



Airports (Building Control) Amendment Regulations 2009 (No. 1)¹

Select Legislative Instrument 2009 No. 118

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Airports Act 1996*.

Dated 18 June 2009

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

ANTHONY ALBANESE
Minister for Infrastructure, Transport, Regional Development
and Local Government

1 Name of Regulations

These Regulations are the *Airports (Building Control) Amendment Regulations 2009 (No. 1)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of *Airports (Building Control) Regulations 1996*

Schedule 1 amends the *Airports (Building Control) Regulations 1996*.

Schedule 1 Amendments

(regulation 3)

[1] Subregulation 2.11 (7), including the notes

substitute

- (7) If a building activity is, or comprises part of, a major airport development for which a major development plan has been approved, or taken to be approved, under section 94 of the Act at the time of the application for approval of the building activity, the airport building controller is taken to have refused to approve the building activity if it has not given the applicant notice of its decision before the end of 28 days after:
- (a) if no further information is requested under subregulation (2) — receiving the application for approval of the building activity; or
 - (b) if further information is requested under subregulation (2) — receiving the further information.

- (8) If a building activity is, or comprises part of, a major airport development for which a major development plan had not been approved, or taken to be approved, under section 94 of the Act at the time of the application for approval of the building activity, the airport building controller is taken to have refused to approve the building activity if it has not given the applicant notice of its decision before the end of 28 days after:
- (a) if no further information is requested under subregulation (2) — the major development plan is approved, or taken to be approved, under section 94 of the Act; or
 - (b) if further information is requested under subregulation (2) after the major development plan is approved, or taken to be approved — receiving the further information.

Note 1 A proposed building activity could be affected by a requirement of the *Airports (Environment Protection) Regulations 1997*.

Note 2 Under subregulation (2A), an airport building controller must not request further information about a building activity that is, or comprises part of, a major development plan before it has been approved by the Minister.

[2] Regulation 6.01, table, item 1, column 2

substitute

Subregulations 2.11 (1), (6), (7) and (8) — refusal, or failure, to approve a building activity

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.