



# **Airports Regulations 1997**

**Statutory Rules 1997 No. 8 as amended**

made under the

*Airports Act 1996*

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Attorney-General's Department, Canberra

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**Regulation 1.01**

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**Part 1 Preliminary****1.01 Name of regulations** [see Note 1]

These regulations are the *Airports Regulations 1997*.

**1.02 Interpretation**

In these Regulations:

*Act* means the *Airports Act 1996*.

*Secretary* means the Secretary to the Department.

*SES employee* has the meaning given by the *Public Service Act 1999*.

**1.02A Airport lease — joint-user airport**

For the definition of *airport lease* in section 5 of the Act, the leased area of a joint-user airport is the area that is the airport site for the airport.

**1.03 Airport sites**

- (1) For the definition of *airport site* in section 5 of the Act, each of the following places (to the extent that it is a Commonwealth place) is declared to be an airport site:
  - (a) Adelaide Airport — that is, the place made up of the land described in Part 1.1 of Schedule 1;
  - (b) Alice Springs Airport — that is, the place made up of the land described in Part 1.2 of that Schedule;
  - (c) Archerfield Airport — that is, the place made up of the land described in Part 1.3 of that Schedule;
  - (ca) Bankstown Airport — that is, the place made up of the land described in Part 1.3A of that Schedule;
  - (d) Brisbane Airport — that is, the place made up of the land described in Part 1.4 of that Schedule;
  - (da) Camden Airport — that is, the place made up of the land described in Part 1.4A of that Schedule;

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- (e) Canberra Airport — that is, the place made up of the land described in Part 1.5 of that Schedule;
- (f) Coolangatta Airport — that is, the place made up of the land described in Part 1.6 of that Schedule;
- (g) Darwin Airport — that is, the place made up of the land described in Part 1.7 of that Schedule;
- (h) Essendon Airport — that is, the place made up of the land described in Part 1.8 of that Schedule;
- (i) Hobart Airport — that is, the place made up of the land described in Part 1.9 of that Schedule;
- (ia) Hoxton Park Airport — that is, the place made up of the land described in Part 1.9A of that Schedule;
- (j) Jandakot Airport — that is, the place made up of the land described in Part 1.10 of that Schedule;
- (k) Launceston Airport — that is, the place made up of the land described in Part 1.11 of that Schedule;
- (l) Melbourne (Tullamarine) Airport — that is, the place made up of the land described in Part 1.12 of that Schedule;
- (m) Moorabbin Airport — that is, the place made up of the land described in Part 1.13 of that Schedule;
- (n) Mount Isa Airport — that is, the place made up of the land described in Part 1.14 of that Schedule;
- (o) Parafield Airport — that is, the place made up of the land described in Part 1.15 of that Schedule;
- (p) Perth Airport — that is, the place made up of the land described in Part 1.16 of that Schedule;
- (pa) Sydney (Kingsford-Smith) Airport — that is, the place made up of the land described in Part 1.16A of that Schedule;
- (q) Tennant Creek Airport — that is, the place made up of the land described in Part 1.17 of that Schedule;
- (r) Townsville Airport — that is, the place made up of the land described in Part 1.18 of that Schedule.

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- (2) In Schedule 1:
- (a) a reference to land by the number of a certificate of title, or registered or deposited plan, is taken to continue to be a reference to the land if the certificate of title or plan is cancelled, replaced or consolidated with another certificate or plan, but the interest of the proprietor of the land remains unchanged; and
  - (b) a reference to the Land Titles Office of a State or Territory is a reference to the authority (however described) that has the function of registering land titles under the law of the State or Territory.

**1.04 Canberra Airport ceases to be joint user airport**

For the purposes of the Act, Canberra Airport ceases to be a joint-user airport when this regulation commences.

## Part 2                      Leasing and management of airports

### 2.01            Interpretation

In this Part:

*associate* has the meaning given by clause 5 of the Schedule to the Act.

*existing interest* means an interest subject to which an airport lease was granted (because of section 26 of the *Airports (Transitional) Act 1996*).

*licence* means a licence relating to an airport lease, and includes a proposed licence relating to an airport lease.

*licensee* includes a person who has agreed to become a licensee under a proposed licence.

*prostitution* means the provision by a person to, or for, another person (whether or not the 2 persons are of different sexes) of sexual services for payment or reward.

*sublease* includes a proposed sublease.

*sublessee* includes a person who has agreed to become a sublessee under a proposed sublease.

*terms* includes conditions.

### 2.01A          Airports to which Part 2 of the Act applies

For paragraph 12 (1) (b) of the Act, the following airports are specified:

- (a) Archerfield Airport;
- (aa) Bankstown Airport;
- (ab) Camden Airport;
- (b) Essendon Airport;
- (ba) Hoxton Park Airport;
- (c) Jandakot Airport;
- (d) Moorabbin Airport;
- (e) Mount Isa Airport;

**Regulation 2.02**

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- (f) Parafield Airport;
- (g) Tennant Creek Airport.

**2.02 Grounds for refusing to approve the transfer of an airport lease**

For paragraph 24 (3) (a) of the Act, the following grounds are specified:

- (a) that the proposed transferee does not have the financial strength and managerial capabilities necessary to:
  - (i) operate and develop the airport over the remainder of the lease period; or
  - (ii) provide high-quality airport services consistently with the sound development of civil aviation;
- (b) that the proposed transfer would if it took place, be destructive of diversity in the ownership of Australian airports;
- (c) that if the proposed transfer takes place, the employees of the transferor company will be unfairly or inequitably treated, or their accrued benefits not preserved;
- (d) that the Minister is satisfied that the proposed transferee will not act responsibly in matters concerning the environment;
- (e) that the Minister is satisfied that that the proposed transferee will not be responsive to:
  - (i) the needs of the region in which the airport is located; or
  - (ii) the interests of airport users.

**2.03 Grounds for refusing to approve an airport-management agreement or variation of an agreement**

- (1) For paragraphs 33 (4C) (a) and (4F) (a) of the Act, the matters are whether the agreement or the agreement as varied:
  - (a) gives the airport-lessee company an option to purchase the assets of the airport-management company:
    - (i) when the agreement is terminated; or

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- (ii) if, under the Corporations Law, the airport-management company goes into liquidation or is wound up or if a liquidator is appointed (whether the liquidation is voluntary, provisional or otherwise and whether or not the liquidator is appointed provisionally or otherwise); and
- (b) provides that, if the airport lease is terminated for any reason, the Minister may direct that the Commonwealth, or a person nominated by the Minister, is taken to be substituted for the airport-lessee company as a party to the agreement; and
- (c) provides that, if the airport lease is terminated for any reason, and if the Minister gives a direction referred to in paragraph (b), the agreement continues to have effect according to its terms, except that:
  - (i) the Commonwealth or person nominated by the Minister is to be taken to be a party to the agreement in the place of the airport-lessee company; and
  - (ii) the Commonwealth or person nominated by the Minister is not liable under the agreement for liabilities arising before the Commonwealth or person is taken to have become a party to it; and
  - (iii) the Commonwealth or person may terminate the agreement at any time, subject to the payment of fair and reasonable compensation; and
- (d) provides that the airport-lessee company may not terminate the agreement unless it gives the Secretary written notice, at least 21 days before the intended date of the termination, of its intention to do so, and gives the Secretary any information that the Secretary reasonably requires about the termination; and
- (e) either:
  - (i) provides that the airport-lessee company may terminate the agreement only upon reasonable notice and for reasonable cause; or
  - (ii) does not provide that the airport-lessee company may terminate the agreement at any time without cause; and

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- (f) provides for financial information to be given by the airport-management company to the airport-lessee company to enable the airport-lessee company to comply with Part 7 of the Act (relating to accounts and reports).
- (2) In paragraph (1) (a):
- assets* of an airport-management company includes:
- (a) non-fixed plant and equipment, vehicles, machinery, office equipment, or computer systems owned by the airport-management company and used exclusively at, or in relation to, the airport concerned; and
  - (b) any interest of the airport-management company as lessee or bailee of equipment referred to in paragraph (a); and
  - (c) any interest of the airport-management company in a contract for the supply of goods and services for use at, or in relation to, the airport; and
  - (d) any other tangible personal property of the airport-management company used in connection with the management, operation or maintenance of the airport; and
  - (e) any interest of the airport-management company in intellectual property including computer software, or any right of the airport-management company to use computer software, in connection with the management, operation or maintenance of the airport.

**2.04 Prohibited kinds of subleases**

- (1) For subsection 34 (1) of the Act, the following kinds of subleases of an airport lease are prohibited:
  - (a) a sublease for a purpose inconsistent with the continued use as an airport of the airport site concerned, as set out in the final master plan for the airport site;
  - (b) a sublease of premises within the airport site for prostitution;
  - (c) a sublease that is an airport-management agreement within the meaning given by subsection 33 (7) of the Act, unless the sublessee is a qualified company and has been approved by the Minister under paragraph 33 (1) (a) of the Act.

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- (2) For subsection 34 (1) of the Act, a sublease of any of the following kinds is prohibited unless the Secretary makes a declaration about the sublease under regulation 2.05:
- (a) a sublease to a sublessee that is not:
    - (i) a constitutional corporation; or
    - (ii) a bank other than a bank established or operated by a State or Territory; or
    - (iii) the Commonwealth, or an authority of the Commonwealth;
  - (b) a sublease for residential development;
  - (c) a sublease to a person as trustee of a trust.
- (2A) Despite paragraph (2) (a), a sublease to an individual is not prohibited if the sublease is for:
- (a) a single site retail business; or
  - (b) a car parking bay.
- (3) For subsection 34 (1) of the Act, a sublease to a State or Territory government or authority is prohibited unless the Secretary approves the sublease under regulation 2.07.
- (4) However, if a sublease was, at the time of grant of the relevant airport lease, an existing interest referred to in section 26 of the *Airports (Transitional) Act 1996*, subregulations (1), (2) and (3) apply to the sublease only if its terms are varied after the commencement of this regulation.
- (5) If a sublease referred to in subregulation (4) is varied after the commencement of this regulation:
- (a) subregulation (1), (2) or (3) applies to it from the time of the variation; and
  - (b) in the case of a sublease to which subregulation (2) applies — the sublease (as varied) is taken to be prohibited unless the Secretary makes a declaration under regulation 2.05 about the sublease (as varied); and
  - (c) in the case of a sublease to which subregulation (3) applies — the sublease (as varied) is taken to be prohibited unless the Secretary approves the sublease (as varied) under regulation 2.07.

**Regulation 2.05**

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**2.05 Secretary may declare that specified sublease not prohibited**

- (1) On application by the sublessee under a sublease to which subregulation 2.04 (2) applies, the Secretary may declare, by instrument, that the subregulation does not prohibit the sublease.
- (2) The Secretary must make a decision on the application within 30 days after the application is made.
- (3) Before making a decision, the Secretary must be satisfied that, if the declaration is made, the sublease will not have the effect of frustrating the objects of the Act.
- (4) In considering whether to make a declaration under subregulation (1), the Secretary must take into account:
  - (a) the duration of the sublease; and
  - (b) the size of the area subject to the sublease; and
  - (c) the terms of the sublease.
- (5) The Secretary must inform the applicant in writing of the decision within 7 days after making the decision, and must give the applicant:
  - (a) if the Secretary made the declaration — a copy of the relevant instrument; or
  - (b) if the Secretary refused to make the declaration — a statement of the reasons for the refusal.
- (6) If the Secretary makes the declaration, section 34 of the Act is taken not to prohibit the sublease until the Secretary revokes the declaration under regulation 2.06.

**2.06 Revocation of declaration**

- (1) If it appears that there has been a change in circumstances that justifies revoking a declaration under regulation 2.05, the Secretary may, by notice in writing, require the sublessee to demonstrate, within a specified reasonable time, that there has been no such change.

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- (2) The Secretary must revoke the declaration if he or she is satisfied that, after the change, the sublease has the effect of frustrating the objects of the Act.
- (3) In deciding whether a change justifies revocation of the declaration, the Secretary must take into account the circumstances before and after the change, including any change in:
  - (a) the duration of the sublease; and
  - (b) the size of the area subject to the sublease; and
  - (c) the terms of the sublease.
- (4) If, after considering any evidence produced by the sublessee, the Secretary is satisfied that the declaration should be revoked, the Secretary may revoke the declaration.
- (5) If the Secretary revokes the declaration, the Secretary must give the sublessee notice in writing of the revocation, and a statement of the reasons for the revocation.
- (6) The revocation becomes effective 1 month after the notice is given to the sublessee.

**2.07 Approval of sublease to State government etc**

- (1) The Secretary may, by instrument, approve a sublease for subregulation 2.04 (3).
- (2) In considering whether to approve a sublease, the Secretary must take into account:
  - (a) whether the activity for which the sublease is granted, or proposed to be granted, is being or will be carried out on a fully commercial basis; and
  - (b) whether the State or Territory government or authority has given a written undertaking to comply with the laws of the Commonwealth (including any applied State or Territory law); and
  - (c) whether an obligation or restriction imposed by a law of the State or Territory will be inconsistent with the Act, these Regulations or the proposed sublease.

**Regulation 2.09**

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- (3) The Secretary may approve a sublease to a class of State or Territory government authorities, or to a State or Territory government in relation to a class of functions of the government.

**2.09 Mandatory terms in subleases**

- (1) For subsection 34B (1) of the Act, a sublease is required to contain terms of the following kinds:
- (a) a term to the effect that the sublease is automatically terminated upon the creation of an interest in the sublease in favour of a person (other than a qualified company that has been approved by the Minister under paragraph 33 (1) (a) of the Act) that is, either alone or with 1 or more associates, in a position to exercise control over either or both of:
    - (i) the operation of the whole, or a substantial part of, the airport concerned; or
    - (ii) the direction to be taken in the development of the whole, or a substantial part of, the airport;
  - (b) a term to the effect that any underlease of the sublease must contain a term to the same effect as that required by paragraph (a).
- (2) However, if a sublease was, at the time of grant of the relevant airport lease, an existing interest referred to in section 26 of the *Airports (Transitional) Act 1996*, subregulation (1) applies to the sublease only if its terms are varied after the commencement of this subregulation.

**2.10 Prohibition on dealings with subleases by way of trust etc**

- (1) For sections 34C and 34D of the Act, the sublessee of an airport lease must not:
- (a) dispose of the sublease by way of declaration of trust; or
  - (b) transfer a beneficial interest in the sublease independently of the legal interest in the sublease (other than by way of enforcing a loan security).

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**Regulation 2.11**

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- (2) Subregulation (1) does not apply to a proposed dealing with a sublease if the Secretary has made a declaration under subregulation 2.11 (2) about the dealing.

**2.11 Secretary may declare that specified dealing with sublease not prohibited**

- (1) In this regulation:  
*deal with a sublease* means:
- (a) dispose of the sublease by way of declaration of trust; or
  - (b) transfer a beneficial interest in the sublease independently of the legal interest in the sublease (other than by way of enforcing a loan security).
- (2) On application by a person who proposes to deal with a sublease, the Secretary may declare, by instrument, that regulation 2.10 does not prohibit the proposed dealing.
- (3) The Secretary must make a decision on the application within 30 days after the application is made.
- (4) In considering whether to make a declaration under subregulation (2), the Secretary must take into account:
- (a) the duration of the sublease; and
  - (b) the size of the area subject to the sublease; and
  - (c) the terms of the proposed dealing.
- (5) Before making a declaration under subregulation (2), the Secretary must be satisfied that the dealing, if made, will not frustrate the objects of the Act.
- (6) The Secretary must inform the applicant within 7 days after making a decision on the application, and must give the applicant:
- (a) if the Secretary made the declaration — a copy of the relevant instrument; or
  - (b) if the Secretary refused to make the declaration — a statement of the reasons for the refusal.
- (7) If the Secretary makes the declaration, sections 34C and 34D of the Act are taken not to prohibit the dealing.

**Regulation 2.12**

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**2.12 Prohibited kinds of licences**

- (1) For subsection 35 (1) of the Act, the following kinds of licences are prohibited:
  - (a) a licence for a purpose inconsistent with the continued use as an airport of the airport site concerned, as set out in the final master plan for the airport site;
  - (b) a licence of premises within the airport site for prostitution;
  - (c) a licence that is an airport-management agreement within the meaning given by subsection 33 (7) of the Act, unless the licensee is a qualified company and has been approved by the Minister under paragraph 33 (1) (a) of the Act.
- (2) For subsection 35 (1) of the Act, a licence of any of the following kinds is prohibited unless the Secretary makes a declaration about the licence under regulation 2.13:
  - (a) a licence to a licensee that is not:
    - (i) a constitutional corporation; or
    - (ii) a bank other than a bank established or operated by a State or Territory; or
    - (iii) the Commonwealth, or an authority of the Commonwealth;
  - (b) a licence for residential development;
  - (c) a licence to a person as trustee of a trust.
- (2A) Despite paragraph (2) (a), a licence to an individual is not prohibited if the licence is for:
  - (a) a single site retail business; or
  - (b) a car parking bay.
- (3) For subsection 35 (1) of the Act, a licence to a State or Territory government or authority is prohibited unless the Secretary approves the licence under regulation 2.15.
- (4) However, if a licence was, at the time of grant of the relevant airport lease, an existing interest referred to in section 26 of the *Airports (Transitional) Act 1996*, subregulations (1), (2) and (3) apply to the licence only if its terms are varied after the commencement of this regulation.

**Regulation 2.13**

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- (5) If a licence referred to in subregulation (4) is varied after the commencement of this regulation:
  - (a) subregulation (1), (2) or (3) applies to it from the time of the variation; and
  - (b) in the case of a licence to which subregulation (2) applies — the licence (as varied) is taken to be prohibited unless the Secretary makes a declaration under regulation 2.13 about the licence (as varied); and
  - (c) in the case of a licence to which subregulation (3) applies — the licence (as varied) is taken to be prohibited unless the Secretary approves the licence (as varied) under regulation 2.15.

**2.13 Secretary may declare that specified licence not prohibited**

- (1) On application by the licensee under a licence to which subregulation 2.12 (2) applies, the Secretary may declare, by instrument, that the subregulation does not prohibit the proposed licence.
- (2) The Secretary must make a decision on the application within 30 days after the application is made.
- (3) In considering whether to make a declaration under subregulation (1), the Secretary must take into account:
  - (a) the duration of the licence; and
  - (b) the size of the area to be subject to the licence; and
  - (c) the terms of the licence.
- (4) Before making a decision, the Secretary must be satisfied that, if the declaration is made, the licence will not have the effect of frustrating the objects of the Act.
- (5) The Secretary must inform the applicant of the decision within 7 days after making the decision, and must give the applicant:
  - (a) if the Secretary made the declaration — a copy of the relevant instrument; or
  - (b) if the Secretary refused to make the declaration — a statement of the reasons for the refusal.

**Regulation 2.14**

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- (6) If the Secretary makes the declaration, section 35 of the Act is taken not to prohibit the licence until the Secretary revokes the declaration under regulation 2.14.

**2.14 Revocation of declaration**

- (1) If it appears that there has been a change in circumstances that justifies revoking a declaration under regulation 2.13, the Secretary may, by notice in writing, require the sublessee to demonstrate, within a specified reasonable time, that there has been no such change.
- (2) The Secretary must revoke the declaration if he or she is satisfied that, after the change, the licence has the effect of frustrating the objects of the Act.
- (3) In deciding whether a change justifies revocation of the declaration, the Secretary must take into account the circumstances before and after the change, including any change in:
  - (a) the duration of the licence; and
  - (b) the size of the area subject to the licence; and
  - (c) the terms of the licence.
- (4) If, after considering any evidence produced by the sublessee, the Secretary is satisfied that the declaration should be revoked, the Secretary must revoke the declaration.
- (5) If the Secretary revokes the declaration, the Secretary must give the licensee notice in writing of the revocation, and a statement of the reasons for the revocation.
- (6) The revocation becomes effective 1 month after the notice is given to the licensee.

**2.15 Approval of licence to State government etc**

- (1) The Secretary may, by instrument, approve a licence for subregulation 2.12 (3).
- (2) In considering whether to approve the licence, the Secretary must take into account:

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- (a) whether the activity for which the licence is granted, or proposed to be granted, is being or will be carried out on a fully commercial basis; and
  - (b) whether the State or Territory government or authority has given a written undertaking to comply with the laws of the Commonwealth (including any applied State or Territory law); and
  - (c) whether an obligation or restriction imposed by a law of the State or Territory will be inconsistent with the Act, these Regulations or the proposed licence.
- (3) The Secretary may approve a licence to a class of State or Territory government authorities, or to a State or Territory government in relation to a class of functions of the government.

**2.17 Mandatory terms in licences**

- (1) For subsection 35B (1) of the Act, a licence relating to an airport lease is required to contain terms of the following kinds:
- (a) a term to the effect that the licence is automatically terminated upon the creation of an interest in the licence in favour of a person who is, either alone or with 1 or more associates, in a position to exercise control over either or both of:
    - (i) the operation of the whole, or a substantial part of, the airport concerned; or
    - (ii) the direction to be taken in the development of the whole, or a substantial part of, the airport;
  - (b) a term to the effect that any further licence of the licence must contain a term to the same effect as that required by paragraph (a).
- (2) However, if a licence was, at the time of grant of the relevant airport lease, an existing interest referred to in section 26 of the *Airports (Transitional) Act 1996*, subregulation (1) applies to the licence only if its terms are varied after the commencement of this subregulation.

**Regulation 2.18**

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**2.18 Prohibition on dealings with licences by way of trust etc**

- (1) For sections 35C and 35D of the Act, the holder of a licence relating to an airport lease must not:
  - (a) dispose of the licence by way of declaration of trust; or
  - (b) transfer a beneficial interest in the licence otherwise than by way of enforcing a loan security.
- (2) Subregulation (1) does not apply to a proposed dealing with a licence if the Secretary has made a declaration under subregulation 2.19 (2) about the dealing.

**2.19 Secretary may declare that specified dealing with licence not prohibited**

- (1) In this regulation:  
*deal with a licence* means:
  - (a) dispose of the licence by way of declaration of trust; or
  - (b) transfer a beneficial interest in the licence otherwise than by way of enforcing a loan security.
- (2) On application by a person who proposes to deal with a licence, the Secretary may declare, by instrument, that regulation 2.18 does not prohibit the proposed dealing.
- (3) The Secretary must make a decision on the application within 30 days after the application is made.
- (4) In considering whether to make a declaration under subregulation (2), the Secretary must take into account:
  - (a) the duration of the licence; and
  - (b) the size of the area subject to the licence; and
  - (c) the terms of the proposed dealing.
- (5) Before making a declaration under subregulation (2), the Secretary must be satisfied that the dealing, if made, will not frustrate the objects of the Act.
- (6) The Secretary must inform the applicant within 7 days after making a decision on the application, and must give the applicant:

**Regulation 2.21**

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- (a) if the Secretary made the declaration — a copy of the relevant instrument; or
  - (b) if the Secretary refused to make the declaration — a statement of the reasons for the refusal.
- (7) If the Secretary makes the declaration, sections 35C and 35D of the Act are taken not to prohibit the dealing.

**2.20 AAT review of decisions**

Application may be made under the *Administrative Appeals Tribunal Act 1975* to the Administrative Appeals Tribunal for review of a decision of the Secretary or a delegate of the Secretary:

- (a) not to make a declaration under subregulation 2.05 (1); or
- (b) under subregulation 2.06 (4), to revoke a declaration made under subregulation 2.05 (1); or
- (c) under paragraph 2.07 (1), not to approve a sublease to a State or Territory government, or an authority of a State or Territory government; or
- (d) under subregulation 2.11 (2), not to make a declaration about a proposed dealing with a sublease; or
- (e) not to make a declaration under subregulation 2.13 (1); or
- (f) under subregulation 2.14 (4), to revoke a declaration made under subregulation 2.13 (1); or
- (g) under paragraph 2.15 (1), not to approve a licence to a State or Territory government, or an authority of a State or Territory government; or
- (h) under subregulation 2.19 (2), not to make a declaration about a proposed dealing with a licence.

**2.21 Delegation**

The Secretary may, by instrument, delegate to an SES employee performing duties in the Department any of the Secretary's powers under this Part, other than this power of delegation.

**Regulation 3.01**

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## **Part 3 Ownership of airports**

### **Division 3.1 If unacceptable foreign-ownership situation exists**

#### **3.01 Minister to give notice before applying to Court**

- (1) If the Minister forms the opinion that an unacceptable foreign-ownership situation may exist in relation to an airport-operator company, the Minister must give the company notice in writing before making an application to the Federal Court under subsection 43 (1) of the Act in relation to the company.
- (2) The notice may:
  - (a) state that the Minister has formed the opinion that an unacceptable foreign-ownership situation may exist in relation to the company; and
  - (b) require the company to provide the Minister with evidence that establishes, to the Minister's reasonable satisfaction, that an unacceptable foreign-ownership situation does not exist in relation to the company; and
  - (c) state that, unless the company provides the Minister, within 180 days after the date of the notice, with evidence that an unacceptable foreign-ownership situation does not exist, the Minister may apply to the Federal Court for an order under subsection 43 (1) of the Act; and
  - (d) state that, if the Minister makes that application, the Minister will seek an order from the Court directing the company to pay the costs of the application.

#### **3.02 Airport-operator company's obligations not affected**

- (1) Nothing in regulation 3.01 affects an airport-operator company's obligation under subsection 42 (1) of the Act.

*Note* That is, its obligation to take all reasonable steps to ensure that an unacceptable foreign-ownership situation does not exist in relation to the

**Regulation 3.20**

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company. *Unacceptable foreign-ownership situation* is defined in section 40 of the Act.

- (2) Nothing in that regulation prevents the prosecution of an airport-operator company for a breach of that obligation, whether or not the Minister has given notice to the company under regulation 3.01, and (if such notice has been given to the company) whether or not the time allowed in the notice has expired.

## **Division 3.2 Record-keeping and reporting**

### **3.20 Meaning of certain terms**

- (1) In this Division:

*details* of a person means:

- (a) if the person is an individual:
- (i) the individual's name; and
  - (ii) the address of his or her usual residence; and
  - (iii) his or her citizenship, or (if he or she claims more than 1 citizenship), each citizenship that he or she claims; and
- (b) if the person is a corporation:
- (i) the corporation's name; and
  - (ii) the place in which it is incorporated; and
  - (iii) the address of its registered office or principal office; and
- (c) if the person is a foreign government body:
- (i) its name, or the name of the foreign government of which it is an entity; and
  - (ii) the address of its principal office.

- (2) A reference to a pair of companies is a reference to a pair of companies set out in the table following section 49 of the Act.
- (3) A term that is used in both this Division and Part 3 of the Act has the same meaning in this Division as in that Part.

*Note* Certain terms used in this Division and Part 3 of the Act are defined in the Schedule to the Act.

**Regulation 3.21**

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**3.21 Relationship with Corporations Law**

To avoid doubt, it is declared that the requirements of this Division are in addition to, and not in substitution for, the requirements of the Corporations Law.

**3.22 Airport-operator company to keep register**

- (1) For section 60 of the Act, an airport-operator company must keep a register of:
  - (a) any stake in the company that is held by a foreign person; and
  - (b) any stake in the company that is held by an airline; and
  - (c) if the company is a member of a pair of companies:
    - (i) any stake in the company that is held by the other member of the pair; and
    - (ii) any stake in the company that is held by a person that holds a stake in the other member of the pair; and
    - (iii) any stake that the company holds in the other member of the pair.
- (2) The register must record, for each stake:
  - (a) in the case of a stake that is composed of a direct control interest held by only 1 person:
    - (i) the amount of the interest; and
    - (ii) what type of interest it is; and
    - (iii) details of the person that holds the interest; and
  - (b) in the case of a stake that is composed of direct control interests held by 2 or more persons — the information specified in subparagraphs (a) (i), (ii) and (iii) about each of those interests.

*Note 1* A person's stake of a particular type in an airport-operator company includes both the person's direct control interest in the company and any direct control interests held by the person's associates — see clauses 5, 11 and 12 of the Schedule to the Act.

*Note 2* For the meaning of *details* of a person, see regulation 3.20.

**Regulation 3.23**

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- (3) The register must be indexed in a way that allows the aggregate of stakes of a particular type, or held by a particular class of person, to be readily worked out.

*Note* An airport-operator company that fails to comply with this regulation commits an offence against subsection 60 (4) of the Act. That subsection provides for a penalty of 50 penalty units for each such offence. Strict liability applies to the physical element that the person is required to keep and retain records and to give information under subsection 60 (1) of the Act. For *strict liability*, see section 6.1 of the *Criminal Code*.

**3.23 Airport-operator company to make return**

- (1) In this regulation:

*reporting period*, for an airport-operator company, means the period of 1 year ending at the end of the day before the first anniversary of:

- (a) in the case of an airport-lessee company — the date on which the company became the airport-lessee company for the airport; or
- (b) in the case of an airport-management company — the date on which the company became the airport-management company for the airport; or
- (c) the previous reporting day.

- (2) For section 60 of the Act, within 14 days after the end of each reporting period for an airport-operator company, the company must give the Minister:

- (a) a declaration stating whether, in the opinion of the directors:
  - (i) an unacceptable foreign-ownership situation existed in relation to the company at any time during the reporting period; and
  - (ii) an unacceptable airline-ownership situation existed in relation to the company at any time during the reporting period; and
  - (iii) if the company is a member of a pair of companies — an unacceptable cross-ownership situation existed in relation to the pair at any time during the reporting period; and
- (b) either:

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- (i) a written return giving the information, as at the reporting day, specified in subregulation (3); or
- (ii) if the company gave a written return giving that information as at a previous reporting day, and there has been no change, for the company, in any matter mentioned in subregulation (3) since that return — a statement that no change has occurred since that return.

*Note* An airport-operator company that fails to comply with this regulation commits an offence against subsection 60 (4) of the Act. That subsection provides for a penalty of 50 penalty units for each such offence. Strict liability applies to the physical element that the person is required to keep and retain records and to give information under subsection 60 (1) of the Act. For *strict liability*, see section 6.1 of the *Criminal Code*.

- (3) The information is:
  - (a) if a foreign person holds a stake, of a particular type, of more than 5% in the company — the amount of the stake, what type of stake it is, and details of the person that holds it; and
  - (b) the aggregate of all stakes of a particular kind held by foreign persons; and
  - (c) if a stake in the company is held by an airline — details of the airline and the amount and type of the stake; and
  - (d) if a person holds a stake, of a particular type, of more than 10% in the company — details of the person, and the amount and type of the stake; and
  - (e) if the company is a member of a pair of companies:
    - (i) the amount and type of any stake in the company held by the other member of the pair; and
    - (ii) the amount and type of any stake in the company held by a person who also holds a stake in the other member of the pair; and
    - (ii) the amount and type of any stake held by the company in the other member of the pair; and
  - (f) the location of the place where the central management and control of the company is ordinarily exercised; and
  - (g) details of any person who is in a position to exercise control over the company, or in accordance with whose

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directions the directors of the company are accustomed to act; and

- (h) details of each of the directors of the company.

*Note 1* A person's stake of a particular type in an airport-operator company includes both the person's direct control interest in the company and any direct control interests held by the person's associates — see clauses 5, 11 and 12 of the Schedule to the Act.

*Note 2* For the meaning of *details* of a person, see regulation 3.20.

- (4) The declaration, and the return or statement, must be signed by a director of the company, and verified by statutory declaration by a director of the company.
- (5) The declaration, and the return or statement, must be approved by the directors of the company by resolution.
- (6) When the company gives the declaration and the return or statement to the Minister, the company must also give the Minister a copy of the resolution.

**3.24 Minister may request information**

- (1) For section 60 of the Act, the Minister may, by written notice given to an airport-operator company, require the company to give the Minister, within any period and in the manner specified in the notice, specified information about:
- (a) an ownership matter relating to the company; or
  - (b) the location of the place where the central management and control of the company is ordinarily exercised; or
  - (c) details of a director of the company.
- (2) If a period is specified in a notice as the period within which the information must be given to the Minister, the period must be at least 14 days.
- (3) If no period within which the information must be given to the Minister is specified in the notice, the information must be given to the Minister within 14 days of the date of the notice.
- (4) An airport-operator company must comply with a notice under subregulation (1).

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*Note* An airport-operator company that fails to comply with this regulation commits an offence against subsection 60 (4) of the Act. That subsection provides for a penalty of 50 penalty units for each such offence. Strict liability applies to the physical element that the person is required to keep and retain records and to give information under subsection 60 (1) of the Act. For *strict liability*, see section 6.1 of the *Criminal Code*.

**3.25 Minister may request copy of the register**

- (1) For section 60 of the Act, the Minister may, by written notice given to an airport-operator company, require the company to produce to the Minister, within any period and in the manner specified in the notice, a copy of the register kept by the company under regulation 3.22.
- (2) If a period is specified in a notice as the period within which the copy must be produced to the Minister, the period must be at least 14 days.
- (3) If no period within which the information must be given to the Minister is specified in the notice, the copy must be produced to the Minister within 14 days of the date of the notice.
- (4) An airport-operator company must comply with a notice under subregulation (1).

*Note* An airport-operator company that fails to comply with this regulation commits an offence against subsection 60 (4) of the Act. That subsection provides for a penalty of 50 penalty units for each such offence. Strict liability applies to the physical element that the person is required to keep and retain records and to give information under subsection 60 (1) of the Act. For *strict liability*, see section 6.1 of the *Criminal Code*.

**3.26 Company must inform Minister in certain circumstances**

- (1) For section 60 of the Act, an airport-operator company must give the Minister notice in writing if it has reason to believe that:
  - (a) an unacceptable foreign-ownership situation, an unacceptable airline-ownership situation or an unacceptable cross-ownership situation exists in relation to the company; or

**Regulation 3.27**

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- (b) the central management and control of the company is no longer being exercised at a place in Australia; or
  - (c) a majority of the company's directors are no longer Australian citizens or persons ordinarily resident in Australia.
- (2) The notice must set out what steps the company has taken, or will take, to establish whether a state of affairs mentioned in paragraph (1) (a), (b) or (c) exists, and what steps it will take to remedy such a state, if it exists.

*Note* An airport-operator company that fails to comply with this regulation commits an offence against subsection 60 (4) of the Act. That subsection provides for a penalty of 50 penalty units for each such offence. Strict liability applies to the physical element that the person is required to keep and retain records and to give information under subsection 60 (1) of the Act. For *strict liability*, see section 6.1 of the *Criminal Code*.

**3.27 Delegation**

The Minister may, by instrument, delegate any of his or her powers (other than this power of delegation) under this Division to:

- (a) the Secretary; or
- (b) an SES employee performing duties in the Department.

**Regulation 5.01**

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## **Part 5**                      **Land use, planning and building controls**

### **5.01**      **Interpretation**

In this Part:

*Transitional Act* means the *Airports (Transitional) Act 1996*.

### **5.01A**    **Airports to which Part 5 of the Act applies**

For paragraph 68 (1) (b) of the Act, the following airports are specified:

- (a) Archerfield Airport;
- (aa) Bankstown Airport;
- (ab) Camden Airport;
- (b) Essendon Airport;
- (ba) Hoxton Park Airport;
- (c) Jandakot Airport;
- (d) Moorabbin Airport;
- (e) Parafield Airport.

### **5.02**      **Contents of draft or final master plan**

- (1) For paragraphs 71 (2) (j) and (3) (j) of the Act, the following matters are specified:
  - (a) any change to the OLS or PANS-OPS surfaces for the airport concerned that is likely to result if development proceeds in accordance with the master plan;
  - (b) for an area of an airport where a change of use of a kind described in subregulation 6.07 (2) of the Airports (Environment Protection) Regulations is proposed:
    - (i) the contents of the report of any examination of the area carried out under regulation 6.09 of those Regulations; and

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- (ii) the airport-lessee company's plans for dealing with any soil pollution referred to in the report.
- (2) For section 71 of the Act, an airport master plan must, in relation to the landside part of the airport, where possible, describe proposals for land use and related planning, zoning or development in an amount of detail equivalent to that required by, and using terminology (including definitions) consistent with that applying in, land use planning, zoning and development legislation in force in the State or Territory in which the airport is located.
- (3) For subsection 71 (5) of the Act, a draft or final master plan must:
- (a) address any obligation that has passed to the relevant airport — lessee company under subsection 22 (2) of the Act or subsection 26 (2) of the Transitional Act; and
  - (b) address any interest to which the relevant airport lease is subject under subsection 22 (3) of the Act, or subsection 26 (3) of the Transitional Act; and
  - (c) if the development proposed in the plan relates to Canberra Airport — comply with and otherwise not be inconsistent with the National Capital Plan prepared under Part III of the *Australian Capital Territory (Planning and Land Management) Act 1988*.
- (4) In subregulation (1):
- OLS*** and ***PANS-OPS surface*** have the same meanings as in the Airports (Protection of Airspace) Regulations.

**5.02A Limitation to master plans etc — Hoxton Park Airport**

For the purposes of subsection 71 (4) of the Act, the objectives, assessments, proposals, forecasts and other matters mentioned in subsection 71 (2) of the Act, including matters specified in these Regulations under paragraph 71 (2) (j) of the Act, relate only to the first 5-year period of the planning period for the draft or final master plan of Hoxton Park Airport.

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**5.03 Developments exempt from Division 4 of Part 5 of the Act**

- (1) For paragraphs 90 (1) (d) and (4) (d) of the Act, a major airport development that is the subject of written permission or approval (however described) of the Federal Airports Corporation when it was the operator of the airport concerned, is exempt from Division 4 of Part 5 of the Act.
- (2) If a development referred to in subregulation (1) was approved subject to a condition, and the condition is not inconsistent with the Act or these Regulations, that condition is taken to continue to apply to the development.

**5.04 Contents of major development plan**

For subsection 91 (3) of the Act, a major development plan must address the obligations of the airport-lessee company as sublessor under any sublease of the airport site concerned, and the rights of the sublessee under any such sublease, including:

- (a) any obligation that has passed to the relevant airport-lessee company under subsection 22 (2) of the Act or subsection 26 (2) of the Transitional Act; or
- (b) any interest to which the relevant airport lease is subject under subsection 22 (3) of the Act, or subsection 26 (3) of the Transitional Act.

## Part 7                      Accounts and reports of    airport-operator companies

### 7.01      Application of Part

- (1) The requirements of this Part apply to an airport-operator company:
  - (a) whether or not the company is a disclosing entity for the purposes of the Corporations Law; and
  - (b) whether or not the company is exempt under that Law from compliance (whether the exemption is by regulation or because of an exemption by the Australian Securities Commission) with Part 3.6 of that Law.

*Note* For *disclosing entity*, see section 111AC of the Corporations Law.

- (2) To avoid doubt, nothing in this Part:
  - (a) requires an airport-operator company to prepare, for the purposes of these Regulations, accounts or financial statements in respect of a half-year (within the meaning given by subsection 50A (5) of the Corporations Law) unless the half-year is the whole period during which the company was an airport-operator company; or
  - (b) affects a company's obligations under any other law.

### 7.02      Interpretation

In this Part:

*accounts*, in relation to an airport-operator company and a period, means:

- (a) a profit and loss account of the company for the period; and
- (b) a balance-sheet of the company at the end of that period; and
- (c) a cash flow statement; and

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- (d) statements, reports and notes, other than a directors' report or an auditor's report, attached to, or intended to be read with, that profit and loss account or balance sheet.

*financial statements* has the same meaning as in the Corporations Law.

**7.03 Financial statements**

- (1) For subsection 141 (2) of the Act, the airport-lessee company for a core regulated airport must prepare, for each relevant period:
- (a) consolidated accounts and financial statements, in accordance with AASB Standard No. 24 ("Consolidation of Accounts") as in force for that period for itself and all airport-management companies for the airport, as if those airport-management companies were subsidiaries of the airport-lessee company; and
  - (b) consolidated financial statements for the operations, in relation to the airport, of itself and all airport-management companies at the airport, showing financial details in relation to the provision of aeronautical services and non-aeronautical services separately.
- (2) For that subsection, an airport-operator company for a core regulated airport must prepare, for each relevant period:
- (a) the accounts and financial statements required by Divisions 4, 5 and 6 of Part 3.6 of the Corporations Law; and
  - (b) financial statements for its operations at the airport.

*Note Airport-operator company* includes an airport-lessee company and an airport management company: see the Act, s. 5.

- (2A) A statement required by paragraph (2) (b) must show the financial details set out in subregulation (2B) of the company's operations in providing aeronautical services at an airport separately from those financial details of the company's operations in providing non-aeronautical services at the airport.
- (2B) Those financial details are:
- (a) the profit and loss account (except for interest, tax charge and allocation of profit); and

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- (b) the following balance sheet items:
  - (i) all current asset items except cash; and
  - (ii) all non-current asset items except for intangibles; and
  - (iii) provision for items under current or non-current liabilities.
- (3) The accounts and statements required by subregulation (2) are in addition to any statement that may be required by the Corporations Law for the purposes of that Law, and must not be consolidated with those of any other company.
- (4) In this regulation:
  - AASB* has the same meaning as in subsection 141 (7) of the Act.
  - aeronautical services*  means services and facilities in relation to:
    - (a) aircraft landings, take-offs and parking, including the provision of:
      - (i) runways, taxiways, parking aprons and associated lighting; and
      - (ii) airside roads and grounds, and associated lighting; and
      - (iii) maintenance and repair services in relation to runways, taxiways, and parking aprons; and
      - (iv) rescue, fire-fighting and safety services; and
      - (v) environmental-hazard-control services; and
      - (vi) services and facilities to ensure compliance with environmental laws; and
      - (vii) airfield navigation services, including nose-in guidance and visual navigation aids; and
    - (b) the embarkation or disembarkation and temporary accommodation of passengers, including the provision to passengers of:
      - (i) toilets, seating, thoroughfares, transfer systems and aerobridges; and
      - (ii) departure lounges and holding lounges; and
      - (iii) flight-information and public-address systems; and

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- (iv) facilities to permit the operation of terminal security services; and
- (c) the administrative processing of passengers, including the provision to passengers of:
  - (i) facilities to enable the operation of customs, immigration and quarantine services; and
  - (ii) passenger check-in facilities; and
  - (iii) landside terminal access roads, lighting and covered walkways; and
  - (iv) baggage handling services; and
  - (v) facilities to enable the operation of baggage security services.

***airside*** has the meaning it has in Division 3 of Part 5 of the Act.

***landside*** has the meaning it has in Division 3 of Part 5 of the Act.

*Note* See the Note following section 71 of the Act.

***non-aeronautical services*** means services provided at an airport that are not aeronautical services.

***relevant period***, in relation to an airport-operator company, means:

- (a) if the company was an airport-operator company for the whole of a financial year — the financial year; or
- (b) if the company was an airport-operator company for only part of a financial year — that part.

*Note* For ***financial year***, see paragraph 22 (1) (e) of the *Acts Interpretation Act 1901*.

**7.03A Limited exemption for certain companies**

For subsection 141 (2) of the Act, an airport-operator company for any of the following airports is exempt from section 141 of the Act for the financial year ending on 30 June 1998:

- (a) Adelaide Airport;
- (b) Alice Springs Airport;
- (c) Canberra Airport;
- (d) Coolangatta Airport;

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- (e) Darwin Airport;
- (f) Hobart Airport;
- (g) Launceston Airport;
- (h) Townsville Airport.

**7.04 Form of statements**

For subsection 141 (3) of the Act, a statement referred to in this Part must be prepared in a way that complies with sections 297, 298, 299 and 300 of the Corporations Law.

**7.05 Auditor's certificate**

- (1) For subsection 142 (5) of the Act, 90 days is prescribed.

*Note* This is the period (after the end of an accounting period) within which the auditor of an airport-operator company must give the company a certificate relating to the company's accounts.

- (2) For subsection 142 (5) of the Act, an auditor's certificate must set out:
- (a) whether, in the auditor's opinion:
    - (i) the company concerned has kept financial records sufficient to enable a financial statement to be prepared and audited; and
    - (ii) the auditor has been given all information, explanation and assistance necessary to carry out the audit; and
  - (b) whether, in the auditor's opinion, the accounts and financial statements of the company concerned:
    - (i) comply with the Act and these Regulations and the relevant accounting standards; and
    - (ii) give a true and fair view of the company's operations; and
  - (c) if the auditor considers that the accounts and financial statements do not comply with the Act or these Regulations, or relevant accounting standards, or do not give a true and fair view — why they do not do so; and
  - (d) details of any matter that, in the opinion of the auditor, should be reported to the ACCC.

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- (3) An auditor's certificate for section 142 (5) of the Act is taken to comply with paragraphs (2) (a), (b) and (c) if it is in the form required by the Corporations Law for an auditor's report under that Law.

**7.06 Lodgement of accounts with the ACCC**

For subsection 143 (2) of the Act, 90 days is prescribed.

*Note* This is the period (after the end of an accounting period) within which the accounts of an airport-operator company must be lodged with the ACCC.

**7.07 Report on airports**

- (1) For subsection 145 (1) of the Act, an airport-operator company must report to the ACCC, for each financial year, the total average staff equivalent of the persons employed at the airport concerned for the provision of aeronautical services and non-aeronautical services.

- (2) In subregulation (1):

*average staff equivalent* of a person employed at an airport means the number of hours in a day worked by the person at the airport, divided by the number of hours that the person would work at the airport in that day if working full-time.

**7.08 Record-keeping**

For subsection 146 (1) of the Act, a company must keep records of the kind mentioned in that subsection, and must retain the records for 5 years after the end of the period to which the records relate.

## Part 8 Quality of service monitoring

### 8.01 Performance indicators

- (1) For section 153 of the Act, the performance indicators set out in Part 1 of Schedule 2 are specified for the following airports:
  - (a) Brisbane Airport;
  - (b) Melbourne (Tullamarine) Airport;
  - (c) Perth Airport;
  - (d) Sydney (Kingsford-Smith) Airport.
- (2) The performance indicators set out in Part 2 of Schedule 2 are specified for the following airports:
  - (a) Adelaide Airport;
  - (b) Alice Springs Airport;
  - (c) Canberra Airport;
  - (d) Coolangatta Airport;
  - (e) Darwin Airport;
  - (f) Hobart Airport;
  - (g) Launceston Airport;
  - (h) Townsville Airport.

### 8.02 Records that must be kept regarding quality of service matters

- (1) For subsection 156 (1) of the Act, the airport-operator company for an airport must keep a record, for each financial year beginning on or after 1 July 2000, for the airport, of the following matters:
  - (a) for an airport mentioned in subregulation 8.01 (1) — each matter mentioned in Part 1 of Schedule 3;
  - (b) for an airport mentioned in subregulation 8.01 (2) — each matter mentioned in Part 2 of Schedule 3.

*Note 1* The record could be in electronic form: see *Acts Interpretation Act 1901*, section 25.

**Regulation 8.03**

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*Note 2* Transitional provisions are made for the financial year beginning on 1 July 2000: see *Airports Amendment Regulations 2000 (No. 1)*, regulation 4.

- (2) An airport-operator company must retain such a record for 5 years after the end of the financial year to which the record relates.

*Note* For penalty, see s 156 (5) of the Act.

- (3) However, the airport-operator company for an airport need not comply with subregulations (1) and (2) about a matter, if a service or facility to which the matter relates is provided for the airport under an agreement with the airport-operator company by a person other than the airport-operator company.
- (4) Instead, the person providing the service or facility must comply with subregulations (1) and (2) about the matter as if any reference in the subregulations to the airport-operator company were a reference to the person.

*Note* An airport-operator company that fails to comply with this regulation commits an offence against subsection 156 (5) of the Act. That subsection provides for a penalty of 50 penalty units for each such offence.

**8.03 Giving information to ACCC**

- (1) A person who is obliged to keep a record for an airport under regulation 8.02 must give a copy of the record for a financial year to the ACCC within 1 month after the end of the financial year.

*Note* The record could be in electronic form: see *Acts Interpretation Act 1901*, s 25.

- (2) If an airport-operator company carries out a survey about a performance indicator, the company must give the ACCC a document setting out the results within 1 month after the end of the financial year in which the survey is carried out.

*Note* The document could be in electronic form: see *Acts Interpretation Act 1901*, s 25 (c).

- (3) Information given to the ACCC under this regulation must be verified by statutory declaration by:

**Regulation 8.03**

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- (a) if the person obliged to give the information is an individual — the person, or a manager or executive officer employed by the person; or
- (b) if the person is a corporation — a director of the corporation.

*Note* An airport-operator company that fails to comply with this regulation commits an offence against subsection 156 (5) of the Act. That subsection provides for a penalty of 50 penalty units for each such offence.

**Regulation 12.01**

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**Part 12                      Protection of airspace around  
   airports****12.01      Airports to which Part 12 of the Act applies**

For paragraph 180 (1) (b) of the Act, the following airports are specified:

- (a) Archerfield Airport;
- (aa) Bankstown Airport;
- (ab) Camden Airport;
- (b) Essendon Airport;
- (ba) Hoxton Park Airport;
- (c) Jandakot Airport;
- (d) Moorabbin Airport;
- (e) Mount Isa Airport;
- (f) Parafield Airport;
- (g) Tennant Creek Airport.

## **Schedule 1      Airport sites**

(regulation 1.03)

### **Part 1.1      Adelaide Airport**

Allotment 50 on Deposited Plan 49654 in the Land Titles Office, Adelaide, and the land in the following South Australian certificates of title:

- (a) volume 5088 folio 983;
- (b) volume 5088 folio 986;
- (c) volume 5436 folio 110;
- (d) volume 5436 folio 111.

### **Part 1.2      Alice Springs Airport**

The land in N.T. Portion 5238 in plan S 97/49 and the following Northern Territory certificates of title:

- (a) volume 233 folio 050;
- (b) volume 233 folio 051;
- (d) volume 541 folio 074;
- (e) volume 541 folio 077;
- (f) volume 541 folio 076;
- (g) volume 501 folio 124;
- (h) volume 502 folio 043;
- (i) volume 502 folio 042;
- (j) volume 166 folio 046;
- (k) volume 166 folio 048;
- (m) volume 564 folio 092;
- (n) volume 562 folio 167.

*Note* A fuller description of the land is given in the Note at the end of this Schedule.

### **Part 1.3      Archerfield Airport**

The land in the following Queensland certificates of title:

- (a) 17127063;
- (b) 16735170;
- (c) 15700048

*Note* A fuller description of the land is given in the Note at the end of this Schedule.

### **Part 1.3A     Bankstown Airport**

The land in the following New South Wales certificates of title:

- (a) folio identifier 1/623875;
- (b) folio identifier 2/623875;
- (c) folio identifier 3/623875;
- (d) folio identifier 1/213387

### **Part 1.4      Brisbane Airport**

The land in the following Queensland certificates of title:

- (a) 50146353;
- (b) 50146354;
- (c) 18740240;
- (d) 18740241;
- (e) 18174183;
- (f) 50146351

*Note* A fuller description of the land is given in the Note at the end of this Schedule.

### **Part 1.4A     Camden Airport**

The land in the following New South Wales certificates of title:

- (a) folio identifier 7/791307;
- (b) folio identifier 3/791287;
- (c) folio identifier 3/217570

## **Part 1.5 Canberra Airport**

Block 3, section 17 and block 3, section 28, Division of Pialligo in the District of Majura, and blocks 587, 594, 595, 614 and 660 in that District

## **Part 1.6 Coolangatta Airport**

The land in:

- (a) the following Queensland certificates of title:
  - (i) 17457085;
  - (ii) 18265246;
  - (iii) 18287103
- (b) the following New South Wales certificates of title:
  - (i) folio identifier 2/535537;
  - (ii) folio identifier 1/582467

*Note* A fuller description of the land is given in the Note at the end of this Schedule.

## **Part 1.7 Darwin Airport**

The land in Northern Territory certificate of title volume 512 folio 035

*Note* The land is more fully described as Section 3381 Hundred of Bagot from plan LT089/067A.

## **Part 1.8 Essendon Airport**

The land in the following Victorian certificates of title:

- (a) volume 10044 folio 411;
- (b) volume 7027 folio 267;
- (c) volume 7894 folio 066;
- (d) volume 5587 folio 373;
- (f) volume 7156 folio 028;
- (g) volume 6478 folio 463;
- (h) volume 5456 folio 082;
- (i) volume 5849 folio 647;
- (j) volume 7874 folio 006;
- (k) volume 7307 folio 340;

- (l) volume 7874 folio 007;
- (m) volume 8222 folio 595;
- (n) volume 6087 folio 297;
- (o) volume 7027 folio 266;
- (p) volume 7566 folio 166;
- (q) volume 7364 folio 788;
- (r) volume 7031 folio 085;
- (s) volume 7841 folio 078;
- (t) volume 5937 folio 400;
- (u) volume 4996 folio 129

*Note* A fuller description of the land is given in the Note at the end of this Schedule.

### **Part 1.9      Hobart Airport**

The land in the following Tasmanian certificates of title:

- (a) volume 112358 folio 1;
- (b) volume 14486 folio 2;
- (c) volume 14486 folio 1

*Note* A fuller description of the land is given in the Note at the end of this Schedule.

### **Part 1.9A    Hoxton Park Airport**

The land in New South Wales certificate of title folio identifier  
22/1042996

### **Part 1.10    Jandakot Airport**

The land in the following Western Australian certificates of title:

- (a) volume 1629 folio 281;
- (b) volume 1516 folio 700;
- (c) volume 1778 folio 742;
- (d) volume 1197 folio 27;
- (e) volume 51 folio 30A;
- (f) volume 1878 folio 302;
- (g) volume 1878 folio 301;

- (h) volume 1878 folio 303;
- (i) volume 1878 folio 304

*Note* A fuller description of the land is given in the Note at the end of this Schedule.

### **Part 1.11 Launceston Airport**

The land in the following Tasmanian certificates of title:

- (a) volume 128763 folio 1;
- (b) volume 31731 folio 1;
- (c) volume 80983 folio 1;
- (d) volume 80983 folio 3;
- (e) volume 80983 folio 4;
- (f) volume 225834 folio 1

*Note* A fuller description of the land is given in the Note at the end of this Schedule.

### **Part 1.12 Melbourne (Tullamarine) Airport**

The land in the General Law title found at Memorial Book 889 No. 390, and the land in the following Victorian certificates of title:

- (a) volume 8841 folio 691;
- (b) volume 8504 folio 716;
- (c) volume 9067 folio 671;
- (d) volume 8390 folio 476;
- (e) volume 6726 folio 1345179;
- (f) volume 7300 folio 459954;
- (g) volume 7344 folio 1468688;
- (h) volume 7617 folio 046;
- (i) volume 8044 folio 649;
- (j) volume 8296 folio 766;
- (k) volume 8413 folio 481;
- (l) volume 8466 folio 277;
- (m) volume 8511 folio 436;
- (n) volume 8527 folio 519;
- (o) volume 8528 folio 830;
- (p) volume 8592 folio 937;

- (q) volume 8657 folio 662;
- (r) volume 8692 folio 815;
- (s) volume 8708 folio 041;
- (t) volume 8738 folio 114;
- (u) volume 8792 folio 799;
- (v) volume 8827 folio 437;
- (w) volume 8869 folio 263;
- (x) volume 8869 folio 264;
- (y) volume 8885 folio 503;
- (z) volume 8936 folio 136;
- (aa) volume 8959 folio 783;
- (ab) volume 8986 folio 384;
- (ac) volume 9302 folio 900;
- (ad) volume 9302 folio 901;
- (ae) volume 9768 folio 745;
- (af) volume 9815 folio 130;
- (ag) volume 8677 folio 659;
- (ah) volume 8554 folio 346;
- (ai) volume 10327 folio 685;
- (aj) volume 10327 folio 686

*Note* A fuller description of the land in the Certificates of Title is given in the Note at the end of this Schedule.

### **Part 1.13      Moorabbin Airport**

Lot 1 on Plan of Subdivision No. 441283Y and the land in the following Victorian certificates of title:

- (a) volume 7772 folio 134;
- (b) volume 8824 folio 220;
- (c) volume 8814 folio 943;
- (d) volume 8753 folio 864

*Note 1* Lot 1 on Plan of Subdivision No. 441283Y is part of the land formerly contained in Victorian certificate of title volume 10381 folio 811.

*Note 2* A fuller description of the land in the certificates of title is given in the note at the end of this Schedule.

## **Part 1.14 Mount Isa Airport**

The land in the following Queensland certificates of title:

- (a) 20504205;
- (b) 20677156;
- (c) 20941083;
- (d) 21125171;
- (e) 21086099

*Note* A fuller description of the land is given in the Note at the end of this Schedule.

## **Part 1.15 Parafield Airport**

The land in the following South Australian certificates of title:

- (a) volume 5270 folio 223;
- (b) volume 5207 folio 885

*Note* A fuller description of the land is given in the Note at the end of this Schedule.

## **Part 1.16 Perth Airport**

The land in the following Western Australian certificates of title:

- (a) volume 7 folio 196A;
- (b) volume 14 folio 389A;
- (c) volume 25 folio 186A;
- (d) volume 100 folio 86A;
- (e) volume 152 folio 50A;
- (f) volume 264 folio 141A;
- (g) volume 266 folio 24A;
- (h) volume 266 folio 25A;
- (i) volume 293 folio 170A;
- (j) volume 367 folio 79A;
- (k) volume 367 folio 80A;
- (l) volume 443 folio 174A;
- (m) volume 612 folio 26A;
- (n) volume 703 folio 97;
- (o) volume 777 folio 171;

- (p) volume 778 folio 115;
- (q) volume 830 folio 168;
- (r) volume 857 folio 195;
- (s) volume 901 folio 193;
- (t) volume 1006 folio 726;
- (u) volume 1020 folio 97;
- (v) volume 1020 folio 98;
- (w) volume 1026 folio 483;
- (x) volume 1054 folio 157;
- (y) volume 1055 folio 666;
- (z) volume 1055 folio 862;
- (aa) volume 1064 folio 240;
- (ab) volume 1064 folio 640;
- (ac) volume 1065 folio 503;
- (ad) volume 1065 folio 691;
- (ae) volume 1067 folio 82;
- (af) volume 1079 folio 432;
- (ag) volume 1080 folio 256;
- (ah) volume 1085 folio 38;
- (ai) volume 1085 folio 39;
- (aj) volume 1085 folio 44;
- (ak) volume 1088 folio 337;
- (al) volume 1092 folio 980;
- (am) volume 1095 folio 478;
- (an) volume 1100 folio 137;
- (ao) volume 1100 folio 320;
- (ap) volume 1100 folio 321;
- (aq) volume 1100 folio 896;
- (ar) volume 1103 folio 560;
- (as) volume 1106 folio 312;
- (at) volume 1108 folio 178;
- (au) volume 1108 folio 384;
- (av) volume 1111 folio 584;
- (aw) volume 1122 folio 830;

- (ax) volume 1128 folio 145;
- (ay) volume 1132 folio 364;
- (az) volume 1141 folio 715;
- (ba) volume 1142 folio 491;
- (bb) volume 1142 folio 492;
- (bc) volume 1147 folio 912;
- (bd) volume 1148 folio 487;
- (be) volume 1148 folio 1000;
- (bf) volume 1152 folio 457;
- (bg) volume 1152 folio 458;
- (bh) volume 1165 folio 978;
- (bi) volume 1167 folio 467;
- (bj) volume 1173 folio 213;
- (bk) volume 1180 folio 425;
- (bl) volume 1190 folio 991;
- (bm) volume 1190 folio 992;
- (bn) volume 1190 folio 993;
- (bo) volume 1194 folio 385;
- (bp) volume 1201 folio 712;
- (bq) volume 1233 folio 849;
- (br) volume 1234 folio 840;
- (bs) volume 1244 folio 89;
- (bt) volume 1244 folio 973
- (bu) volume 1244 folio 977;
- (bv) volume 1245 folio 581;
- (bw) volume 1251 folio 16;
- (bx) volume 1255 folio 852;
- (by) volume 1257 folio 423;
- (bz) volume 1260 folio 289;
- (ca) volume 1260 folio 721;
- (cb) volume 1261 folio 970;
- (cc) volume 1263 folio 154;
- (cd) volume 1264 folio 327;
- (ce) volume 1264 folio 328;

- (cf) volume 1266 folio 026;
- (cg) volume 1267 folio 111;
- (ch) volume 1268 folio 106;
- (ci) volume 1268 folio 699;
- (cj) volume 1268 folio 958;
- (ck) volume 1269 folio 827;
- (cl) volume 1272 folio 229;
- (cm) volume 1275 folio 305;
- (cn) volume 1276 folio 838;
- (co) volume 1277 folio 977;
- (cp) volume 1278 folio 093;
- (cq) volume 1278 folio 718;
- (cr) volume 1281 folio 141;
- (cs) volume 1281 folio 798;
- (ct) volume 1282 folio 146;
- (cu) volume 1282 folio 147;
- (cv) volume 1283 folio 103;
- (cw) volume 1283 folio 433;
- (cx) volume 1287 folio 240;
- (cy) volume 1287 folio 241;
- (cz) volume 1289 folio 174;
- (da) volume 1299 folio 668;
- (db) volume 1301 folio 313;
- (dc) volume 1324 folio 169;
- (dd) volume 1324 folio 170;
- (de) volume 1324 folio 453;
- (df) volume 1324 folio 454;
- (dg) volume 1337 folio 662;
- (dh) volume 1337 folio 663;
- (di) volume 1338 folio 816;
- (dj) volume 1340 folio 298;
- (dk) volume 1340 folio 862;
- (dl) volume 1345 folio 620;
- (dm) volume 1347 folio 764;

- (dn) volume 1352 folio 597;
- (do) volume 1352 folio 598;
- (dp) volume 1352 folio 684;
- (dq) volume 1352 folio 685;
- (dr) volume 1352 folio 688;
- (ds) volume 1377 folio 446;
- (dt) volume 1382 folio 600;
- (du) volume 1402 folio 048;
- (dv) volume 1505 folio 234;
- (dw) volume 1650 folio 612;
- (dx) volume 1670 folio 368;
- (dy) volume 1670 folio 551;
- (dz) volume 1670 folio 552;
- (ea) volume 1674 folio 028;
- (eb) volume 1726 folio 289;
- (ec) volume 1726 folio 290;
- (ed) volume 1726 folio 295;
- (ee) volume 1726 folio 296;
- (ef) volume 1726 folio 297;
- (eg) volume 1726 folio 298;
- (eh) volume 1756 folio 075;
- (ei) volume 1756 folio 076;
- (ej) volume 1809 folio 163;
- (ek) volume 1852 folio 601;
- (el) volume 1863 folio 794;
- (em) volume 1863 folio 795;
- (en) volume 1863 folio 796;
- (eo) volume 1863 folio 797;
- (ep) volume 1863 folio 798;
- (eq) volume 1908 folio 407;
- (er) volume 1947 folio 761;
- (es) volume 1947 folio 762;
- (et) volume 1947 folio 763;
- (eu) volume 1947 folio 764;

- (ev) volume 1977 folio 003;
- (ew) volume 2018 folio 188;
- (ex) volume 2069 folio 304;
- (ey) volume 2099 folio 884

*Note* A fuller description of the land is given in the Note at the end of this Schedule.

### **Part 1.16A Sydney (Kingsford-Smith) Airport**

The land in the following New South Wales certificates of title:

- (a) folio identifier 8/1050923;
- (b) folio identifier 401/816961;
- (c) folio identifier 5/774363;
- (d) folio identifier 21/819566;
- (e) folio identifier 22/819566;
- (f) folio identifier 23/819566;
- (g) folio identifier 25/819566;
- (h) folio identifier 7/787029;
- (i) folio identifier 9/787029;
- (j) folio identifier 13/787029;
- (k) folio identifier 14/787029;
- (l) folio identifier 15/787029;
- (m) folio identifier 40/815358;
- (n) folio identifier 1/809051;
- (o) folio identifier 1/826101;
- (p) folio identifier 5/1050923;
- (q) folio identifier 1/107987;
- (r) folio identifier 5/107811;
- (s) folio identifier 1/590109;
- (t) folio identifier 31/819567;
- (u) folio identifier 12/825649;
- (v) folio identifier 643/727045;
- (w) folio identifier 15/825649;
- (x) folio identifier 724/48012;
- (y) folio identifier 726/48012;

- (z) folio identifier 1/869306;
- (za) folio identifier 2/790186;
- (zb) folio identifier 11/1050464;
- (zc) folio identifier 12/1050464;
- (zd) folio identifier 3/825649;
- (ze) folio identifier 4/555771;
- (zf) folio identifier 3/555771;
- (zg) folio identifier 2/802342;
- (zh) folio identifier 4694-25;
- (zi) folio identifier 1/830952;
- (zj) folio identifier 2/830952;
- (zk) folio identifier 1/1054373

### **Part 1.17 Tennant Creek Airport**

The land in the following Northern Territory certificates of title:

- (a) volume 541 folio 081;
- (b) volume 440 folio 047

*Note* A fuller description of the land is given in the Note at the end of this Schedule.

### **Part 1.18 Townsville Airport**

The land in the following lots and registered plans in the Queensland Land Titles Office:

- (a) Lot 2 in RP 748023;
- (b) Lot 21 in RP 748033;
- (c) Lot 7 in RP 802404

*Note* A fuller description of the land is given in the following Note.

*Note* The following are detailed descriptions of the land in several of the airport sites.

### Alice Springs Airport:

Folio Identifier		Description
Volume	Folio	
233	050	N.T. Portion 3840 from plan LT090/001B
233	051	N.T. Portion 3839 from plan LT090/001D
541	074	N.T. Portion 1025 from plan S 80/149
541	077	N.T. Portion 995 from plan S 80/149
541	076	N.T. Portion 806 from plan S 80/149
501	124	N.T. Portion 429 from plan S 80/149
502	043	N.T. Portion 4437 from plan S 91/035
502	042	N.T. Portion 4054 from plan S 91/034
166	046	N.T. Portion 428 from plan S 80/149
166	048	N.T. Portion 569 from plan S 80/149
564	092	N.T. Portion 4005 from plan S91/34 & 35B
562	167	N.T. Portion 4004 from plan S91/34B & C

### Archerfield Airport:

Title reference	Description
17127063	Lot 5 on Registered Plan No. 179578, County of Stanley, Parish of Yeerongpilly
16735170	Lot 2 on Registered Plan 196230, County of Stanley, Parish of Yeerongpilly
15700048	Lot 1 on Registered Plan 148342, County of Stanley, Parish of Yeerongpilly

**Brisbane Airport:**

<b>Title Reference</b>	<b>Parish</b>	<b>County</b>	<b>Lot No.</b>	<b>Plan</b>
50146353	Toombul	Stanley	4	838457
50146354	Toombul	Stanley	5	838457
18740240	Toombul	Stanley	1	844114
18740241	Toombul	Stanley	2	844116
18174183	Toombul	Stanley	1161	11534
50146351	Toombul	Stanley	2	838457

**Coolangatta Airport:**

<b>Queensland:</b>	
<b>Title reference</b>	
17457085	Lot 1 RP 225692, County of Ward Parish of Tallebudgera
18265246	Lot 222 RP 839951, County of Ward, Parish of Tallebudgera
18287103	Lot 5 RP 839952, County of Ward, Parish of Tallebudgera
<b>New South Wales:</b>	
<b>Folio identifier</b>	
2/535537	Lot 2 in Deposited Plan 535537, County of Rous, Parish of Terranora
1/582467	Lot 1 in Deposited Plan 582467, County of Rous, Parish of Terranora

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**Essendon Airport:**

Folio Identifier		Description
Volume	Folio	
10044	411	Land in Plan of Consolidation 354871E
7027	267	Lot 96 on Plan of Subdivision No. 10418
7894	066	Part of Lot 102 on Plan of Subdivision No. 10418
5587	373	Lot 103 on Plan of Subdivision No. 10418
7156	028	Lot 117 on Plan of Subdivision No. 10418
6478	463	Lot 125 on Plan of Subdivision No. 10418
5456	082	Lot 126 on Plan of Subdivision No. 10418
5849	647	Lot 127 on Plan of Subdivision No. 10418
7874	006	Lot 128 on Plan of Subdivision No. 10418. Affected by Plan S-8018
7307	340	Lot 138 on Plan of Subdivision No. 10418
7874	007	Lot 149 on Plan of Subdivision No. 10418
8222	595	Part of lot 164 on Plan of Subdivision No. 10418
6087	297	Lot 163 on Plan of Subdivision No. 10418
7027	266	Lot 162 on Plan of Subdivision No. 10418
7566	166	Lot One on Plan of Subdivision No. 21832
7364	788	Lot 157 on Plan of Subdivision No. 10418
7031	085	Lot 19 on Plan of Subdivision No. 1070
7841	078	Lot 3 on Plan of Subdivision No. 1070 and Lots One to 7 (both inclusive) on Plan of Subdivision No. 22777
5937	400	Part of lot 14 on Plan of Subdivision No. 6170
4996	129	Lot 104 on Plan of Subdivision No. 10418

**Hobart Airport:**

Folio Identifier		Description
Volume	Folio	
112358	1	Lot 1 on Plan 112358, City of Clarence
14486	2	Lot No. 2 on Plan No. P.14486, Parish of Sorell, Land District of Pembroke
14486	1	Lot No. 1 on Plan No. P.14486, Parish of Sorell, Land District of Pembroke

**Jandakot Airport:**

Folio Identifier		Description
Volume	Folio	
1629	281	Portion of Jandakot Agricultural Area Lot 527
1516	700	Firstly, the portion of Jandakot Agricultural Area Lot 527 that is Lots 1, 2, 3, 4, 5 and part of Lots 6, 7 and 8 on Diagram 27624, and secondly, the portion of Jandakot Agricultural Area that is Lot 173 (limited to the natural surface to a depth of 60.96 metres)
1778	742	Jandakot Agricultural Area Lot 588
1197	27	The portion of Jandakot Agricultural Area Lot 527 that is Lot 1 on Diagram 19220
51	30A	The portion of Jandakot Agricultural Area Lot 527 that is Lot 10 on Diagram 33538

**Jandakot Airport:**

Folio Identifier		Description
Volume	Folio	
1878	302	Jandakot Agricultural Area Lots 126, 127, 161 to 165 (inclusive), 411, 438, 439, 440 and portion of Jandakot Agricultural Area Lots 128, 129, 159, 160, 168 and 295 on Plan 7585. Lots 127, 159, 162 and 165 are limited to a depth of 609.6 metres from the natural surface; Lots 161 and 411 are limited to a depth of 60.96 metres from the natural surface; Lots 127, 159, 161, 162 and 165 are subject to mineral and other reservations reserved in the Original Grants and contained in certificate of title volume 1878 folio 301
1878	301	Firstly, Jandakot Agricultural Area Lots 127, 162, 165 and portion of Jandakot Agricultural Area Lot 159, all below a depth of 609.6 metres, and secondly, Jandakot Agricultural Area Lot 161 below a depth of 60.96 metres, both being part of the land on Plan 7585 and (thirdly) certain mineral and other reservations in the Original Grant from the natural surface to a depth of 609.6 metres, for the first area of land and 60.96 m for the second area of land
1878	303	Firstly, the portion of Jandakot Agricultural Area Lot 527 comprised in Lot 9 on Diagram 29124 below a depth of 60.96 metres, and secondly, certain mineral and other reservations reserved in the Original Grant to a depth of 60.96 metres from the natural surface

**Jandakot Airport:**

Folio Identifier		Description
Volume	Folio	
1878	304	Jandakot Agricultural Area Lot 444 and portion of Jandakot Agricultural Area Lot 527 together being Lot 9 on Diagram 29124. Lot 527 is limited to a depth of 60.96 metres from natural surface and is subject to mineral and other reservations which are reserved in the Original Grant and contained in volume 1878 folio 303

**Launceston Airport:**

Folio Identifier		Description
Volume	Folio	
128763	1	Lot 1 on Plan 128763, Parish of Breadalbane, Land District of Cornwall
31731	1	Lot 1 on Diagram 31731, Parish of Breadalbane, Land District of Cornwall
80983	1	Lot 1 on Diagram 80983, Parish of Breadalbane, Land District of Cornwall
80983	3	Lot 3 on Diagram 80983, Parish of Breadalbane, Land District of Cornwall
80983	4	Lot 4 on Diagram 80983, Parish of Breadalbane, Land District of Cornwall
225834	1	Lot 1 on Plan 225834, Parish of Breadalbane, Land District of Cornwall

**Melbourne (Tullamarine) Airport:**

<b>Parish</b>	<b>County</b>	<b>Volume</b>	<b>Folio</b>	<b>Plan Reference</b>
Tullamarine	Bourke	8841	691	Lot 2 Subdivision No. 51894
Bulla Bulla	Bourke	8504	716	Section 1
Bulla Bulla	Bourke	9067	671	Section 1 and Portion 2
Bulla Bulla; Tullamarine		8390	476	
Tullamarine	Bourke	6726	1345179	Section 13
Tullamarine	Bourke	7300	459954	Section 6 — Ref. No. 13
Tullamarine	Bourke	7344	1468688	Part of Crown Allotment B Section 13
Tullamarine	Bourke	7617	046	Portion 3 — Ref. No. 15
Tullamarine	Bourke	8044	649	Section 6
Tullamarine		8296	766	Lot 9 Subdivision No. 51894
Tullamarine		8413	481	Lot 8 Subdivision No. 51894
Tullamarine		8466	277	Portion 15
Tullamarine		8511	436	Section 6
Tullamarine		8527	519	Lot 2 Subdivision No. 35600
Tullamarine		8528	830	Lot 10 Subdivision No. 51894
Tullamarine	Bourke	8592	937	Lot 14 Subdivision No. 51894

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**Melbourne (Tullamarine) Airport:**

<b>Parish</b>	<b>County</b>	<b>Volume</b>	<b>Folio</b>	<b>Plan Reference</b>
Tullamarine	Bourke	8657	662	Lot 7 Subdivision No. 51894
Tullamarine	Bourke	8692	815	Lot 13 Subdivision No. 51894
Tullamarine	Bourke	8708	041	Lot 11 Subdivision No. 51894
Tullamarine	Bourke	8738	114	Section 6 — Ref. No. 8
Tullamarine	Bourke	8792	799	Lot 5 Subdivision No. 51894
Tullamarine	Bourke	8827	437	Section 6 — Ref. No. 10
Tullamarine	Bourke	8869	263	Part of Crown Portion 15
Tullamarine	Bourke	8869	264	Part of Crown Portion 15
Tullamarine	Bourke	8885	503	Lot 1 Subdivision No. 51894
Tullamarine	Bourke	8936	136	Lot 4 Subdivision No. 51894
Tullamarine	Bourke	8959	783	Section 6 — Ref. No. 9
Tullamarine	Bourke	8986	384	Lot 15 Subdivision No. 51894
Tullamarine	Bourke	9302	900	Section 13
Tullamarine	Bourke	9302	901	Section 13
Tullamarine		9768	745	Section 9
Tullamarine		9815	130	Lot 3 Subdivision No. 51894

**Melbourne (Tullamarine) Airport:**

Parish	County	Volume	Folio	Plan Reference
Will Will Rook	Bourke	8677	659	Portion 7 — Ref. No. 4
		8554	346	Lot 6 Subdivision No. 51894
		10327	685	
		10327	686	

**Moorabbin Airport:**

Folio Identifier		Description
Volume	Folio	
7772	134	Part of Crown Allotment 3 Section 18 Parish of Mordialloc County of Bourke
8824	220	Part of Lots 3 and 4 on Plan of Subdivision No. 4963 Parish of Mordialloc County of Bourke
8814	943	Part of Crown Allotment 3 Section 18 Parish of Mordialloc, County of Bourke
8753	864	Part of Crown Allotment 2 Section 17, and Crown Allotments 1, 2 and 4 and part of Crown Allotment 3 Section 18, Parish of Mordialloc. Affected by plan PS 315829K

**Mount Isa Airport:**

Lot No	Plan No.	Title Reference
9	Crown Plan RD 48	20504205

**Mount Isa Airport:**

Lot No	Plan No.	Title Reference
14	RP 720448	20677156
1	RP 724915	20941083
3	RP 724915	21125171
28	RP 734222	21086099

**Parafield Airport:**

Folio Identifier		Description
Volume	Folio	
5270	223	Allotment 1 in Filed Plan 9861 in the area named Parafield, Hundred of Yatala
5207	885	Allotments 10, 11, 12, 13, 14 15, 16 and 17 in Filed Plan 114106 in the area named Parafield, Hundred of Yatala

**Perth Airport:**

Certificate of Title		Land Description
Volume	Folio	
7	196A	Lot 396 the subject of Diagram 2597
14	389A	Lots 5 and 6 on Diagram 28474
25	186A	Part of the land on Plan 7067
100	86A	Lots 359 and 360 on Plan 2555
152	50A	Part of Lot 847 on Plan 3709
264	141A	Portion of Swan Location 1349
266	24A	Portion of Swan Location 1120

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**Perth Airport:**

Certificate of Title		Land Description
Volume	Folio	
266	25A	Part of Lot 3 on Diagram 15044
293	170A	Swan Location 8499
367	79A	Lot 1 on Diagram 39005
367	80A	Lots 2 and 3 on Diagram 39005
443	174A	Part of Lot 481 on Plan 4683 and part of the land on Plan 7494 (Sheet 4)
612	26A	Part of Lot 548 on Diagram 5986
703	97	Lot 812 on Plan 3709
777	171	Lot 848 on Plan 3709
778	115	Lot 808 on Plan 3709
830	168	Lots 871 and 872 on Plan 3709
857	195	Lots 865 and 866 on Plan 3709
901	193	Lot 869 on Plan 3709
1006	726	Lot 425 on Plan 4683
1020	97	Part of the land on Diagram 837
1020	98	Part of the land on Diagram 837
1026	483	Part of Lot 392 on Diagram 1886
1054	157	Lot 471 on Plan 4683
1055	666	Lot 459 on Plan 4683
1055	862	Lot 818 on Plan 3709
1064	240	Lot 827 on Plan 3709
1064	640	Lots 867 and 868 on Plan 3709
1065	503	Lot 873 on Plan 3709
1065	691	Lot 864 on Plan 3709

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**Perth Airport:**

Certificate of Title		Land Description
Volume	Folio	
1067	82	Lot 354 on Plan 2555
1079	432	Lot 849 on Plan 3709
1080	256	Lot 426 on Plan 4683
1085	38	Lot 357 on Plan 2555
1085	39	Lot 358 on Plan 2555
1085	44	Lot 823 on Plan 3709
1088	337	Lots 1 and 2 the subject of Diagram 12661
1092	980	Lot 857 on Plan 3709
1095	478	Lot 423 on Plan 4683
1100	137	Lot 870 on Plan 3709
1100	320	Lot 462 on Plan 4683
1100	321	Lots 427 and 428 on Plan 4683
1100	896	Lot 831 on Plan 3709
1103	560	Lot 837 on Plan 3709
1106	312	Lot 822 on Plan 3709
1108	178	Lots 457 and 458 on Plan 4683
1108	384	Lots 420 & 421 and part of Lot 422 on Plan 4683
1111	584	Lot 855 on Plan 3709
1122	830	Lot 809 on Plan 3709
1128	145	Lot 830 on Plan 3709
1132	364	Lot 430 on Plan 4683
1141	715	Lot 836 on Plan 3709
1142	491	Lot 1 on Diagram 15412

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**Perth Airport:**

Certificate of Title		Land Description
Volume	Folio	
1142	492	Lot 2 on Diagram 15412
1147	912	Part of Lot 854 on Plan 3709
1148	487	Lot 1 on Diagram 16915
1148	1000	Lot 2 the subject of Diagram 16084
1152	457	Lot 2 on Diagram 16373
1152	458	Lot 1 on Diagram 16373
1165	978	Part of Lot 461 on Plan 4683
1167	467	Part of Lot 461 on Plan 4683
1173	213	Lot 1 on Diagram 18841
1180	425	Lot 2 on Diagram 18841
1190	991	Lot 850 on Plan 3709
1190	992	Lot 835 on Plan 3709
1190	993	Lots 834 and 851 on Plan 3709
1194	385	Part of Lot 807 on Plan 3709
1201	712	Lot 1 on Diagram 21681
1233	849	Lot 2 the subject of Diagram 25203
1234	840	Lots 874 and 875 on Plan 3709
1244	89	Part of Lot 391 on Diagram 1816
1244	973	Part of Lot 479 on Plan 4683
1244	977	Lot 470 and part of Lot 478 on Plan 4683
1245	581	Swan Location 6246
1251	16	Swan Location 164 and portion of Swan Location 710
1255	852	Lot 817 on Plan 3709

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**Perth Airport:**

Certificate of Title		Land Description
Volume	Folio	
1257	423	Part of the land on Plan 7494
1260	289	Lots 431, 455 and Part of Lot 454 on Plan 4683
1260	721	Lots 815 and 816 on Plan 3709
1261	970	Part of Lot 876 on Plan 3709
1263	154	Lot 3 the subject of Diagram 26774
1264	327	Lot 833 on Plan 3709
1264	328	Lot 852 on Plan 3709
1266	026	Lot 821 on Plan 3709
1267	111	Lot 820 on Plan 3709
1268	106	Lot 856 on Plan 3709
1268	699	Lot 472 on Plan 4683
1268	958	Lot 829 on Plan 3709
1269	827	Lot 475 on Plan 4683
1272	229	Lot 828 on Plan 3709
1275	305	Lot 1 on Diagram 24060
1276	838	Part of Lot 806 on Plan 3709
1277	977	Lots 476 and 477 on Plan 4683
1278	093	Lot 7 on Diagram 28474
1278	718	Lot 2 on Diagram 24060
1281	141	Lot 3 on Diagram 28474
1281	798	Part of Lot 824 on Plan 3709
1282	146	Lot 2 on Diagram 29866
1282	147	Part of Lot 386 on Plan 2284

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**Perth Airport:**

Certificate of Title		Land Description
Volume	Folio	
1283	103	Lot 819 on Plan 3709
1283	433	Lot 8 on Diagram 28474
1287	240	Lot 1 on Diagram 29201
1287	241	Part of Lot 385 on Plan 2284
1289	174	Lot 4 on Diagram 28474
1299	668	Lot 9 on Diagram 28474
1301	313	Lot 464 and part of Lot 465 on Plan 4683
1324	169	Lot 813 on Plan 3709
1324	170	Lot 814 on Plan 3709
1324	453	Lot 832 on Plan 3709
1324	454	Lot 853 on Plan 3709
1337	662	Lots 861 and 862 on Plan 3709 (Sheet 2)
1337	663	Lot 863 on Plan 3709
1338	816	Portion of Swan Location 1307
1340	298	Portion of Swan Location 1403
1340	862	Lot 1 on Diagram 34174
1345	620	Part of the land on Plan 7493 (Sheet 1)
1347	764	Part of each of Lots 467, 468 and 469 on Plan 4683 (Sheet 3)
1352	597	Lot 3 on Diagram 39761
1352	598	Lot 4 on Diagram 39761
1352	684	Swan Locations 8681 and 8795
1352	685	Swan Location 8794
1352	688	Part of Lot 2 on Diagram 34174

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**Perth Airport:**

Certificate of Title		Land Description
Volume	Folio	
1377	446	Lot 394 on Diagram 2004
1382	600	Portion of Swan Location 1380
1402	048	Part of the land on Diagram 14463
1505	234	Part of Lot 382 on Plan 2283 (Sheet 2)
1650	612	Swan Location 10570
1670	368	Lot 858 and part of Lot 826 on Plan 3709
1670	551	Swan Location 10487
1670	552	Swan Location 10488
1674	028	Part of the land on Diagram 39005
1726	289	Lot 1 the subject of Diagram 63971
1726	290	Lot 501 the subject of Diagram 63972
1726	295	Part of Lot 387 on Plan 2284
1726	296	Part of Lot 389 on Plan 2284 (Sheet 1)
1726	297	Part of Lot 35 on Plan 2799 (Sheet 2)
1726	298	Portion of each of Swan Locations 28, 29, 30, 31, 32 and 33 and being part of each of Lots 1 and 2 and part of Plan 7512
1756	075	Part of the land on Plan 7068 (Sheet 5) and part of Lot 384 on Plan 2284 (Sheet 1)
1756	076	Part of Lot 384 on Plan 2284 (Sheet 1)
1809	163	Part of Lot 2 on Diagram 26391
1852	601	Swan Locations 687, 783, 3346 and 4886 and portion of each of Swan Locations 24, 25, 26, 27, 28, 29, 30, 773 and 2803
1863	794	Lots 355 and 356 on Plan 2555

**Perth Airport:**

Certificate of Title		Land Description
Volume	Folio	
1863	795	Lot 364 on Plan 2555
1863	796	Part of Lot 353 on Plan 2555
1863	797	Lot 352 and part of Lot 353 on Plan 2555
1863	798	Lots 429 and 456 on Plan 4683 (Sheet 2)
1908	407	Lot 474 on Plan 4683 (Sheet 3)
1947	761	Lot 395 the subject of Diagram 2005
1947	762	Lots 859 and 860 on Plan 3709 (Sheet 2)
1947	763	Lot 473 on Plan 4683 (Sheet 3)
1947	764	Part of Lot 3 on Diagram 34174
1977	003	Swan Location 11872
2018	188	Lot 400 the subject of Diagram 69211
2069	304	Part of Lot 1 on Plan 7481
2099	884	Part of Section A on Plan 204

**Tennant Creek Airport:**

Folio Identifier		Description
Volume	Folio	
541	081	Lot 998 Town of Tennant Creek from plan B 000076
440	047	Lot 1281 of Tennant Creek from plan S 79/055

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**Townsville Airport:**

<b>Lot No</b>	<b>Plan No.</b>	
Lot 2	RP 748023	County of Elphinstone Parish of Coonambelah
Lot 21	RP 748033	County of Elphinstone Parish of Coonambelah
Lot 7	RP 802404	County of Elphinstone Parish of Coonambelah

## Schedule 2 Performance indicators

(regulation 8.01)

### Part 1 Brisbane, Melbourne (Tullamarine), Perth and Sydney (Kingsford-Smith) Airports

Item	Performance indicator
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**1. Relating to runway, apron and taxiway system:**

- 1.1 The change over time in average aircraft movements per half hour during the 30 busiest half hours in a month, according to the formula:

$$\frac{S}{30}$$

(where *S* is the sum of the number of aircraft movements in each of the 30 busiest half hours in a month)

- 1.2 The change over time in average aircraft movements per half hour during the 60 busiest half hours in a month, according to the formula:

$$\frac{S}{60}$$

(where *S* is the sum of the number of aircraft movements in each of the 60 busiest half hours in a month)

- 1.3 The change over time in the percentage of hours in the year in which aircraft movements exceed 95% of the capacity of the runway system

- 1.4 The change over time in the percentage of aircraft delayed longer than 5 minutes

- 1.5 The change over time in average delay of aircraft in each of the 30 busiest half hours in a month, according to the formula:

$$\frac{D}{30}$$

(where *D* is the sum of the delays in each of the 30 busiest half hours in a month)

Item	Performance indicator
1.6	The change over time in average delay of aircraft in each of the 60 busiest half hours in a month, according to the formula: $\frac{D}{60}$ (where <i>D</i> is the sum of the delays in each of the 60 busiest half hours in a month)
1.7	The change over time in runway system capacity of the airport, as worked out by Airservices Australia
1.8	The change over time in average of the difference between the standard taxi-ing time for the airport (as worked out by Airservices Australia) and actual taxi-ing times
1.9	The change over time in satisfaction with the system, according to a questionnaire to airlines and Airservices Australia about the adequacy of the facilities
<b>2.</b>	<b>Relating to gates and aircraft parking:</b>
2.1	Any change over time in number of bays
2.2	The change over time in satisfaction with the system, according to a questionnaire to airlines about the availability and adequacy of parking facilities and bays, and the designated bay area
<b>3.</b>	<b>Relating to aerobridges:</b>
3.1	Any change over time in percentage of passengers using aerobridges for embarkation
3.2	Any change over time in percentage of passengers using aerobridges for disembarkation
3.3	Any change over time in number of aerobridges
3.4	The change over time in satisfaction with the system, according to a questionnaire to airlines about the availability and standard of the aerobridges
<b>4.</b>	<b>Relating to ground service equipment:</b>
4.1	The change over time in satisfaction with the system, according to a questionnaire to airlines about the availability and standard of the facilities

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**Item Performance indicator**

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**5. Relating to freight facilities:**

5.1 The change over time in satisfaction with the system, according to a questionnaire to airlines about the availability and standard of the services provided by the airport operator in relation to freight equipment storage sites and cargo facilities and sites

**6. Relating to check-in:**

6.1 The change over time in percentage of hours when more than 80% of the check-in desks are in use

6.2 Any change over time in number of check-in desks installed

6.3 The change over time in satisfaction with the system, according to a questionnaire to airlines about the availability and standard of the check-in facilities

6.4 The change over time in customer satisfaction with the system, according to a questionnaire about waiting time at the check-in

**7. Relating to government inspection:**

*Inbound (immigration)*

7.1 The change over time in percentage of time when more than 95% of inbound immigration desks are in use

7.2 The change over time in percentage of passengers processed within 30 minutes of their arrival at the inbound immigration desk

7.3 The change over time in number of passengers processed

7.4 Any change over time in number of inbound immigration desks installed

7.5 The change over time in customer satisfaction with the system, according to a questionnaire about waiting time

*Baggage inspection*

7.6 Any change over time in number of baggage inspection desks installed

7.7 The change over time in customer satisfaction with the system, according to a questionnaire about waiting time

*Outbound*

7.8 The change over time in percentage of time when more than 95% of outbound immigration desks are in use

7.9 The change over time in number of passengers processed

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<b>Item</b>	<b>Performance indicator</b>
7.10	Any change over time in number of outbound immigration desks installed
7.11	The change over time in customer satisfaction with the system, according to a questionnaire about waiting time
<b>8.</b>	<b>Relating to security clearance:</b>
8.1	Any change over time in number of clearance systems
8.2	The change over time in customer satisfaction with the system, according to a questionnaire about the quality of the passenger search process
<b>9.</b>	<b>Relating to gate lounges:</b>
9.1	Any change over time in number of seats installed in gate lounges
9.2	The change over time in customer satisfaction with the system, according to a questionnaire about: <ul style="list-style-type: none"><li>• the quality and availability of the seating; and</li><li>• crowding</li></ul>
<b>10.</b>	<b>Relating to baggage:</b>
	<i>Outbound baggage system</i>
10.1	The change over time in average throughput of the equipment (in bags per hour)
10.2	Any change over time in capacity of the equipment (in bags per hour)
10.3	The change over time in satisfaction with the system, according to a questionnaire to airlines about: <ul style="list-style-type: none"><li>• the capacity and standard of the system; and</li><li>• mishandled baggage</li></ul>
	<i>Inbound baggage system</i>
10.4	Any change over time in capacity of the baggage reclaim system (in bags per hour)
10.5	The change over time in satisfaction with the system, according to a questionnaire to airlines about the capacity and standard of the system
10.6	The change over time in customer satisfaction with the system, according to a questionnaire about waiting time, the baggage information display and the circulation space

<b>Item</b>	<b>Performance indicator</b>
<b>11.</b>	<b>Relating to baggage trolleys:</b>
11.1	The change over time in customer satisfaction with the system, according to a questionnaire about the findability of trolleys
<b>12.</b>	<b>Relating to flight information display and signs:</b>
12.1	The change over time in customer satisfaction with the flight information system and signs, according to a questionnaire about the adequacy of the displays and signs
<b>13.</b>	<b>Relating to washrooms:</b>
13.1	The change over time in customer satisfaction with the washrooms, according to a questionnaire about the standard of the facilities
<b>14.</b>	<b>Relating to car parking:</b>
14.1	Any change over time in average throughput of the car park per day
14.2	Any change over time in number of parking spaces available to the public
14.3	The change over time in customer satisfaction with the car parking, according to a questionnaire about the standard of facilities, availability of parking spaces, and the time taken to get into the car park
<b>15.</b>	<b>Relating to airport access:</b>
	<i>Kerbside space for pick-up by taxis and drop-off</i>
15.1	The change over time in customer satisfaction with the kerbside space, according to a questionnaire about congestion and the standard of the facilities
	<i>Facilities for taxis</i>
15.2	The change over time in customer satisfaction with the taxi facilities, according to a questionnaire about waiting times and the standard of the facilities

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## Part 2 Adelaide, Alice Springs, Canberra, Coolangatta, Darwin, Hobart, Launceston and Townsville Airports

Item	Performance indicator
<b>1</b>	<b>Relating to runway, apron and taxiway system</b>
1.1	The change over time in average aircraft movements per half hour during the 30 busiest half hours in a month, according to the formula: $\frac{S}{30}$ <p>(where <math>S</math> is the sum of the number of aircraft movements in each of the 30 busiest half hours in a month)</p>
1.2	The change over time in average aircraft movements per half hour during the 60 busiest half hours in a month, according to the formula: $\frac{S}{60}$ <p>(where <math>S</math> is the sum of the number of aircraft movements in each of the 60 busiest half hours in a month)</p>
1.3	The change over time in satisfaction with the system, according to a questionnaire to airlines and Airservices Australia about the adequacy of the facilities
<b>2</b>	<b>Relating to gates and aircraft parking</b>
2.1	Any change over time in number of aircraft parking bays
2.2	Any change over time in total area (in square metres) of designated bay area
2.3	The change over time in satisfaction with the system, according to a questionnaire to airlines about the availability and adequacy of parking facilities and bays, and the designated bay area
<b>3</b>	<b>Relating to aerobridges</b>
3.1	Any change over time in number of airport-operator-managed aerobridges
3.2	Any change over time in number of airline-managed aerobridges, according to a questionnaire to airlines

<b>Item</b>	<b>Performance indicator</b>
3.3	Any change over time in percentage of passengers using airport-operator-managed aerobridges for embarkation
3.4	Any change over time in percentage of passengers using airline-managed aerobridges for embarkation, according to a questionnaire to airlines
3.5	Any change over time in percentage of passengers using airport-operator-managed aerobridges for disembarkation
3.6	Any change over time in percentage of passengers using airline-managed aerobridges for disembarkation, according to a questionnaire to airlines
3.7	The change over time in satisfaction with the system, according to a questionnaire to airlines about the availability and standard of airport-operator-managed aerobridges
<b>4</b>	<b>Relating to ground service equipment</b>
4.1	The change over time in satisfaction with the system, according to a questionnaire to airlines about the availability and standard of the airport-operator-managed facilities
<b>5</b>	<b>Relating to freight facilities</b>
5.1	The change over time in satisfaction with the system, according to a questionnaire to airlines about the availability and standard of the services provided by the airport operator in relation to freight equipment storage sites and cargo facilities and sites
<b>6</b>	<b>Relating to check-in</b>
6.1	Any change over time in number of airport-operator-managed check-in desks
6.2	Any change over time in number of airline-managed check-in desks, according to a questionnaire to airlines
6.3	The change over time in satisfaction with the system, according to a questionnaire to airlines about the availability and standard of the check-in facility provided by the airport operator
<b>7</b>	<b>Relating to security clearance</b>
7.1	The change over time in type (that is, whether manual or automated) of any airport-operator-managed baggage security clearance facilities
7.2	The change over time in type (that is, whether manual or automated) of any airline-managed baggage security clearance facilities, according to a questionnaire to airlines

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<b>Item</b>	<b>Performance indicator</b>
7.3	Any change over time in number of airport-operator-managed people security clearance facilities
7.4	Any change over time in number of airline-managed people security clearance facilities, according to a questionnaire to airlines
7.5	Any change over time in number of airport-operator-managed baggage security clearance facilities
7.6	Any change over time in number of airline-managed baggage security clearance facilities, according to a questionnaire to airlines
<b>8</b>	<b>Relating to gate lounges</b>
8.1	Any change over time in number of airport-operator-managed gate lounges
8.2	Any change over time in number of airline-managed gate lounges, according to a questionnaire to airlines
8.3	Any change over time in number of seats in airport-operator-managed gate lounges
8.4	Any change over time in number of seats in airline-managed gate lounges, according to a questionnaire to airlines
<b>9</b>	<b>Relating to seating other than in gate lounges</b>
9.1	Any change over time in number of seats in airport-operator-managed waiting areas (other than in gate lounges)
9.2	Any change over time in number of seats in airline-managed waiting areas (other than in gate lounges), including club lounges, according to a questionnaire to airlines
<b>10</b>	<b>Relating to baggage</b>
	<i>Outbound baggage system</i>
10.1	Any change over time in type (that is, whether manual or automated) of any airport-operator-managed baggage handling facility
10.2	Any change over time in type (that is, whether manual or automated) of any airline-managed baggage handling facility, according to a questionnaire to airlines
10.3	If any airport-operator-managed baggage handling facility is automated — any change over time in total number of bags processed in the year by the facility

<b>Item</b>	<b>Performance indicator</b>
10.4	If any airline-managed baggage handling facility is automated — any change over time in total number of bags processed in the year by the facility, according to a questionnaire to airlines
10.5	If any airport-operator-managed baggage handling facility is automated — the change over time in average throughput (in bags per hour) of the facility
10.6	The change over time in satisfaction with any airport-operator-managed baggage handling system, according to a questionnaire to airlines about: <ul style="list-style-type: none"><li>• the capacity and standard of the system; and</li><li>• mishandled baggage</li></ul> <i>Inbound baggage system</i>
10.7	Any change over time in type (that is, whether manual or automated) of any airport-operator-managed baggage handling facility
10.8	Any change over time in type (that is, whether manual or automated) of any airline-managed baggage handling facility, according to a questionnaire to airlines
10.9	If any airport-operator-managed baggage handling facility is automated — any change over time in total number of bags processed in the year by the facility
10.10	If any airline-managed baggage handling facility is automated — any change over time in total number of bags processed in the year by the facility, according to a questionnaire to airlines
10.11	Any change over time in total area (in square metres) provided for baggage reclaim by airport operator
10.12	Any change over time in total area (in square metres) provided for baggage reclaim by airlines, according to a questionnaire to airlines
10.13	The change over time in satisfaction with any airport-operator-managed baggage system, according to a questionnaire to airlines about the capacity and standard of the system, including waiting time, the baggage information display and the circulation space
<b>11</b>	<b>Relating to flight information displays</b>
11.1	The change over time in type and number of airport-operator-provided flight information displays
11.2	The change over time in number of locations for airport-operator-provided flight information displays

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<b>Item</b>	<b>Performance indicator</b>
<b>12</b>	<b>Relating to car parking</b>
12.1	Any change over time in distance (in metres) between the nearest public car park and the terminal entrance nearest to that car park
12.2	Any change over time in number of airport-operator-provided parking spaces available to the public

## **Schedule 3 Matters about which airport-operator companies must keep records**

(regulation 8.02)

### **Part 1 Brisbane, Melbourne (Tullamarine), Perth and Sydney (Kingsford-Smith) Airports**

- 1. Aircraft parking:**
  - 1.1 Number of aircraft parking bays on 30 June in the year
- 2. Aerobridges:**
  - 2.1 Number of passengers using aerobridges for embarkation in the year
  - 2.2 Total number of passengers embarking in the year
  - 2.3 Percentage of passengers using aerobridges for embarkation during the year
  - 2.4 Number of passengers using aerobridges for disembarkation in the year
  - 2.5 Total number of passengers disembarking in the year
  - 2.6 Percentage of passengers using aerobridges for disembarkation during the year
  - 2.7 Number of aerobridges on 30 June in the year
- 3. Check-in:**
  - 3.1 Number of hours during the year when more than 80% of check-in desks are in use
  - 3.2 Total number of hours during the year when any check-in desks are open
  - 3.3 Percentage of hours during the year when more than 80% of the total number of check-in desks are in use
  - 3.4 Number of check-in desks on 30 June in the year
- 4. Government inspection (inbound):**
  - Immigration*
    - 4.1 Number of inbound immigration desks on 30 June in the year

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*Baggage inspection*

- 4.2 Number of baggage inspection desks on 30 June in the year
- 5. Government inspection (outbound):**
  - 5.1 Number of outbound immigration desks on 30 June in the year
- 6. Security clearance:**
  - 6.1 Number of security clearance systems on 30 June in the year
- 7. Gate lounges:**
  - 7.1 Number of seats in gate lounges on 30 June in the year
- 8. Baggage system (outbound):**
  - 8.1 Total number of bags handled by baggage handling equipment in the year
  - 8.2 Total number of hours during the year baggage handling equipment is in use
  - 8.3 Capacity of baggage handling equipment (in bags per hour) on 30 June in the year
- 9. Baggage system (inbound):**
  - 9.1 Capacity of the baggage reclaim system (in bags per hour) on 30 June in the year
- 10. Car parking:**
  - 10.1 Total throughput of the car park (in vehicles) in the year
  - 10.2 Number of days car park is open during the year
  - 10.3 Number of car parking spaces available to the public (including disabled parking) on 30 June in the year

## **Part 2            Adelaide, Alice Springs, Canberra, Coolangatta, Darwin, Hobart, Launceston and Townsville Airports**

- 1            Aircraft parking**
- 1.1        Number of aircraft parking bays on 30 June in the year
- 1.2        Total area (in square metres) of designated bay area on 30 June in the year
  
- 2            Aerobridges**
- 2.1        Number of airport-operator-managed aerobridges on 30 June in the year
- 2.2        Number of passengers using airport-operator-managed aerobridges for embarkation in the year
- 2.3        Number of passengers using airport-operator-managed aerobridges for disembarkation in the year
  
- 3            Check-in**
- 3.1        Number of airport-operator-managed check-in desks on 30 June in the year
  
- 4            Security clearance**
- 4.1        Type (that is, whether manual or automated) of any airport-operator-managed baggage security clearance facilities on 30 June in the year
- 4.2        Number of airport-operator-managed people security clearance facilities on 30 June in the year
- 4.3        Number of airport-operator-managed baggage security clearance facilities on 30 June in the year
  
- 5            Gate lounges**
- 5.1        Number of airport-operator-managed gate lounges on 30 June in the year
- 5.2        Number of seats in airport-operator-managed gate lounges on 30 June in the year

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- 6 Seating other than in gate lounges**
- 6.1 Number of seats in airport-operator-managed waiting areas (other than in gate lounges) on 30 June in the year
- 7 Baggage system (outbound)**
- 7.1 Type (that is, whether manual or automated) of any airport-operator-managed baggage handling equipment on 30 June in the year
- 7.2 If any airport-operator-managed baggage handling facility is automated — total number of bags processed in the year by the facility
- 7.3 If any airport-operator-managed baggage handling facility is automated — total number of hours during the year the facility is in use
- 8 Baggage system (inbound)**
- 8.1 Type (that is, whether manual or automated) of any airport-operator-managed baggage handling facility on 30 June in the year
- 8.2 If any airport-operator-managed baggage handling facility is automated — total number of bags processed in the year by the facility
- 8.3 Total area (in square metres) provided by the airport operator for baggage reclaim on 30 June in the year
- 9 Flight information display**
- 9.1 Type and number of airport-operator-provided flight information displays on 30 June in the year
- 9.2 Number of locations for airport-operator-provided flight information displays on 30 June in the year
- 10 Car parking**
- 10.1 Distance (in metres) between the nearest public car park and the terminal entrance nearest to that car park on 30 June in the year
- 10.2 Number of parking spaces available to the public (including disabled parking) on 30 June in the year

**Table of Statutory Rules**

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**Notes to the *Airports Regulations 1997*****Note 1**

The *Airports Regulations 1997* (in force under the *Airports Act 1996*) as shown in this compilation comprise Statutory Rules 1997 No. 8 amended as indicated in the Tables below.

For all relevant information pertaining to application, saving or transitional provisions *see* Table A.

**Table of Statutory Rules**

<b>Year and number</b>	<b>Date of notification in Gazette</b>	<b>Date of commencement</b>	<b>Application, saving or transitional provisions</b>
1997 No. 8	12 Feb 1997	12 Feb 1997	—
1997 No. 103	15 May 1997	15 May 1997	—
1997 No. 104	15 May 1997	15 May 1997	—
1997 No. 113	21 May 1997	21 May 1997	—
1997 No. 177	30 June 1997	1 July 1997	—
1997 No. 199	24 July 1997	24 July 1997	—
1997 No. 269	24 Sept 1997	24 Sept 1997	—
1997 No. 367	15 Dec 1997	15 Dec 1997	—
1998 No. 51	23 Mar 1998	1 Apr 1998	—
1998 No. 70	24 Apr 1998	24 Apr 1998	—
1998 No. 97	21 May 1998	21 May 1998	—
1998 No. 160	25 June 1998	25 June 1998	—
1998 No. 208	1 July 1998	1 July 1998	—
1998 No. 320	1 Dec 1998	1 Dec 1998	—
2000 No. 193	25 July 2000	25 July 2000	R. 4
2000 No. 269	28 Sept 2000	28 Sept 2000	—
2001 No. 222	23 Aug 2001	23 Aug 2001	—
2002 No. 13	21 Feb 2002	21 Feb 2002	—
2002 No. 189	15 Aug 2002	15 Aug 2002	—
2003 No. 124	19 June 2003	19 June 2003	—
2003 No. 155	26 June 2003	26 June 2003	—
2003 No. 302	5 Dec 2003	5 Dec 2003	—
2004 No. 275	26 Aug 2004	26 Aug 2004	—

**Table of Amendments****Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

<b>Provision affected</b>	<b>How affected</b>
<b>Part 1</b>	
R. 1.01 .....	rs. 1998 No. 320
R. 1.02 .....	am. 1998 Nos. 51 and 97; 2003 No. 124
R. 1.02A.....	ad. 1998 No. 97
R. 1.03 .....	am. 1997 No. 113 rs. 1998 No. 51 am. 1998 No. 160
R. 1.04 .....	ad. 2000 No. 193
<b>Part 2</b>	
R. 2.01 .....	am. 1997 No. 177
R. 2.01A.....	ad. 1998 No. 97 am. 1998 No. 208
R. 2.03 .....	rs. 1997 No. 113 am. 1998 No. 160
R. 2.04 .....	rs. 1997 No. 177 am. 1998 No. 97
R. 2.05 .....	ad. 1997 No. 113 rs. 1997 No. 177
R. 2.06 .....	ad. 1997 No. 177
R. 2.07 .....	ad. 1997 No. 177
R. 2.08 .....	ad. 1997 No. 177 rep. 1997 No. 269
R. 2.09 .....	ad. 1997 No. 177 am. 1997 No. 269; 2003 No. 302
R. 2.10 .....	ad. 1997 No. 177
R. 2.11 .....	ad. 1997 No. 177
R. 2.12 .....	ad. 1997 No. 177 am. 1998 No. 97
R. 2.13 .....	ad. 1997 No. 177
R. 2.14 .....	ad. 1997 No. 177
R. 2.15 .....	ad. 1997 No. 177
R. 2.16 .....	ad. 1997 No. 177 rep. 1997 No. 269
R. 2.17 .....	ad. 1997 No. 177 am. 1997 No. 269
R. 2.18 .....	ad. 1997 No. 177 am. 2003 No. 124
R. 2.19 .....	ad. 1997 No. 177

**Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

<b>Provision affected</b>	<b>How affected</b>
R. 2.20 .....	ad. 1997 No. 177 am. 1998 No. 97
R. 2.21 .....	ad. 1998 No. 97 am. 2003 No. 124
<b>Part 3</b>	
Part 3 .....	ad. 1997 No. 104
<b>Division 3.1</b>	
Div. 3.1 of Part 3 .....	ad. 1997 No. 104
R. 3.01 .....	ad. 1997 No. 104
R. 3.02 .....	ad. 1997 No. 104
<b>Division 3.2</b>	
Div. 3.2 of Part 3 .....	ad. 1997 No. 177
R. 3.20 .....	ad. 1997 No. 177
R. 3.21 .....	ad. 1997 No. 177
R. 3.22 .....	ad. 1997 No. 177 am. 2002 No. 13
Note to r. 3.22 (3).....	rs. 2002 No. 13
R. 3.23 .....	ad. 1997 No. 177 am. 2002 No. 13
Note to r. 3.23 (2).....	rs. 2002 No. 13
R. 3.24 .....	ad. 1997 No. 177 am. 2002 No. 13
Note to r. 3.24 (4).....	rs. 2002 No. 13
R. 3.25 .....	ad. 1997 No. 177 am. 2002 No. 13
Note to r. 3.25 (4).....	rs. 2002 No. 13
R. 3.26 .....	ad. 1997 No. 177 am. 2002 No. 13
Note to r. 3.26 (2).....	rs. 2002 No. 13
R. 3.27 .....	ad. 1997 No. 177 am. 1998 No. 97; 2003 No. 124
<b>Part 5</b>	
R. 5.01A.....	ad. 1998 No. 97 am. 1998 No. 208; 2003 No. 155
R. 5.02 .....	am. 1997 No. 113
R. 5.02A.....	ad. 2004 No. 275
<b>Part 7</b>	
R. 7.03 .....	am. 1997 No. 367; 1998 No. 97
R. 7.03A.....	ad. 1998 No. 97
R. 7.05 .....	am. 1998 No. 208

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

<b>Provision affected</b>	<b>How affected</b>
<b>Part 8</b>	
Part 8 .....	ad. 1997 No. 367
R. 8.01 .....	ad. 1997 No. 367 rs. 2000 No. 193
R. 8.02 .....	ad. 1997 No. 367 am. 2000 No. 193
Note to r. 8.02 (4).....	ad. 2002 No. 13
R. 8.03 .....	ad. 1997 No. 367
Note to r. 8.03 (3).....	rs. 2002 No. 13
<b>Part 12</b>	
Part 12 .....	ad. 1998 No. 97
R. 12.01 .....	ad. 1998 No. 97 am. 1998 No. 208
<b>Schedule 1</b>	
Schedule 1 .....	am. 1997 Nos. 103 and 199 rs. 1998 No. 51 am. 1998 Nos. 70, 97, 160 and 320; 2000 No. 269; 2001 No. 222; 2002 No. 189; 2003 Nos. 124, 155 and 302
<b>Schedule 2</b>	
Schedule 2 .....	ad. 1997 No. 367 rs. 1998 No. 208 am. 2000 No. 193
<b>Schedule 3</b>	
Schedule 3 .....	ad. 1997 No. 367 rs. 1998 No. 208 am. 2000 No. 193

Table A

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**Table A                      Application, saving or transitional provisions**

**Statutory Rules 2000 No. 193**

**4            Transitional — financial year beginning on 1 July 2000**

- (1) In this regulation:
  - amended Regulations* means the *Airports Regulations 1997*, as amended by these Regulations.
- (2) In applying subregulation 8.02 (1) of the amended Regulations to Sydney (Kingsford-Smith) Airport for the financial year beginning on 1 July 2000:
  - (a) the following items of Part 1 of Schedule 3 have effect as if any mention of *the year* were a mention of the period beginning at the beginning of 1 August 2000 and ending at the end of 30 June 2001:
    - (i) items 2.1 to 2.6;
    - (ii) items 3.1 to 3.3;
    - (iii) items 8.1 and 8.2;
    - (iv) items 10.1 and 10.2; and
  - (b) the remaining items of Part 1 of Schedule 3 have effect as if any mention of *30 June in the year* were a mention of both 31 July 2000 and 30 June 2001.
- (3) In applying subregulation 8.02 (1) of the amended Regulations to an airport mentioned in subregulation 8.01 (2) of those Regulations for the financial year beginning on 1 July 2000:
  - (a) the following items of Part 2 of Schedule 3 have effect as if any mention of *the year* were a mention of the period beginning at the beginning of 1 August 2000 and ending at the end of 30 June 2001:
    - (i) items 2.2 and 2.3;
    - (ii) items 7.2 and 7.3;
    - (iii) item 8.2; and

**Table A**

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- (b) the remaining items of Part 2 of Schedule 3 have effect as if any mention of ***30 June in the year*** were a mention of both 31 July 2000 and 30 June 2001.