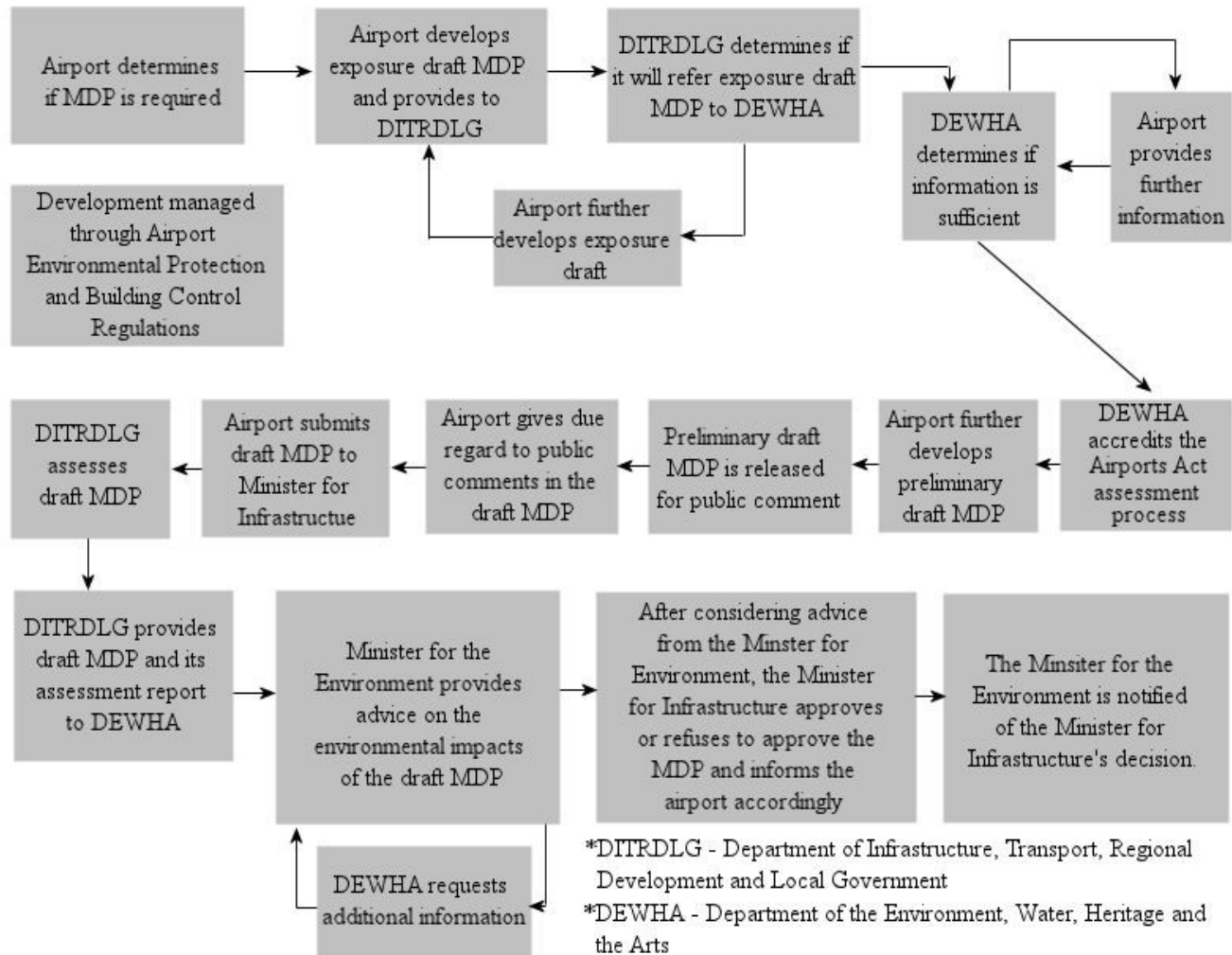


Chart prepared by David Carey based upon chart prepared by Canberra International Airport (2008)

THE ROLE OF STATE GOVERNMENT

In New South Wales, the primary legislative instrument concerning planning is the *Environmental Planning and Assessment Act 1979* (EP&A Act). This Act has the power to control development, however only as far as the power of the New South Wales parliament permits.

Section 52 of the Australian constitution states that the Commonwealth has exclusive powers to make laws for the peace, order, and good government on land acquired by the Commonwealth for public purposes and this power is enacted through the *Airports Act 1996*. This means that the *Environmental*

Planning and Assessment Act does not apply on land owned by the Commonwealth for the purposes of an airport and the provisions of the *Airports Act 1996* apply.

Many airports in Australia are not situated on Commonwealth land, indeed only 22 civilian airports are situated on Commonwealth land and leased to private companies (House of Representatives 2007). As of 2007 there were a total of 461 airports and airfields in Australia (Central Intelligence Agency 2008), while some of these may be military facilities, this does illustrate that a majority of airports in Australia are not situated on Commonwealth land. In NSW, the provisions of the EP&A Act apply to airports not situated on Commonwealth land. The EP&A Act contains a number of different parts, each of which can apply to these airports.

State Environmental Planning Policy (Infrastructure) 2007, an environmental planning instrument made under the EP&A Act, clarifies which development assessment mechanism applies to certain development at airports or airstrips, defined as “air transport facilities” in the policy.

The policy provides for different processes at airports that are publicly owned and privately owned. Certain development at publicly owned air transport facilities is able to be approved by the proponent authority under Part 5 of the EP&A Act (known as development without consent), whereas development at privately owned airports is not able to be approved by the private company or individual that owns the airport. This is significant as a large number of airports in NSW, especially in rural and regional areas are owned by local Councils.

Development listed as development without consent in the category of air transport facilities are airports, heliports and construction work, fencing, drainage and vegetation management in connection with air transport facilities.

Development listed as requiring consent under Part 4 of the *Environmental Planning and Assessment Act* (consistent with private sector development) under the SEPP includes the following (within the boundaries of an existing air transport facility where it is ancillary to that facility):

- (a) passenger terminals,

(b) facilities for the receipt, forwarding or storage of freight,

(c) hangars for aircraft storage, maintenance and repair,

(d) premises for retail, business, recreational, residential or industrial uses.

The state government plays an important role under the *Environmental Planning and Assessment Act 1979* in making “environmental planning instruments” which can apply to airport sites, influencing development outcomes. Like environmental assessment and development assessment, these roles are often exercised in conjunction with local government. There is also the potential for the state government to make Development Control Plans under the Act, which can list more detailed controls in relation to airports.

THE ROLE OF LOCAL GOVERNMENT

The role of state and local government is somewhat intertwined under the *Environmental Planning and Assessment Act 1979*. Indeed object (b) of the Act is to “promote the sharing of responsibility for environmental planning between the different levels of government in the state”. The role of local government can include the following:

- Development Assessment under Part 4 of the Act
- Environmental Assessment under Part 5 of the Act (for airports owned by the Council)
- The preparation of Local Environmental Plans, Development Control Plans and s94 contribution plans that relate to airport sites.

As with state government powers, any of the above powers provided to local government do not apply to airports situated on Commonwealth owned land.

CONCLUDING COMMENTS

All three levels of government in Australia play a role in planning for airports, however the dominant role is played by the Commonwealth, as the Commonwealth plays a near exclusive role in regulating

the largest of airports. The role of state and local government is significant in regulating small airports and airstrips and land and roads surrounding major airports under Commonwealth control. The *Airports Act 1996* regulates planning and development matters at Commonwealth airports while the *Environmental Planning and Assessment Act 1979* applies to all other airports in NSW.

Chapter 2 – The impact of airport privatisation

INTRODUCTION

Recent years and decades have seen greater involvement of the private sector in the management, ownership and development of airports in Australia and throughout the world. Until the mid 1990s, essentially all major airports in Australia were owned by a federal government corporation [The Federal Airports Corporation] (Forsyth 2002) In Australia, many airports have been sold to the private sector or leased on a 50 or 99 year basis under the provisions of the *Airports Act 1996*, with Bankstown Airport being an example of this. The *Airports Act 1996* provides that the maximum period of a lease for a Commonwealth owned airport is 50 years with or without an option to renew the lease for up to a further 49 years.

While this thesis does not discuss the relative merits of either public or private ownership of airports, recent trends towards privatisation are worth examining, as privatisation has been one of main influences towards reform of planning regimes and of certain development at airports. The *Airports Act 1996*, which contains the planning system applying to Commonwealth leased airports, was also passed to facilitate the privatisation of these airports and contains ownership regulations.

Privatisation refers to the transfer of ownership of property or business from a government to a private entity (Pirie 1988). In recent decades, privatisation has been a common activity in Australia and many countries throughout the world as sectors that were often completely controlled by governments have been sold off to the private sector, often to different competitors to enable competition, amongst other things (Hibou 2004).

Privatisation has changed the relationship between government and how it achieves its objectives as in sectors that were previously controlled by the government. A shift in ownership to the private sector has necessitated moves for the government to employ different measures to achieve its objectives. The trend towards privatisation has provoked a great deal of debate amongst academic circles, both in favour of privatisation and maintaining sectors of the economy in the public ownership. Arguments both for and against privatisation can relate to matters as diverse as economic efficiency, corporate governance, civil liberties, national security, accountability and environmental management.

BACKGROUND

The level of government ownership has fluctuated in the Australian and other economies over modern history, as different economic and political and other ideas have held influence. Debates regarding the merits of both public and private ownership, in scholarly and other circles, have ultimately influenced policy makers.

Sectors of the economy that have been categorised by relatively high levels of government ownership and involvement include (Mead & Withers 2002):

- Public transport
- Electricity
- Telecommunications
- Aviation

PRIVATISATION

In recent decades, particularly throughout the 1990s, many sectors of the Australian economy controlled by governments were either partially or fully transferred to the private sector. Given that so much privatisation has occurred in recent decades, what has brought this about?

Arguments in favour of privatisation

A number of arguments have been made in favour of privatisation. For example Pirie (1988) argues that examples of privatisation in Britain have shown greater economic efficiency as a result of factors such as greater access to capital for new investment and less bureaucratic interference in operations and financial benefits for the government from the proceeds of divesting its interests.

In light of the large amount of privatisation that has occurred in recent decades, it appears that policy makers have generally supported and been influenced by authors and arguments such as those mentioned above. A large number of economic reasons are given for privatisation both by the authors

mentioned above and other proponents, economic arguments therefore tend to be an overriding element of motivation for privatisation to occur.

Criticism of privatisation and privatisation approaches

Despite arguments in favour of privatisation, on the opposite side of the spectrum there has been criticism of both privatisation generally (both in Australia and overseas) and of specific examples of privatisation. Some commentators have supported privatisation in certain cases although opposed it in others.

Walker & Walker (2000) are generally critical of privatisation that has occurred in Australia and argue that many public assets have been sold to the private sector at heavily discounted prices and as such the privatisation of many of these assets has merely represented a shift in wealth from the government to new private owners, rather than achieving any net public benefit. The authors also argue that claimed economic efficiency benefits of privatisation in Australia have in many cases been exaggerated and that there has not been an economic need from a financial perspective for governments to engage in privatisation. It is further argued that privatisation in Australia has in many cases led to a decline in quality of service and public accountability.

A more pragmatic approach to privatisation in Australia is taken by Mead & Withers (2002). In this case, the authors argue that the success of privatisation in Australia has been mixed, with benefits occurring in industries that are competitive. It is argued, however, that the privatisation of operations that bear the characteristics of a “monopoly” raises problems that require addressing through legislation and regulation as a minimum. Interestingly, airports tend to have many of the characteristics of a monopoly, or at least sector with very high barriers to entry and limited competition compared to other sectors.

THE PRIVATISATION OF AIRPORTS

Arguments for and against the privatisation of airports

The privatisation of airports specifically has also been examined by researchers. Using the specific example of airports Barrett (1984 pp. 5) argued that the privatisation of airports in Britain (which at the time were publicly owned) would deliver: An increase in competition, an increase in managerial efficiency, a wider consumer choice, a reduction in political interference, the removal of the public sector borrowing requirement constraint on investment programmes and a reduction in the public sector borrowing requirement.

There are many measures by which the performance of an airport and hence the success of its privatisation can be determined, these may relate to profit, safety, appropriate land use, customer service, environmental management and other factors. Evaluation of the impacts of privatisation requires the analysis of all of these factors.

Kriesler (1996) looks at the merits of privatisation with particular regard to airports, looking at examples overseas at a time when Australian airports predominately remained in public ownership. The author argues that while there is the case for privatisation in some sectors of the economy, airports do not meet the characteristics necessary for successful privatisation. The author argues further that privatisation would lead to less efficiency and a less competitive outcome as opposed to the status quo in Australia at the time which was public ownership. Much of the basis for this argument is that airports tend to bear few competitive characteristics.

The impacts of airport privatisation

In addition to looking at each of the respective outcomes which can determine the success of an airport, it is also possible to examine the success of airport privatisation in different geographical locations where different means and different forms of regulation have been employed. Academic literature has not been produced in relation to all outcomes of privatisation, nevertheless, some examples can provide us with a useful insight in relation to specific aspects of the operation of privatised airports.

Gerber (2002) looks at the success of airport regulation in Europe and argues that the privatisation has only been a success where regulation has been employed by a public sector organisation to limit price increases where a monopoly occurs, otherwise airports tend to yield too much power and may exploit customers such as airlines.

Bruijne et al (2006) look specifically at the issue of safety at airports and its relationship to privatisation. The authors argue that, privatisation itself is not necessarily a determining factor in relation to safety, instead the issue of main importance is the regulatory means employed by the government post-privatisation in order to protect safety around airports.

Advani (1999) looks specifically at customer service quality and outcomes in privatised airports. The author argues that there is evidence that privatised airports have a significantly higher level of passenger responsiveness than government owned airports, resulting from a different type of management culture, where the emphasis is on serving passengers. Arguments in favour of privatisation are perhaps unsurprising in this case, with the author representing a libertarian think tank, it does provide an example of arguments in favour of privatisation, however.

Vasigh & Haririan (2003) explore the financial and operating efficiency of government owned airports with privatised airports. The authors find that government owned airports have better operating efficiency in terms of passengers per runway area, movements per gate and movements per runway. Privatised airports have greater financial efficiencies in terms of revenue per passenger and revenue per landing, however.

Table 2.1, shows a comparison of the arguments made both for and against the privatisation of airports:

Table 2.1 – Arguments made for and against the privatisation of airports

<i>Arguments in favour of privatisation</i>	<i>Arguments against privatisation</i>
An increase in competition	Less efficiency (generally)
An increase in managerial efficiency	Less competitive outcome
Wider consumer choice	Lower operating efficiency
The Reduction in political interference	Creation of adverse monopoly powers
The Removal of investment constraints	
The reduction in public sector borrowing requirements	
Greater revenue and financial efficiency	
Greater customer service quality	

Table 2.1 shows that there is not a consensus in relation to the benefits of airport privatisation, with different views existing particularly in relation to efficiency and competition.

REGULATION OF PRIVATISED AIRPORTS

Shifts in ownership of assets from the public sector to the private sector has not necessarily seen a complete withdrawal of government activity. While commercial activities and day to day operations and management are often transferred to the private sector, a government is still able to achieve its objectives through legislation and regulations. The use (or lack thereof) of regulations in relation to certain privatisations has often been the main topic of debate in academic literature, rather than the act of privatisation itself.

Looking at the example of airports, regulatory functions could include planning and development controls, development and building approvals and environmental management. While commercial functions would include matters such as (but not limited to), property management and acquaintances, administration of landing charges and car parking, retail, transport and other services.

Humphrys & Francis (2002) acknowledge the importance of regulation, both with respect to planning and development control in order to ensure that national and regional interests are balanced against the private (largely economic) interests of private airport owners. The authors acknowledge that given privatisation has changed ownership dynamics, regulation and the planning system are the only

measures by which governments may achieve their policy objectives in relation to privatised airports.

Starkie (2005) looks specifically at economic regulation of airports and takes a slightly different approach, critiquing the use of regulation to achieve government policy objectives. The author instead argues that a preferable approach would be to encourage the development of new airports and competition against existing operators, rather than regulating their activities.

CONCLUDING COMMENTS

Privatisation has been an important influence towards the current management of and development at airports in Australia in recent years. Indeed, Australia has moved from a situation where essentially all airports in Australia were owned by the federal government in the mid 1990s to one of predominately private ownership amongst larger airports (Forsyth 2002).

While mixed views exist on the overall benefits of privatisation and its advantages and disadvantages, arguments in favour of privatisation appear to have influenced governments in Australia greatly, which is why the trend towards privatisation has occurred. It appears likely the larger airports in Australia will be categorised by private management for the foreseeable future.

While the government no longer owns and controls the day to day management of major airports, it still plays a very important role in their regulation, especially in relation to planning, development approvals and environmental management. For this reason, the commercial and regulatory functions of an airport should be considered separately.

Chapter 3 – Bankstown Airport: A description and its planning controls

INTRODUCTION

This chapter describes Bankstown Airport including its features, history, the nature of surrounding development and the planning controls that apply to the airport. A description of the planning controls contained in the current master plan applying to the airport is given, along with equivalent local and state government planning policies.

DESCRIPTION OF BANKSTOWN AIRPORT

Bankstown Airport is a secondary airport located 22 kilometres southwest of the central business district of Sydney within the local government area of Bankstown. The airport covers an area of 313 hectares including three runways and associated aircraft and aviation areas (Bankstown Airport Limited 2008a), the airport also contains a large business park.

Figure 3.1 – Aerial Image of Bankstown Airport and Surroundings (2004)



Image: Bankstown Airport Limited (2004)

Bankstown Airport can be defined as a secondary airport as compared to Sydney International Airport, the role that it plays in terms of passenger aviation travel and patronage is less significant. Bankstown Airport is not necessarily less significant in terms of total aircraft movements or development impacts, however. Bankstown Airport can be seen as Sydney's most significant secondary airport, with Camden Airport playing a lesser role. Other cities in Australia contain secondary airports which fulfill similar roles to Bankstown Airport, for example Jandakot Airport in Perth, Moorabbin Airport in Melbourne, Archerfield Airport in Brisbane and Parafield Airport in Adelaide.

Bankstown Airport is located near the western boundary of the Bankstown local government area and is surrounded by the suburbs of Milperra, Condell Park, Georges Hall and Chipping Norton. The airport primarily adjoins industrial development in Milperra, however it also adjoins residential development in Condell Park and Georges Hall. Significant industrial and commercial development exists in Chipping Norton, however this is situated on the opposite side of the Georges River. Milperra Road, Henry Lawson Drive and Marion Street form the main access roads to the airport.

The business park of the airport is significant in size and has been expanded over recent years, there is capacity for further growth in the number of tenants. Tenants of the business park are primarily aviation-related business and include Hawker de Havilland Pty Ltd and Australian Aerospace Ltd. A limited number of non-aviation related businesses are also situated within the airport's business parks, for example a Bunnings Warehouse hardware store exists within a recently developed area of the airport. A full list of businesses operating at the airport is listed in the appendix

The airport contains a relatively small passenger terminal, capable of handling up to 200 passengers per hour. The runways and taxiways of the airport are rated at 20 tonnes and are limited to 50 tonnes maximum take off weight. A dedicated air traffic control tower exists at the airport, which is operated by air services Australia (Bankstown Airport Limited 2008a).

A large amount of parking exists at the airport, to cater for both aviation related activities and the various tenants of the airports business parks. Primary access to the airport other than by aircraft is by car and the airport is surrounded by a number of roads including Henry Lawson Drive and Milperra

Road which are classified as arterial roads. Marion St, a regional road, is also a significant link to the airport.

Transportation other than private motor vehicles to and from the airport consists of taxis and local bus services. The main entrance to the airport is served by a local bus service to Bankstown railway station and bus services operate along Milperra Road for business park tenants on the southern side of the airport.

HISTORY OF BANKSTOWN AIRPORT

Proposals for an airport in Bankstown date back as far as 1929, with the intention being to develop a secondary airport to Mascot and for training purposes. In 1940, 630 acres were resumed for the purpose of building the airport. One of the main attractions for constructing an airport at its location was the proximity of related industries such as the Clyde Engineering works at Granville where aircraft assembly could be carried out (Rosen 1996).

Throughout World War II, the airport was an important military facility, with a number of Royal Australian Air Force squadrons based at the airport and also the manufacture of military aircraft occurring. After World War II, in 1946, the Department of Civil Aviation took over the running of the airport and the Aero Club was permitted to occupy part of the airport for private flying and aircraft manufacture. The RAAF presence at the airport continued until 1977 (Rosen 1996).

Rosen (1996) states that by 1976, Bankstown Airport was the second largest general aviation airport in the southern hemisphere. Expansion of industry at the airport site also occurred in the late 1970s with Hawker de Havilland transferring its Lidcombe Plant to the airport. Proposals were made for the further upgrade and expansion of the airport in the late 1970s by the Major Airport Needs of Sydney (MANS) committee, established by the New South Wales and Commonwealth Governments. The MANS study (1978) recommended an upgrade of the airport for future aviation growth, although not widespread passenger aviation, however.

In the 1980-1981 financial year, Rosen (1996) states that Bankstown Airport was handling more than

324,000 aircraft movements per year compared to Sydney airport's 187,000. Approximately 400 aircraft were based at Bankstown Airport and 35% of all aircraft in NSW were serviced and maintained there. The airport at this point provided employment for 2370 people (Rosen 1996).

Commonwealth ownership of the airport persisted over this entire period of the airport's history. It appears that controversy in relation to the planning system has not only emerged with privatisation, as Rosen (1996) cites concerns of Bankstown alderman Ian Stromberg in 1993 in relation to the failure of the Federal Airports Corporation to comply with Bankstown City Council planning regulations for new development.

Bankstown Airport was sold by the Commonwealth government to a consortium sponsored by the Commonwealth Bank, James Fielding Group and Toll Holdings Pty Ltd in 2003 (James Fielding Group 2003). The sale was for the three airports of Bankstown, Camden and Hoxton Park simultaneously, with the acquisition price being \$211 million (Department of Finance and Administration 2008). The legacy of this sale is that the owners of Bankstown Airport Limited also own Camden Airport Limited.

While today, a majority of the existing structures at the airport are relatively well established and existed prior to privatisation, significant development has occurred post-privatisation. A 12,500 square metre Bunnings Warehouse hardware store with 400 parking spaces opened in mid 2004 on the southern boundary on the airport fronting Milperra Road. A 7,500 square metre Toll Priority warehouse and office building with associated aircraft apron area was opened in 2007 on eastern land within the airport.

Significant bulk earthworks and the construction of new roads has also occurred, including a road which will link the northern parts of the airport to the southern boundary on Milperra Road. The completion of roads and bulk earthworks will allow for new development similar to the Bunnings and Toll developments to be constructed, which are permissible under the current master plan for the airport. The current master plan for the airport also provided for the closure of one runway (18/36) which lies horizontal to the airport's three other runways.

PLANNING CONTROLS APPLYING TO BANKSTOWN AIRPORT

Before exploring issues associated with current development at Bankstown Airport and planning outcomes, it is worthwhile examining current controls and planning instruments that apply to development at the airport.

Bankstown Airport is situated on land owned by the Commonwealth and is leased to Bankstown Airport Limited on a 50 year basis with an optional 49 year extension. Because it is situated on Commonwealth land, the provisions of the *Airports Act 1996* apply and s112 of the *Airports Act 1996* excludes NSW planning laws from applying.

Bankstown Airport Master Plan

The key strategic planning components of the *Airports Act 1996* are the provisions for airport master plans. The current master plan for Bankstown Airport, was approved by the Commonwealth Minister for Transport and Regional Services, John Anderson in 2005. Under the provisions of the *Airports Act 1996*, final master plans are valid for a period of five years, unless a new master plan is prepared. A new master plan should hence be prepared in future for the period of 2010-2015. Since master plans are required to refer to a planning period of 20 years under the Act, the current master plan refers to a planning period ending in 2024/25.

Zoning

Perhaps the most important element of the Bankstown Airport master plan is its zoning provisions. The development context section of the master plan provides all airport land with a particular zone. The zones identified in the master plan are:

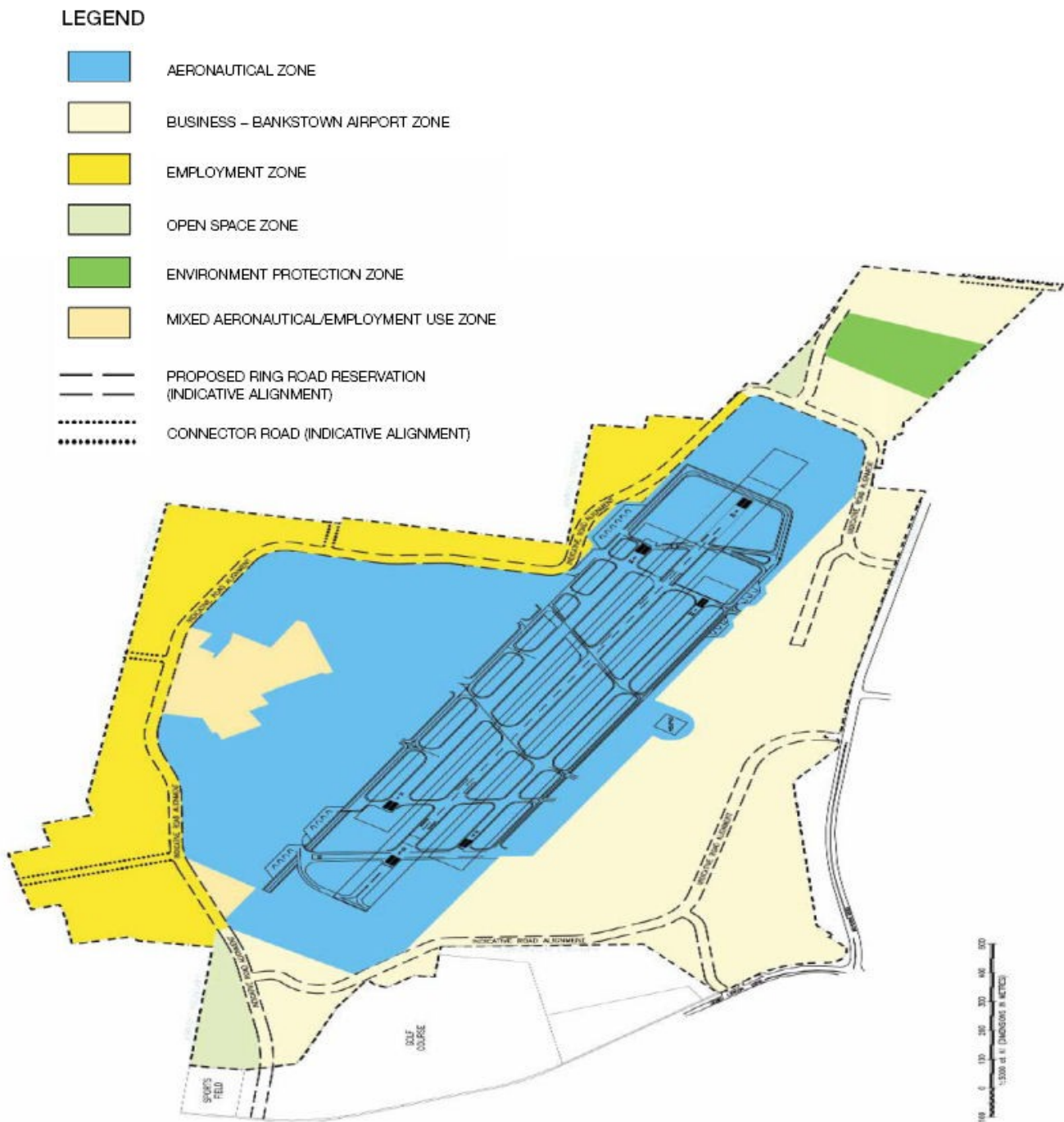
- Aeronautical zone
- Business – Bankstown Airport zone
- Employment zone
- Open space zone

- Environmental protection zone
- Mixed aeronautical/employment use zone

The master plan also identifies proposed new internal roads on airport land.

Figure 3.2, shows how the different zones apply to the airport through a map.

Figure 3.2 – Zones applying to Bankstown Airport in current master plan



Map: Bankstown Airport Limited (2004)

Because of the size of Bankstown Airport and the area of its core aviation activities such as runways,

taxiways and hangars, the aeronautical zone represents less than half of the total airport area, leaving large areas of the airport with zoning for non-aviation development. The total area of each zone in hectares in table 3.1:

Table 3.1 – Area of zones in Bankstown Airport Masterplan

<i>Zone</i>	<i>Area (hectares)</i>
Aeronautical	142.0
Business – Bankstown Airport	98.9
Employment	51.8
Open space	9.3
Environmental protection	6.0
Mixed aeronautical/employment	5.3

Source: Bankstown Airport Limited (2004)

Table 3.1 shows that from a total area of 313.3 hectares, the aeronautical zone contains a total area of 142 hectares or 45.3% of the airports total area. The combination of the business, mixed and employment zones where non-aviation development can occur, totals 49.8% of the airports total area. The remaining environmental protection and open space zones, where fewer development is permissible, totals 4.9% of the airports total area.

There are some similarities between the way that zones are listed in the master plan and those of Local Environmental Plans in NSW. Each zone lists objectives and then lists the developments that may be carried out (with consent) in that zone. The main difference being that zones in the airport master plan tend to be more flexible, with fewer, if any developments being strictly legally prohibited in certain zones.

Development concepts

The development concepts section of the master plan lists a number of proposed developments in addition to zoning requirements. While zoning sets out the broad categories of development that are permissible in each zone, other controls go further and specify specific developments that are proposed at the airport over the period of the master plan.

Development concepts are broken up into two sections in the master plan, aviation development concept and non-aviation development concept. Proposed aviation developments are listed in the master plan, while non-aviation development concepts are more general and tend to rely more on zoning. Proposed aviation developments listed in the master plan include the following:

- Extension of runway
- Pavement strengthening
- Taxiway modifications
- Helipad relocation
- Terminal area improvements
- Aircraft parking and storage changes
- Relocation of air services support facilities

Bankstown Airport Urban Design Guidelines

The Bankstown Airport urban design guidelines, prepared by Bankstown Airport Limited, complement the Bankstown Airport master plan and provide additional controls in a similar way to which a Development Control Plan would complement a Local Environmental Plan under the NSW planning system. While many of the contents of the guidelines duplicate controls already listed in the master plan, the guidelines do provide new controls and recommendations in the areas of built form, building setbacks, car parking, landscaping, water management, noise, signage, lighting, fencing and other areas.

A key feature of the guidelines, which differentiates them from many local government development control plan is that many of its contents are *recommendations* or *suggestions* to be considered in new developments rather than strict controls. Some of the contents of the guidelines do represent controls, however, for example noise and acoustic contents for new development represent mandatory requirements.

EQUIVALENT STATE AND LOCAL PLANNING CONTROLS

While state and local planning controls generally do not have any legal effect in relation to development at the airport, several plans and policies would apply to land on which the airport is situated were it not for Commonwealth ownership. These provide a useful contrast to the federal controls under the *Airports Act 1996*. State and local government planning controls are also considered by the airport in the preparation of master plans.

Environmental Planning Instruments

A variety of environmental planning instruments would apply to Bankstown Airport. These include a variety of State Environmental Planning Policies (SEPPs), as most SEPPs apply to the entire state, these would apply to the airport, depending on the type of development, as many SEPPs address only one type of development. One Regional Environmental Plan (REP) would also apply to the airport, known as REP No. 2 – Georges River Catchment. The overriding aim of this REP is to minimise adverse impacts on the Georges River.

Bankstown Local Environmental Plan 2001 is the only Local Environmental Plan (LEP) that would apply to land on which Bankstown Airport is situated. Land on which the airport is situated is zoned No. 5 “Special Uses” under the plan. The objectives of this zone are to:

- (a) to identify land owned, used or required to be used by, or under the authority of, a public authority or for other semi-public purposes, and
- (b) to permit a range of uses which are compatible with the locality.

In addition to zoning, the LEP lists a number of other controls and development standards applying to certain types of development. The LEP is far more restrictive and inflexible in terms of the types of development that would be permissible than the current Bankstown Airport master plan.

Bankstown Development Control Plan 2005

Bankstown Development Control Plan is a consolidated Development Control Plan (DCP) applying to the entire Bankstown local government area. The plan is divided into a number of chapters, each listing controls for different types of development including residential, commercial, industrial development, car parking and outdoor advertising.

MEMORANDUM OF UNDERSTANDING

One document of relevance to planning at Bankstown Airport, although without any formal legislative status, is the memorandum of understanding (MoU) between Bankstown Airport Limited and Bankstown City Council.

The MoU was signed by the Mayor of Bankstown, Councillor Tania Mihailuk and Chief Executive Officer of Bankstown Airport Limited, Mr Kim Ellis on 16 May 2008. The idea of an MoU was originally proposed by the Mayor Of Bankstown at the time, Councillor Helen Westwood in a letter to Bankstown Airport Limited on 13 March 2006 (Bankstown City Council 2008a). With Bankstown Airport Limited also being supportive of the principle of an MoU, the document was prepared over the intervening period and was subject to negotiation between the Council and the Airport.

The memorandum of understanding, covers a range of matters, a majority of which relate to planning and/or development (Bankstown Airport Limited & Bankstown City Council 2008). These include development approvals, master plans and major development plans. The overriding objective of the MoU is to ensure that the Airport and Council consult with one another prior to making decisions which will may have an effect on the other party.

Decisions made with respect to development at Bankstown Airport by Bankstown Airport Limited and in other areas of Bankstown by the local Council undoubtedly often have an impact on the other party. The memorandum of understanding is perhaps therefore a recognition of these impacts and an indication that communication between airport management and local Councils can be improved in many cases. As the MoU is relatively new, its overall effect on planning and development decisions

remains to be seen in detail.

CONCLUDING COMMENTS

Bankstown Airport plays a significant role in aviation for the broader Sydney region has been in operation for in excess of 60 years. The legacy of Commonwealth ownership continues today, despite privatisation, through the exclusion of the airport from state and local planning controls and the operation of the *Airports Act 1996*.

The *Airports Act 1996* provides for a separate planning system to the majority of the state to apply to the airport. The Airport master plan and urban design guidelines contain controls for new development, equivalent state and local government controls exist to a limited degree, which do not apply, although they are a consideration in the preparation of airport master plans.

Chapter 4 – The views of airport management on the planning regime applying to Bankstown Airport

INTRODUCTION

This chapter seeks to explore the point of view of Bankstown Airport Limited, the owner of the lease applying to Bankstown Airport and the manager of the airport's operations, on the planning system applying to the airport.

Bankstown Airport Limited made a comprehensive submission to the issues paper *Towards a National Aviation Policy Statement*. The submission is titled *Bankstown Airport's role in an integrated Aviation Plan will provide productivity, sustainability, livability for the benefit of Western Sydney* and forms a key basis for this chapter. An in-depth interview was also undertaken with Megan Dugdale, the Manager of Development for Bankstown Airport Limited.

The submission by Bankstown Airport Limited raises a number of issues, both of relevance to planning and other matters such as aviation activities and flight patterns. The interview with Megan Dugdale of Bankstown Airport Limited sought to build upon issues of relevance for planning.

In general Bankstown Airport is supportive of many existing legislative and policy arrangements. The airport does, however, argue that the government should adopt a number of suggestions, especially in relation to non-aeronautical development at airports and the role of Bankstown Airport within Sydney's airport hierarchy.

The views of Bankstown Airport Limited on planning and development assessment issues relevant to Bankstown Airport are listed under headings throughout this chapter.

GOVERNMENT POWERS

Bankstown Airport Limited is generally supportive of current legislative arrangements which are enshrined in Commonwealth legislation and regulations. Referring to non-aviation development which has taken place at Bankstown Airport, the submission (Bankstown Airport Limited 2008b, p. 19) states that:

These developments have been delivered in accordance with the existing Airport Development Regulations and within a comprehensive and effective consultation process which provides a high level of transparency for Communities, Local Government and the NSW State Government.

The submission is supportive of both Commonwealth control of planning matters at Bankstown Airport and the legislation under the *Airports Act 1996* and argues that there is no need to change existing legislation or regulations. The submission is therefore largely centred around recommendations under the context of existing legislation and regulations.

Under existing regulations there is the potential for the government to approve changes to the operation and development at the airport through the master plan and major development plans and this is a key basis to the submission. Bankstown Airport Limited is not supportive of transferring any legislative powers currently held by the Commonwealth with respect to Bankstown Airport to state or local government and argues that this would lead to a poorer planning system for the airport, particularly if local government were to play a greater role.

Bankstown Airport Limited's concerns in relation to a greater role for local government include the potential for slower DA processing times (Dugdale 2008). There are also concerns that local government would not appreciate the broader regional role of the airport given that it is primarily about serving the needs of local residents only. Dugdale (2008) is ambivalent about potential impacts of the state government playing a greater role in planning decisions at the airport, arguing that the airport had not received significant correspondence from the NSW government in relation to planning decisions.

Despite the airport being supportive of current legislative arrangements and powers allocated to different levels of government, the airport has been supportive of greater voluntary dialogue with other levels of government and the community. The MoU with Bankstown City Council, which is not required under any legislation is a case in point. Bankstown Airport Limited (2008b, p. 17) states that:

The Airport runs a program of face to face briefings with industry and politicians, and has a Memorandum of Understanding in place with Bankstown City

Council which guides both the Airport and Council in communications and interaction. This comprehensive communication model is well suited to ensuring that the Community and industry is effectively engaged in the growth of the Airport.

STRATEGIC/LAND USE PLANNING

Given that Bankstown Airport Limited has played a key role in the preparation of the current master plan for Bankstown Airport, the airport is perhaps unsurprisingly supportive of the plan. The airport does, however, provide a number of recommendations for the government in considering future master plans and the broader role of Bankstown Airport in the context of Sydney's aviation needs.

The submission is supportive of the concept of non-aeronautical development occurring at airport sites. Indeed, through the submission, Bankstown Airport Limited (2008b, p. 19) states that:

The revenue generated by these non aviation developments is an essential part of the ownership and operation of the Airport. If these projects have additional obstacles through a more complex approval process it is unlikely that high levels of investment will continue at Bankstown Airport.

While criticism is made by some other stakeholders of the flexibility of zones in the Bankstown Airport master plan and the fact that relatively few uses are prohibited in zones compared to Local Environmental Plans under the *Environmental Planning and Assessment Act 1979*, Dugdale (2008) argues that this is appropriate for airports due to their different nature to other sites.

Dugdale (2008) also argues that it is generally more difficult to undertake a rezoning under the *Airports Act 1996* than the *Environmental Planning and Assessment Act 1979*. This is most likely because it is necessary to prepare a variation to the master plan if the matter is minor in nature or possibly an entire new master plan if the matter is not considered to be minor. Hence, proponents who wish to undertake a development that is prohibited within a zone are generally told by the Airport to find another site, rather than pursue a rezoning (Dugdale 2008).

DEVELOPMENT CONTRIBUTIONS & TAXATION

Bankstown Airport Limited does not believe that any requirement to pay additional development/infrastructure contributions or taxation to state or local government would be warranted. This is in contrast to the position of both Bankstown City Council and the NSW Government, who argue that greater contributions should be made to cover Council and State Government costs of upgrading nearby infrastructure, such as through s94 contributions under the *Environmental Planning and Assessment Act 1979*.

While there are no provisions in the *Airports Act 1996* similar to s94 of the *Environmental Planning and Assessment Act 1979*, which generally provides for consent authorities to require infrastructure contributions through development approvals, Bankstown Airport Limited does make ex gratia payments in lieu of Council rates to Bankstown City Council.

In excess of \$2 million has been paid through ex-gratia payments to Council since privatisation in 2003 (Bankstown Airport Limited 2008a). Bankstown City Council (2008c) acknowledges that these payments are equivalent to what the airport would pay for non-aeronautical developments if legally required to. The Commonwealth government owns the land on which the airport is situated and has constitutional immunity from local government taxation, arrangements were made through the airport privatisation process for airport lessees to make ex gratia payments to Councils, however (Productivity Commission 2001)

Dugdale (2008) argues that the rates paid by Bankstown Airport Limited represent a more than sufficient contribution to cater for development existing at the airport and new development. Dugdale (2008) argues that all roads within the airport and essentially all stormwater infrastructure are owned and maintained by Bankstown Airport Limited, hence the services provided by Bankstown City Council to the airport compared to other ratepayers is very limited. One service provided by the Council to the airport involves the cleaning of airport owned roads, however a separate payment is made for this service in addition to Council rates. Bankstown City Council does not collect garbage within the airport and it is collected by a private contractor (Dugdale 2008).

One service provided by the Council of benefit to the airport is the maintenance of Council roads that adjoin the airport, for instance Marion Street, which adjoins two major access roads to the airport where many of the airport's buildings are situated. Dugdale (2008) argues that even the maintenance of these roads, provides comparatively little benefit to the airport, as not all roads adjoining the airport are maintained by the Council, for instance Milperra Road on the southern side of the Airport and Henry Lawson Drive on the western side are state roads maintained by the Roads and Traffic Authority.

Dugdale (2008) states that the intersection of Henry Lawson Drive and Milperra Road at the southwestern corner of the airport is a key transport bottleneck, as the intersection has reached capacity due to large number of cars using it. Dugdale does not rule out the possibility of Bankstown Airport Limited making a contribution to its upgrade (such as through grade separation), although Dugdale states that the intersection was already a problem prior to recent developments occurring at the airport, hence the primary financial responsibility for its upgrade should rest with the NSW Government.

DEVELOPMENT APPROVALS

Bankstown Airport Limited is generally supportive of development approval provisions applying to Bankstown Airport. Dugdale (2008) argues that Bankstown Airport Limited would not support any major changes to development assessment provisions as a result of the Commonwealth Government's review to aviation policy.

Major development plans

A key point of note is that no major development plans have been prepared or approved for Bankstown Airport to date, as all development at the airport has fallen under the applicable thresholds (previously \$10 million, raised through recent amendments to \$20 million), hence the Commonwealth government has not had a statutory role in approving development at the airport, with all development able to be approved by Bankstown Airport Limited and the airport building controller.

Dugdale (2008) states that Bankstown Airport Limited was supportive of legislative changes to raise the threshold to \$20 million, through the *Airports Amendment Bill 2006*, as the airport feels that

development in the \$10 million to \$20 million range is not likely to have large impacts on land outside the airport and the broader community in general. It was argued that development at the airport which is considered to be relatively minor can have significant cost, with the cost of constructing a hangar in many cases running into millions of dollars.

While certain airport submissions to the Commonwealth Government's discussion paper, *Towards a National Aviation Policy Statement* were critical of aspects of the major development plan process, in particular, the role of the *Environmental Protection and Biodiversity Conservation Act 1999* in obtaining approvals, Bankstown Airport Limited did not have a strong view on these matters due to the fact it had not utilised the major development plan provisions. Dugdale (2008) noted, however, that referrals were made to the Commonwealth Department of Environment, Water and Heritage, for matters involving heritage, as the expertise of Bankstown Airport Limited in heritage matters was limited and the organisation benefited from the additional expertise of the Commonwealth on heritage matters.

The role of the airport building controller

Dugdale (2008) stated that Bankstown Airport Limited was satisfied with the role played by the Airport Building Controller in terms of building approvals and certification. It was stated that role played by the current controller was better from the airport's perspective than would be expected if the local Council were to play the same role, especially in terms of the time taken to obtain approvals and that the role played by the airport building controller had performance consistent with that of a commercial arrangement.

Community consultation in relation to development approvals

While other stakeholders made criticism of the level of community consultation provided under current development assessment provisions in the *Airports Act 1996*, Dugdale (2008) states that Bankstown Airport Limited has provided a level of community consultation that is appropriate in meeting the needs of the local community.

While community consultation and notification is not specifically required for development other than development for which a major development plan is required under the Act, Bankstown Airport Limited takes a number of measures to consult with members of the community, both airport tenants and those operating/working at businesses on airport land and residents in suburbs surrounding the airport. These measures include:

- Regular newsletters sent to airport tenants and businesses operating at the airport for the information of owners and employees. Includes information on development at the airport amongst other matters.
- Flyers sent to residents of suburbs surrounding the airport. While the purpose is these flyers somewhat promotional, they contain information for residents on planning policy and legislation that applies to the airport and development occurring at the airport that is likely to be of interest or concern to surrounding residents.
- Information statements sent to residents of suburbs surrounding the airport. Typically sent regarding developments that are relatively large in size and scale that are likely to be noticeable to surrounding residents. For example an information statement was sent to local residents regarding a major road and earthworks development in the southwestern corner of the airport.

Aeronautical and non-aeronautical development

While some stakeholders of the airport have argued that both aeronautical and non-aeronautical development should be subject to separate development assessment regimes, Bankstown Airport Limited argues against this. Dugdale (2008) argues that existing controls for non-aeronautical development are particularly detailed, especially given Bankstown Airport's design guidelines. Dugdale (2008) thus argues that any moves to create a new system for non-aeronautical development would not necessarily lead to more rigorous control.

Approval of specific developments

While Bankstown City Council's submission to the Commonwealth Government's discussion paper, *Towards a National Aviation Policy Statement*, was critical of the Bunnings Warehouse development

on Milperra Road and its impacts on the Georges River floodplain, Dugdale (2008) stated that flooding is a key consideration in existing approval processes under the *Airports Act 1996*, with the airport's aim being to ensure that there is no adverse impact on land outside of the airport.

Liaison with local government and the role of the memorandum of understanding

While Bankstown Airport Limited is not in favour of a greater legislative role for other levels of government in development assessment, Dugdale (2008) states that Bankstown City Council submissions to development proposals under the voluntary MoU between the Council and the Airport are valuable. This is because the Council can provide the airport with additional expertise in areas such as engineering in its development assessment.

CONCLUDING COMMENTS

Bankstown Airport Limited has a dual role as a consent authority for development and as a private company with a responsibility for delivering returns to its shareholders, achieving these goals also involves liaison with other members of the community to some degree and maintaining relationships with tenants and customers. The many responsibilities of the airport can be reflected in its views on the current planning system.

In relation to the four objectives of the thesis mentioned in the introduction, Bankstown Airport Limited's position can be summarised as one that is supportive of all of the existing arrangements. Bankstown Airport Limited is supportive of current legislation, Commonwealth control, a separate planning regime for the airport and development that has occurred at the airport to date.

Of particular note are the actions taken by the airport that go beyond the minimum that is required under legislation, especially in relation to community consultation. This illustrates that the success of the planning regime applying to the airport cannot be examined through legislation alone, rather, the policies and practices of the airport also play a role.

Chapter 5 – The views of state and local government on the planning system applying to Bankstown Airport

INTRODUCTION

This chapter seeks to explore the point of view of the NSW government and Bankstown City Council on the current planning regime applying to Bankstown Airport.

The views of Bankstown City Council form the primary contents of this chapter as the Council is perhaps the level of government most affected by decisions on planning and development taken at the airport. The NSW Government is also important stakeholder and the views of the NSW government on the current planning regime are discussed in lesser detail in this chapter.

Bankstown City Council made a comprehensive submission to the discussion paper *Towards a National Aviation Policy Statement*. This submission raises a number of issues that the Council has towards current Commonwealth policy and legislation applying to the airport. Bankstown City Council's submission is discussed in detail in this chapter. In addition, an in-depth interview was conducted with Council officers to explore Council's views on the current planning system applying to Bankstown Airport in further detail.

The majority of Bankstown City Council's submission addresses planning and development approval matters, however the submission also addresses other matters of interest for Council in lesser detail, for example aircraft noise and airport security. For the purposes of this thesis and chapter, discussion is largely limited to matters related to planning.

In general, Council's position is largely one of concern towards existing policy and legislation and the Council raises a large number of issues that it feels the Commonwealth government needs to address in the development of its national aviation policy, with recommendations for potential changes. Council's position on various issues is listed under relevant headings throughout this chapter.

BANKSTOWN CITY COUNCIL'S VIEWS ON THE PLANNING SYSTEM APPLYING TO BANKSTOWN AIRPORT

Government powers

Bankstown City Council's submission raises concerns over the way that responsibility for the planning at Bankstown Airport is divided between the different levels of government. In particular the Council is concerned regarding a lack of a significant role for local government in either strategic planning or development assessment and the exemption of commercial development at airports from state and local planning policies and laws. Bankstown City Council (2008c, p. 8) states that:

Currently, the primary focus of the Airports Act is on regulating aeronautical matters, runways and terminals and this has resulted in a very inadequate land use planning and assessment regime for non-aviation development. This perhaps reflects the fact that planning assessment and development control usually has not been a Federal responsibility, which does not have a historical track record of expertise in this area. Apparently, the Department which undertakes the planning assessment of master plans and major development plans has little expertise in land use planning and very little local knowledge.

Strategic/land use planning

The Council raises a number of concerns regarding the current master planning process under the *Airports Act 1996* for Bankstown Airport.

Zoning provisions

Bankstown City Council (2008c, p.8) argues that zonings in approved master plans for airports are:

Characterised by such vague generalities that they are ineffective There is almost no conceivable development which would be prohibited by any of the master

plans so far approved.

The submission argues further that even where zones do not specifically provide for a particular development, airport master plans contain provisions which allow other developments to be approved in any case, meaning that essentially no types of development are prohibited under master plan zones. This is in contrast to most Local Environmental Plans under the EP&A Act, where most LEPs list many categories of development that are legally prohibited in certain zones.

Bankstown City Council (2008 c, p.8) gives an example of the current final Sydney Airport Masterplan containing a provision which states “development uses which are not specified in a particular zone may be permitted on a case by case basis, following consideration by SACL [Sydney Airport Corporation Limited]...”. This is an area of criticism for the Council as the Council believes that more certainty should exist on uses that are permissible and prohibited, similar to most LEPs.

Community consultation

Bankstown City Council (2008c, p.8) has concerns regarding the level of consideration given to community consultation and the views of stakeholders of airports during the preparation of airport master plans For example, the Council states:

Notwithstanding the fact that some sort of consultation occurs, it seems submissions lodged by State and Local Government, community groups or individuals receive superficial or at best little consideration. Issues raised on individual planning proposals are rarely if ever assessed in a comprehensive and transparent manner or result in material changes to proposed developments.

Biodiversity

The Council is critical of the consideration of biodiversity issues during the airport master planning process, stating that several parts of the Bankstown Airport site have been identified as areas with threatened plant species and threatened vegetation communities identified under the *Threatened*

Species Conservation Act 1997.

Bankstown City Council (2008c) argues that the current master plan for the airport does not address these issues significantly, only stating that environmental impacts “will be determined and assessed during the development approval process for individual projects.” Council argues that this level of consideration is not sufficient for biodiversity issues and that a detailed environmental assessment of impacts, including cumulative impacts is warranted as part of the master planning process.

Flood management

As Bankstown Airport is predominately situated on flood prone land, Council's submission to *Towards a National Aviation Policy Statement* gives a great deal of emphasis to the consideration of flooding issues at Bankstown Airport.

Bankstown City Council (2008c) is critical that the current master plan for Bankstown Airport has not prevented the development of a Bunnings Warehouse hardware store and significant filling of flood prone land at the airport, which in the Council's opinion, could result in the potential for hundreds of properties along the Georges River flood plain to suffer additional damage in the event of a large flood.

Aviation needs

Bankstown City Council (2008c) argues that unrestrained commercial and retail development at airports where permitted under airport master plans is contrary to the core objectives of an airport and may jeopardise future aviation expansion needs. The Council argues that this commercial/retail development can effectively tie up large amounts of airport land for vast periods, which may be required for expansion of aeronautical infrastructure in the future, in light of projected future growth in aviation traffic, which is expected to double by 2025 or 2026.

Infrastructure/development contributions and taxation

Despite noting the ex gratia payments made by Bankstown Airport Limited to Bankstown City Council for non-aviation properties at the airport that are equivalent to Council rates, Bankstown City Council

(2008c) is critical of the lack of a development contributions regime for non-aeronautical development on land at the airport.

Bankstown City Council (2008c) argues that the lack of a development contributions regime at the airport provides airport operators with a competitive advantage over the owners of properties outside of the airport. The Council (2008c, p. 11) further argues that the lack of development contributions provides airport operators with “a windfall gain to them at the expense of the public benefit, leaving state and local governments to pay for infrastructure to service the proposal.”

Bankstown City Council (2008c) gives an example of the 2005 Bankstown Airport master plan, which identifies necessary road infrastructure to be provided from development at the airport with an estimated cost of \$100 million, as an indication of the large costs required to provide for infrastructure for the airport.

It is argued by Bankstown City Council (2008c) that statutory requirements should exist to ensure airport master plans give consideration to the effect developments have on surrounding land and infrastructure or the need to contribute towards mitigation programs of infrastructure upgrades.

Development approvals

Bankstown City Council (2008c) is critical of development approval processes operating at the airport with regard to the level of scrutiny applied and community consultation. Before arguing against individual attributes of the system, the Council argues that the entire system is against the principles of National Competition Policy and competitive neutrality through inconsistency with state and local planning controls.

Given that the Council objects to the entire principle of the existing system, which operates separately to NSW planning laws, the Council does not provide suggestions for improving the existing system, instead arguing that the system should be replaced with state and territory planning laws. The Council does state, however:

Currently, the Minister or the Airport Building Controller is the sole determiner of a development proposal. There is no judicial review process. The process is not transparent or accountable. (Bankstown City Council 2008c, p. 10)

The Council does raise concern with the current threshold for development which requires the preparation of a major development plan under the *Airports Act 1996*, as major development plans provide for a process of public notification whereas there is generally no specific requirement for public notification of developments below the major development plan threshold.

The Council (2008c, p. 3) argues that the *Airports Amendment Bill 2006*, which raised the threshold for development that requires the preparation of a major development plan from \$10 million to \$20 million “...has the potential to strip communities of their right to say about development decisions that affect their amenity and life.” The interview conducted with Council officers also established that Council has concerns with the potential for airport operators to avoid the major development plan process by dividing developments into stages, with each stage being below \$20 million.

Airport/Council relations – Memorandum of Understanding

Despite Bankstown City Council's objections to many aspects of the planning system applying to Bankstown Airport, the Council does note the memorandum of understanding between Bankstown Airport and the Council in its submission to *Towards a National Aviation Policy Statement*.

Through the submission, Bankstown City Council (2008c, p. 4) states that “...it has been Council's policy to continue and build upon the mutual consultive arrangements that existed with the airport prior to privatisation”. The submission further states that the memorandum of understanding between the Council and the Airport “...exemplifies the overall commitment on the part of both parties for cooperation and consultation on issues of importance between us” (Bankstown City Council 2008c, p. 4). The quotation illustrates that while Council has concerns with the planning system applying to the airport, a significant amount of voluntary dialogue and consultation exists between the airport and the Council, which is not specifically required under any legislation.

NSW GOVERNMENT VIEWS ON THE PLANNING SYSTEM APPLYING TO BANKSTOWN AIRPORT

The NSW government is also an important stakeholder in relation to development at the airport. The views of the NSW government on the current planning regime applying to airports on Commonwealth land and Bankstown Airport are summarised in the NSW Government's submission to *Towards a National Aviation Policy Statement, Towards a National Aviation Policy Statement – NSW Government Response*, prepared by the Office of the Coordinator General, Department of Premier and Cabinet.

The Department of Premier and Cabinet (2008, p.14) states that “the current land use planning and development approval mechanisms at major airports are not working effectively with regard to either aviation-related development or non-aviation development.”

The following key concerns are listed by the Department of Premier and Cabinet (2008):

- Inconsistency with state land local land use strategies and policies
- Insufficient priority given to integration of land use with transport planning
- Lack of consideration of matters raised during community consultation
- Lack of requirements whereby developers contribute to the cost of external infrastructure (such as road upgrades where additional traffic is generated).

Of particular relevance to Bankstown Airport, the submission is critical of non-aviation development occurring at Bankstown Airport. The submission is critical of the amount of traffic expected to be generated from non-aviation development and argues that it will affect services on local roads such as at the intersection of Milperra Road and Henry Lawson Drive. The submission argues that non-aviation development at the airport should be required to offset such costs on the community through contributions, as in the case in the NSW planning system (through section 94 contributions or regional transport infrastructure levies).

The Department of Premier & Cabinet (2008) submission lists a number of recommendations to

improve the planning regime applying to airports from its perspective. The most significant of these recommendations is that all non-aviation development at airports should be planned as part of the region in which it is situated and be subject to state planning legislation, policies and procedures.

The submission states that there is a need for land use and transport planning at airports to be integrated. This is considered especially necessary in light of predicted traffic growth to airports and conflicts between aircraft movements and other modes of transport such as sea freight, rail or road freight.

While the preferred position of the NSW Government is for non-aeronautical development at airport sites to be subject to state and territory planning legislation and policy. The submission provides recommendations for potential improvements to the existing system under the context of maintaining Commonwealth control. This is perhaps an indication that the NSW government considers a transition to state and territory planning laws at Commonwealth airports unlikely. Suggestions include:

- Requiring that memoranda of understandings between airport and state/local government be overseen by an independent third party such as the Commonwealth to resolve points of contention.
- The use of independent panels to assess master plans and development proposals at airports.
- A wider range of developments requiring the preparation of major development plans under the *Airports Act 1996*.
- Greater levels of community consultation and information provided regarding development, including reports published on submissions for master plans and development, with community briefings and more frequent newsletters and updates provided.
- Greater consistency and clarity regarding how conditions of development approvals at airports are to be enforced and regulated.

CONCLUDING COMMENTS

Bankstown City Council and the NSW Government share many positions in common in relation to the planning regime applying to the airport and these positions are almost completely in contrast to those of

Bankstown Airport Limited discussed in chapter 4. The main position that the two levels of government share in common is that they argue the NSW planning system should apply to non-aeronautical development at the airport. This would increase the powers of the Council and NSW government relative to Bankstown Airport Limited and the Commonwealth government.

Perhaps predictably, the two organisations are also in favour of greater contributions to be made by the airport to the two organisations as infrastructure contributions, as this would improve their financial position. It should be noted, however, that the Council and the government are not primarily profit-driven organisations and their main role is considered to be representing the community, hence there would be an obligation to invest such contributions for the benefit of the community. It is unlikely that such spending would benefit only the airport, however, with benefits following on neighbouring areas.

Chapter 6 – The views of community and interest groups on the planning system applying to Bankstown Airport

INTRODUCTION

This chapter seeks to explore the point of view of members of the local community and other relevant stakeholders (other than government authorities) on the current planning regime applying to Bankstown Airport.

Bankstown Airport is situated within the local government area of Bankstown and the population of the Bankstown local government area at the 2006 census was 170, 620. The suburbs of Milperra and Condell Park adjacent to the airport had populations of 3884 and 9766 respectively at the 2006 census. While it is difficult to state exactly the number of people who are affected by planning and development decisions at Bankstown Airport, these population figures illustrate that there are a very large number of people that have an interest in Bankstown Airport's development.

Bankstown Airport is a regional facility, playing a role in meeting the Sydney region's aviation needs. Many of the regional impacts of the airport are likely to relate to factors such as aircraft noise and aircraft movements and do not necessarily directly relate to land use planning or development decisions at the airport, despite some interconnection. The effects of most development decisions at the airport are likely to be more local, precisely how local any impacts are (be they positive or negative) may depend on the scale and type of development.

Regardless of the standpoint that is used, there are clearly a very large number of people who may be impacted in some way by planning and development decisions at Bankstown Airport. Given this large number, there are likely to be many different opinions on the effectiveness of the current planning regime at the airport.

To assist this chapter, an interview was conducted with Mr Jon Hillman, the convenor of two community groups, "Bankstown Airport Out Tourism In" and "Sydney United Groups Against Aviation Vandalism". This interview explored the views of these community groups with respect to the planning system applying to Bankstown Airport. While Mr Hillman is the convenor of the above two groups, this chapter will refer to the views stated by Mr Hillman as those of "Bankstown Airport Out Tourism In", abbreviated as "BAOTI".

To evaluate the views of community groups and individuals other than BAOTI, newspaper articles concerning Bankstown Airport were examined.

THE VIEWS OF BAOTI ON THE PLANNING SYSTEM APPLYING TO BANKSTOWN AIRPORT

BAOTI is a group that is primarily against the location and operation of Bankstown Airport and argues that the airport should be closed and relocated to outside of the Sydney basin. This thesis does not seek to examine matters such as this, although BAOTI does make a number of recommendations regarding the reform of the planning system applying to the airport and this forms the contents of this section.

BAOTI is critical of a number of the elements of the planning system applying to the airport and also of the way that Bankstown Airport Limited has exercised its responsibilities under the system. Similar to Bankstown City Council, BAOTI is against the principle of a separate planning system applying to the airport.

Master plan preparation and appeal mechanisms

Hillman (2008a) argues that the current master plan applying to the airport was not prepared legally in accordance with the requirements of the *Airports Act 1996* in relation to the required 60 day consultation/exhibition period. This claim cannot be either supported or refuted by the author of the thesis due to the exhibition having taken place some time ago, with limited information on exhibition dates remaining available. Hillman (2008a) argues that the current master plan should be voided and a new master plan prepared. It is also argued that there should be greater opportunities for members of the community to challenge to validity of master plans not prepared not accordance with legal requirements, similar to provisions under s123 of the EP&A Act.

Community consultation and availability of documents

Community consultation processes generally are a concern for BAOTI under the existing system,

BAOTI argues that a reliance on community consultation processes being managed by the Airport lessee is one that has a tendency to be biased, given that there are conflicts with the airports commercial interests (Hillman 2008a). Hence, BAOTI argues that community consultation processes should be managed by an independent entity such as the electoral commission.

BAOTI is critical of the *Airports Act 1996* in that there is no requirement to make development consents and associated documents publicly available as there is in the NSW planning system under the *Environmental Planning and Assessment Act 1979* (Hillman 2008a).

As an example of concerns regarding community consultation and publication of development consents, Hillman (2008a) cites an example of a major bulk earthworks development at the southern part of the airport. Hillman (2008a) states that there was no notification or exhibition of the proposal and as an interested resident, he was only made aware of the proposal through seeing an advertisement for an earthworks contractor in a newspaper and speaking directly to the contractor. Because this development did not require the preparation of a major development plan, there was no requirement for public notification or exhibition.

Development/infrastructure contributions and taxation

BAOTI believes that Bankstown Airport should be required to pay full local government rates, state land taxes and all equivalent state and local government fees and charges that are paid by equivalent properties outside of the airport (Hillman 2008b). BAOTI states that “The current arrangement means that state and especially local taxpayers/ratepayers are very heavily and totally unfairly subsidising the airports in their areas. It also puts nearby but off airport owners of commercial and industrial properties at an unfair disadvantage.” (Hillman 2008b, p. 3)

Government powers

Consistent with the position of Bankstown City Council, BAOTI argues that development at airports should be subject to state and local government planning laws (Hillman 2008b). Hence, any reform within the context of maintaining Commonwealth control of planning and development matters would

not be the preferred solution. Hillman (2008a) does not necessarily argue that all powers concerning airports should be transferred from the Commonwealth and argues that the Commonwealth should continue to play a role in aviation security, although not planning and development matters.

Approval of specific developments

BAOTI is critical of development that has been approved and allowed to proceed under the *Airports Act 1996* at Bankstown Airport. In particular, Hillman (2008a) cites concerns with a major earthworks development on flood prone land on the southern part of the airport currently under construction. Hillman (2008a) argues that the filling of land on a large scale such as this on a flood plain will have the effect of increasing the likelihood of flooding at other properties in the Georges River Catchment. This criticism is similar to the criticism by Bankstown City Council (2008c) of the nearby Bunnings Warehouse Development and business park. Bankstown Airport Limited's response to these concerns is stated in chapter 5.

The role of the airport in relation to development outside of the airport

Hillman (2008b) has concerns regarding the role that is played by the airport lessee in regulating development outside of airport land, particularly in relation to maximum building heights. Concerns relate to the fact that many development applications within the city of Bankstown are referred to the airport for comment on aircraft noise and/or flight path issues and that the airport has a commercial conflict of interest in commenting on these applications as it is in the commercial interests of the airport to encourage development within its boundaries rather than outside.

Local government liaison and the memorandum of understanding

While both Bankstown City Council and Bankstown Airport Limited note and are supportive of the Memorandum of Understanding between the two organisations, citing its advantages, BAOTI is critical of the memorandum of understanding between the Council and the airport. Hillman (2008a) states that the MoU was a “stunt” devised by the former Mayor of Bankstown, Helen Westwood and that it has not addressed BAOTI's perceived problems with the operation of the planning system applying to the

airport. BAOTI argues that wholesale changes are needed to the system and that the MoU does not achieve this (Hillman 2008a).

OTHER VIEWS WITHIN AND OUTSIDE OF THE BANKSTOWN COMMUNITY ON THE PLANNING SYSTEM APPLYING TO BANKSTOWN AIRPORT

In order to analyse the views of non-government stakeholders other than BAOTI, an analysis was made of newspaper articles concerning Bankstown Airport. A limited number of newspaper articles discussed matters of relevance to planning and are discussed below.

Certain tenants of the airport operating aviation-related businesses, while not on the record of criticising the planning system applying to the airport, have criticised issues associated with rents and property management at the airport. McDonald (2006) gives the example of tenants criticising increases in rent at Bankstown Airport after privatisation and a move towards a more market based rental system. Other authors such as Rochfort (2006) and Sydney Morning Herald (2006) also cite examples of increases in rent and attempts by Bankstown Airport Limited to relocate existing tenants to Camden Airport, in favour of more lucrative development opportunities at Bankstown Airport.

Creedy (2007) writes about the Aircraft Owners and Pilots Association criticism of Bankstown Airport Limited in relation to developments at Bankstown Airport, that in its view have created issues for aircraft safety. In particular, the association cites the closure of a cross runway and the construction of a Toll freight logistics centre as hazards for safety. “The new Toll building has the potential to influence wind direction and strength at critical low level flight phases - takeoff and landing - and removes available options on takeoff in the event of engine failure or loss of power” (Creedy 2007, p. 42).

CONCLUDING COMMENTS

Bankstown Airport Out Tourism In has numerous concerns regarding the planning system that applies to the airport, many of these concerns are shared with Bankstown City Council and the NSW government, although not entirely and indeed the organisation is critical of actions taken by the Council in relation to planning matters such as the MoU between the Council and the airport.

While BAOTI's views on the planning system applying to the airport are by no means necessarily representative of the broader community, they do form a useful comparison of a community organisation to the airport itself and government. One area of interesting comparison is community consultation. BAOTI raised more concerns in relation to community consultation than the Council and the government and this may relate to the fact that the MoU provides for the airport to consult with the Council in relation to new development, but not necessarily with members of the community and groups such as BAOTI.

Chapter 7 - Discussion and evaluation

INTRODUCTION

This chapter seeks to discuss and contrast views amongst the different stakeholders addressed in chapters 4-6 on the planning system applying to Bankstown Airport. These chapters showed us that each of the stakeholders had a different point of view on the effectiveness of the current planning system.

Table 7.1 seeks to break down the support of stakeholders for the different attributes of the planning system, having regard to the objectives of this thesis and can be used to contrast views.

Table 7.1 – Views of stakeholders in relation to objectives of research

	<i>Bankstown Airport Limited</i>	<i>Bankstown City Council</i>	<i>BAOTI</i>
Airports Act 1996 current provisions			
Master plans	Support	Oppose	Oppose
Development approvals	Support	Oppose	Oppose
Community consultation	Support	Oppose	Oppose
Commonwealth responsibility for planning	Support	Mix of support and opposition*	Oppose
Separate planning regime for airport	Support	Mix of support and opposition*	Oppose
Supportive of development that has occurred at airport under existing framework	Support	Mix of support and opposition**	Oppose

* Bankstown City Council is supportive of a separate planning system with Commonwealth control for aeronautical development at the airport only.

** Bankstown City Council has supported the economic role of recent development at the airport, although has been critical of the consideration of other matters such as flooding.

Table 7.1 shows that Bankstown Airport Limited has the most favourable view of the current planning system applying to the airport and BAOTI the least, with Bankstown City Council somewhere in between, with different opinions in relation to aeronautical and non-aeronautical development.

The introduction to this thesis stated the objectives of the research. A discussion is provided throughout

this chapter of the views of stakeholders examined and other aspects of the research in relation to the objectives. A discussion in relation to each of the four objectives is provided under a separate heading.

THE SUCCESS OF THE *AIRPORTS ACT 1996* IN MEETING THE NEEDS OF AIRPORT MANAGEMENT AND AIRPORT STAKEHOLDERS

Of the three organisations interviewed as part of this thesis, one generally supported the existing provisions of the *Airports Act 1996* in meeting their needs (Bankstown Airport Limited) while two had major concerns regarding its planning provisions (Bankstown City Council and BAOTI). The concerns of BAOTI and Bankstown City Council related to the concept of a separate planning system applying to airports, separate to all other land and also in relation to the detailed provisions of the Act.

Perhaps the strongest concerns in regard to the *Airports Act 1996*, were made in relation to the level of community consultation, transparency in decision making and the public availability of information. Compared with the provisions of the NSW planning system under the *Environmental Planning and Assessment Act 1979*, there are far fewer requirements for consultation to take place and records of approvals to be made publicly available under the *Airports Act 1996* for development approvals.

Bankstown Airport does take voluntary action to keep nearby land owners and residents informed or many new developments, however, this action is generally taken after decisions to proceed with the development have already been made. Consultation requirements in relation to master plans under the *Airports Act 1996* are considered to be more rigorous than those in the NSW planning system for equivalent policies – LEPs and DCPs, however.

Concerns existed amongst Bankstown City Council and BAOTI in relation to whether master planning is undertaken in accordance with good planning principles and the level of merit assessment against development proposals. While the requirements for the preparation and assessment of master plans are quite rigorous and present little opportunity for improvement, confidence could be improved in development occurring at the airport through greater community consultation and ensuring that the airport has sufficient expertise to assess development proposals, for example planning expertise, engineering expertise for flooding/stormwater, environmental expertise for noise, emissions, pollutions,

health etc.

One area in which the planning system under the *Airports Act 1996* appears to be particularly successful is in relation to the speed of development approvals. Bankstown Airport Limited argued that greater speed and consistency of approvals was available under the *Airports Act 1996* compared to local government approvals under state planning legislation. Bankstown City Council and BAOTI did not raise any concerns in relation to current approval times, indicating that this is a success area.

Bankstown City Council and BAOTI, which had concerns in relation to the *Airports Act 1996*, were not supportive of the principle of Commonwealth control and a separate planning system applying to airports, hence any changes to the existing system in the context of maintaining a separate planning system for certain secondary airports would not satisfy the concerns of these organisations. These arguments are discussed under objectives 2 and 3 of the thesis. Complete repeal of the *Airports Act 1996* and reversion to state planning legislation while the Commonwealth maintains ownership of the airport is not considered desirable or realistic, however.

While generally successful in meeting the needs of airport management, the confidence of other stakeholders in the *Airports Act 1996* could be enhanced through the following:

- The introduction of requirements for public notification of development/building approvals to be given, along the lines of s101 of the *Environmental Planning and Assessment Act 1979* in NSW and for notices of determination to be made publicly available.
- Requirements for a larger number of development/building applications to be publicly notified, with submissions made on such applications being a head of consideration in its determination, along the lines of s79c(1)(d) of the *Environmental Planning and Assessment Act 1979*.
- Greater clarity on appeal mechanisms for third parties if a master plan is not prepared in accordance with the Act or an application not assessed and/or determined in accordance with the Act, along the lines of s123 of the *Environmental Planning and Assessment Act 1979*.
- Airports ensuring that appropriate expertise is made available for the assessment of development proposals, particularly with regard to planning, engineering, environment and health.

THE SUITABILITY OF THE CURRENT ROLE OF THE COMMONWEALTH WITH RESPECT TO PLANNING AT BANKSTOWN AIRPORT

The Commonwealth government's responsibility for planning matters at secondary airports such as Bankstown Airport was supported by Bankstown Airport Limited, although not by BAOTI and not by Bankstown City Council (concerning non-aeronautical development only).

The objections of many individuals and private organisations to the role of the Commonwealth in planning at airports may be associated with objections to provisions of the *Airports Act 1996*. If the Act provided for greater levels of community consultation in relation to development proposals or a greater level of transparency in decision making, the role of the Commonwealth might be more supported. Indeed, prior to the introduction of the *Airports Act 1996* and the privatisation of Bankstown Airport, it appears that the role of the Commonwealth had a greater level of acceptance.

The objections of state and local government to Commonwealth control of Bankstown Airport are perhaps more complex. It could perhaps be expected that politicians from these two levels of government would be in favour of greater powers, although valid issues are raised by both Bankstown City Council and the NSW government regarding the appropriateness of a separate level of government being responsible for control of development at airports to essentially all other forms of development in NSW. Bankstown Airport is connected and part of the broader local area, although perhaps to a lesser extent than many other land parcels, with relatively distinct boundaries between the airport and other land.

A division of powers between state and federal government in Australia is not unique to planning and exists in other areas including health, education, the environment and transport. While the goals and role of the Commonwealth across these areas are perhaps more complex, the role of the Commonwealth in relation to planning at Bankstown Airport is considered to be irrefutably linked to its ownership of the land on which the airport is situated. While the Commonwealth owns the land, it is considered that it should play the main role in determining the pattern of its future development in the interests of accountability and representative government.

THE APPROPRIATENESS OF A SEPARATE PLANNING REGIME APPLYING TO BANKSTOWN AIRPORT

The role of the Commonwealth in planning for airports is intristically linked to a separate planning regime applying to airports. The *Environmental Planning and Assessment Act 1979* in NSW and planning legislation in other states, provides for a division in responsibilities between state and local government. Hence, it would not be possible to extend existing state planning legislation to secondary airports such as Bankstown in the context of maintaining complete Commonwealth government control.

Of the three organisations interviewed through this thesis, Bankstown Airport Limited argued that the nature of airports was conducive to a separate planning system, as currently applies. Bankstown City Council argued in favour of the state planning regime applying to non-aeronautical development with a separate Commonwealth regime applying to aeronautical development, BAOTI is against a separate planning regime applying to the airport and argues that the state planning regime should apply. Based on the views of stakeholders in relation to this issue, there is clearly not a solution that will satisfy all parties.

There are potentially problems with attempting to make two separate planning systems apply to an airport for both aeronautical and non-aeronautical development. The first problem would be defining what constitutes aeronautical and non-aeronautical development. The vast majority of development at Bankstown Airport relates to aviation at least some capacity, whether it be an office for an aircraft flying school, an aircraft parts manufacturer or a freight logistics facility partly utilising aircraft. It would be difficult to establish whether development such as this should be classified as aeronautical or non-aeronautical.

If two planning systems were to apply to the airport, another approach taken to divide responsibilities between the two consent authorities might be to divide the airport into an aeronautical zone and a non-aeronautical zone. This approach would also pose potential problems, however, particularly in relation to where to draw such a line, given difficulties in defining both aeronautical and non-aeronautical

development and also with the abilities of both authorities to assess impacts of development on the part of the airport that they are not responsible for. In light of potential problems with maintaining two separate consent and planning authorities for development on airport land, all other things being equal, one system and one main authority of responsibility would be preferable.

Bankstown Airport is situated in a relatively central location in the context of Sydney. As such, development at the airport has an impact on surrounding developments and vice-versa. While the airport operates as an "island" within the city to some extent, being surrounded by relatively clear boundaries, typically major roads, it cannot be said that the airport operates in isolation from the remainder of the city. Indeed recent developments such as that of the Bunnings Warehouse illustrates that, with a greater number of patrons, links between the airport and surrounding developments are becoming stronger.

Impacts of a development are more likely to be seen if it takes place closer to the edges of airport land rather than at the centre, although being surrounded by other forms of development, it is expected that development on airport land always creates at least some form of impact on the surrounding area and vice-versa.

Given that Bankstown Airport clearly forms part of Sydney, it is considered that from a planning perspective alone, development and airports should be subject to the same control and regulation as development outside of airports. The NSW planning system could apply to Bankstown Airport in much the same way as it applies to smaller airfields/airstrips in the Sydney basin such as Wedderburn or the Oaks and many regional airports throughout the state. Other infrastructure of state or regional significance such as ports fall under the NSW planning system.

The fact remains, however, that despite privatisation occurring on a long-term lease basis, the title of the land on which Bankstown Airport is situated remains with the Commonwealth government. Any moves to replace the existing planning system with the state system would raise complex issues in the context of the airport remaining under Commonwealth ownership. In particular, questions would arise in relation to whether consent was required from the Commonwealth as land owner in addition to approvals from state or local government under planning legislation. If Commonwealth consent for

development was required, this would essentially result in two approval mechanisms operating simultaneously, perhaps creating more problems than such a move intended to resolve.

Within the context of maintaining the current ownership of Bankstown Airport, the only scenarios of applying state and local government control of development on airport land without creating two separate development approval mechanisms, would see the Commonwealth abdicating its approval role as both a land owner and planning/consent authority entirely.

It is considered that it would not be in the interests of the Commonwealth to maintain ownership of airports such as Bankstown and at the same time completely abdicate its rights as a landowner to grant or withhold owners consent for new development. The issue of whether the state and local planning policies and laws should apply to some or all of the airport must therefore be considered in conjunction with continued Commonwealth ownership. For local or state government, to assume the role of consent authority for development at a Commonwealth owned airport would most likely be counterproductive.

IS RECENT DEVELOPMENT AT BANKSTOWN AIRPORT CONSISTENT WITH THE PUBLIC INTEREST AND GOOD PLANNING?

While not the primary objective of this thesis, given that *Airports Act 1996*, current master plan and private lease of Bankstown Airport have all been in place for at least three years, a limited analysis of new development at the airport has been undertaken. This thesis revealed the views of various stakeholders on the development occurring at the airport. Stakeholders had strong views in relation to non-aeronautical developments at the airport in particular.

The two most prominent developments at Bankstown Airport in recent years are perhaps the Toll freight facility and Bunnings Warehouse hardware store. Significant earthworks, site preparation and road construction has also occurred for future development. Of the Bunnings and Toll developments, the Toll facility could be at least partially classified as an aeronautical development, as it utilises aircraft from the airport for freight purposes (Dugdale 2008), while the Bunnings development would be defined as non-aeronautical as the hardware store is primarily intended to serve customers from outside of the airport.

Criticism has been raised of non-aeronautical development at Bankstown Airport. Depending on the definition used to define aeronautical and non-aeronautical development, at least some non-aeronautical development has been a feature of Bankstown Airport for some time, existing for many years, or decades, prior to privatisation.

Criticism of non-aeronautical development has been made on the basis that it reduces the amount of land available for aviation purposes and has been a threat to safety, however Commonwealth authorities such the Civil Aviation Safety Authority (CASA) have not publicly raised safety issues in relation to non-aeronautical development that has occurred at the airport to date.

Arguments are also raised in relation to the potential sterilisation of land that could be used for future aviation expansion through non-aeronautical developments. These arguments are valid to the extent that such land could and that it would be desirable for the expansion of Bankstown Airport to occur. Bankstown Airport Limited has argued in favour of a larger number of passenger services at the airport, this illustrates that in the airport's view, an expansion of both passenger services and non-aeronautical developments are possible simultaneously.

Whether non-aeronautical development has the potential to sterilise land for future aviation expansion depends on future demand and government planning. The Commonwealth has argued that Bankstown Airport should not develop into a significant passenger aviation centre and at the same time Bankstown Airport Limited has encouraged certain general aviation activities to move to Camden Airport. If land used for non-aeronautical development is surplus to future needs based on coherent long-term planning, the prohibition of non-aeronautical development on airport land, would not be optimal, at least from an economic efficiency point of view with all other things being equal.

Criticism has been made of development in the southern precinct of the airport, both earthworks and the Bunnings development on the grounds of flooding. While this is not primarily a thesis that covers matters such as flooding and hydraulics, it is noted that there are contrasting opinions from Bankstown Airport Limited, Bankstown City Council and other stakeholders of the flooding effects of such developments. Many Councils do not allow cut or fill within a floodplain, with the intention of this

being to avoid the potential for other properties to face increased flooding during flood events.

Different opinions exist to the extent that development at Bankstown Airport may have increased the potential for flooding on other parts of the Georges River floodplain. This is perhaps an indication that the planning system applying to the airport needs to operate in more of a way that improves community confidence. The MoU between Council and the airport may be an example of a mechanism that resolves some of Council's concerns in relation to new developments, as the Council is given the opportunity to comment on development proposals before approval is given.

CONCLUDING COMMENTS

Stakeholders including Bankstown City Council, the NSW government and some community groups have little confidence in the planning regime applying to the airport under the *Airports Act 1996* and the role of the Commonwealth government. Bankstown Airport Limited has confidence in the existing system, however and states that the system is working well from its perspective.

The key underlying reason for the lack of confidence in the current planning system amongst many stakeholders are the inconsistencies with state based planning regimes and perceived different treatment for developments within airports to development outside of airports.

While many stakeholders argue that state and territory planning laws should apply to Commonwealth secondary airports, the need for a separate planning regime is necessitated by Commonwealth ownership.

Community confidence in the fact that development occurring at the airport is consistent with good planning and the public interest could be improved by the planning system operating in way that promotes a greater level of community consultation and assessment of development proposals being given the range of expertise necessary to assess a full range of potential impacts.

Conclusion

OBJECTIVES OF THESIS

The objectives of this thesis have been to analyse the following:

- The success of the *Airports Act 1996* in meeting the needs of stakeholders of Bankstown Airport, in particular, the airport lessee company, state and local government and members of the local community.
- The suitability of the Commonwealth Government being responsible for land use planning and development approvals at Bankstown Airport, as opposed to state or local government.
- Whether it is appropriate for Bankstown Airport to have a separate planning regime to essentially all other land uses or whether its unique character justifies a separate planning regime.
- Whether development that has been permitted and constructed under the current planning regime at Bankstown Airport is consistent with the public interest and good planning.

The views of stakeholders of Bankstown Airport, relevant literature, legislation, planning policies and government publications have been analysed to provide conclusions.

SUMMARY OF CONCLUSIONS

Different views exist amongst stakeholders in relation to the success of the planning system applying to the airport, the role of the Commonwealth government and development that is occurring at the airport. The Airport is mostly supportive of current legislative arrangements, with Bankstown City Council and BAOTI being critical to different degrees.

Current legislative arrangements are not an indication of the success of the planning process at the airport alone, however, as actions have been taken by the airport that go above legislative required minima, particularly in relation to community consultation, with a Memorandum of Understanding between the Airport and the Council and regular community updates and newsletters prepared by the airport.

It is considered that Commonwealth control and hence a separate planning regime to the state system is appropriate whilst the land on which the airport is situated is owned by the Commonwealth. The system and thus greater community confidence in development at the airport could be improved through greater community consultation in relation to development approvals and through ensuring that adequate expertise is employed in the assessment of applications.

THE FUTURE

Legislation and planning policy with respect to airports including Bankstown Airport will be an important issue for the Commonwealth government in coming years. A green paper, which follows on from the issues paper *Towards a National Aviation Policy Statement* is expected to be issued for public comment during late 2008 (Department of Infrastructure, Transport, Regional Development & Local Government 2008a). A comprehensive aviation policy, expected to include planning matters at Commonwealth leased airports, is expected to be finalised in mid 2009 through the release of a white paper.

It is unlikely that any proposed amendments to the planning system applying to Bankstown Airport will completely resolve the concerns of all stakeholders. The challenge for the government will be to develop a policy which provides for an appropriate balance between the views of different stakeholders and one that promotes development consistent with the public interest and good planning principles.

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APPENDIX: LIST OF BUSINESSES OPERATING AT BANKSTOWN AIRPORT AS OF SEPTEMBER 2008

<i>Business Name</i>	<i>Sector</i>
Aero-Bee Pty Ltd	Aviation products
Aerolink Airservices Pty Ltd	Aviation services
Aeromarine Products	Aviation products
Aeronautical Engineers Australia	Aviation services
Aerospace Aviation	Aviation services
AFTS Aircraft Maintenance	Aviation services
Air BP	Aviation services
Airtex Aviation	Aviation services
Aldi Foods	Retail
Aquila Aviation Pty Ltd	Aviation services
Asia Pacific Aviation News	Journalism
Australian Aerospace Limited	Aviation products/services
Australian Aviation Museum	Museum
Australian Aviation Underwriting Pool Pty Ltd	Aviation services
Australian Civil Air Patrol	Volunteer services (aviation)
Australian Flying Training School	Aviation services
Australian National Aviation	Aviation services
Auto Avia Design Pty Ltd	Aviation services
Aviall Australia	Aviation products
Aviation Centre Pty Ltd	Aviation services
Aviation Salvage	Aviation products
Aviation Welding Services Pty Ltd	Aviation products/services
Aviex	Aviation services
Avparts Pty Ltd	Aviation products
Bankstown Grammar School	Education
Bankstown Helicopters	Aviation services
Banninkare Pty Ltd	Aviation services
Basair Australia	Aviation services
Boomerang Air	Aviation services
British Aerospace Australia Ltd	Aviation products/services
Bunnings Warehouse	Retail of hardware products
Bureau of Meteorology	Meteorological services
Burger King	Food/hospitality

<i>Business Name</i>	<i>Sector</i>
Chieftain Flying School	Aviation services
Cirrus Aircraft NSW Pty Ltd	Aviation products/services
Clamback & Hennessy	Aviation services
Coastline Avionics Pty Ltd	Aviation services
Concept Aviation Supplies Pty Ltd	Aviation products
Crane Air	Aviation services
Discovery Air Tours	Aviation services
Dynamic Helicopters	Aviation services
East Coast Electrical Supplies	Aviation products
East Coast Propellers Pty Ltd	Aviation services
Echo Air Conditioning	Retail of air conditioning products
Frank Young Aviation Pty Ltd	Aviation products
General Flying Services	Aviation services
Goair Products Pty Ltd	Aviation services
Hawker de Havilland Pty Ltd	Aircraft manufacture/maintenance
Hawker Pacific Pty Ltd	Aviation products/services
Heath Aviation Insurance Broking Pty Ltd	Insurance
Helicopter Rebuilds Pty Ltd	Aviation services
Helicopter Transport and Training	Aviation services
Helicopters Pty Ltd	Aviation services
Heliflite Pty Ltd	Aviation products/services
HSJ Aviation Pty Ltd	Aviation services
Jet Fighter Flights Pty Limited	Aviation services
John Cameron Aviation	Aviation products/services
Kareela Aviation Pty Ltd	Aviation services
Kathy's K Kids Dance School	Education/recreational services
Kathy's K Kids Kindy	Childcare
KFC	Food/hospitality
Kirby Refrigeration	Refrigeration services
Macarthur Jet Charter	Aviation services
McIver's Flying School	Aviation services
Mobil Aviation Pty Ltd	Aviation services
Nautilus Air Services	Aviation services
NSW National Parks & Wildlife Service	Government
P & T Aviation Pty Ltd	Aviation services
Pacific Avionics Pty Ltd	Aviation products/services
Pacific Turbine	Aviation services

<i>Business Name</i>	<i>Sector</i>
Pegasus IC	Financial services
Peter Richardson Pty Ltd Public Accountants	Financial services
Pionair Australia Pty Ltd	Aviation services
Pro Auto & Marine	Automotive and marine services
Proflite Australia	Aviation services
Putt Putt Bankstown Pty Ltd	Recreational services
Red Baron (The)	Aviation services
Robert E Corben Pty Ltd	Financial services
Royal Flying Doctor Service of Australia	Aviation/health services
Schofields Flying Club Ltd	Aviation services
Shell Aviation Bankstown	Aviation services
Short Air Services	Aviation services
Sonair Pty Ltd	Aviation services
Sontact Pty Ltd	Aviation services
Spotless Accommodation	Accommodation services
State Forests of NSW	Government
Swift Loans	Financial services
Sydney Aerobatic School	Aviation services
Sydney Aviation College/Secure Air Charter	Aviation services
Sydney Flight Training Centre	Aviation services
Sydney N Scale Model Railway Club Inc	Recreational activities
The Aeroplane Art Company	Aviation related products
The Alarm Factory	Security products and services
The Links	Accommodation
The University of New South Wales	Education/aviation actives
Toll Priority	Freight including air freight
Trans National Air Pty Ltd	Aviation services
Turbomeca Australasia Pty Ltd & Microturbo Australasia Pty Ltd	Aviation services
Westway Bus and Coach Service	Transportation
Wiltshire Engineering Co Pty Ltd	Aviation services
Winrye Aviation Pty Ltd	Aviation services

Note: This information has been compiled as a result of information provided on Bankstown Airport Limited's website, <<http://www.bankstownairport.com.au>> and through a site visit to the airport in September 2008. While efforts have been made to ensure the accuracy of this list, complete accuracy as of October 2008 cannot be guaranteed and the above list should be seen as a representation of the businesses at Bankstown Airport.