

Appendix 3 – Section 32AA Evaluation of Recommended Amendments

Table 1 – Amendments to Note 2 - Exemptions

Effectiveness and efficiency	- The recommended amendments to position the exemptions under the Rule header will provide greater certainty for Plan users and decision makers because there will be no confusion as to the force and effect of the exemptions. - The amendment is considered to be more effective and efficient than the notified provisions. Whilst none of the content of the exemptions has changed the amended placement of the exemptions will ensure they are more effectively and efficiently applied.
Costs/Benefits	- The intent of the exemptions has not changed, the amendment is considered technical in nature and has a resulting positive effect of reducing the potential for confusion, mis-interpretation and dispute over legal weighting. - Therefore there are not considered to be any increased costs associated with the proposed amendments.
Risk of acting or not acting	There is a risk that if the amendments are not made, then there may be some dispute or mis-interpretation as to the legal weighting and application of the exemptions.
Conclusion as to the most appropriate option	Overall the amendment is considered to be the most appropriate means of achieving the objectives.

Table 2 – Amendment to NOISE-R2

Effectiveness and efficiency	- The recommended amendment to advice note 3 aims to provide greater clarity around the use of helicopters in construction work and guidance on how the noise will be measured. - It is considered more efficient and effective than the previously recommended version due to increased clarity.
Costs/Benefits	There are not considered to be any costs associated with the recommended amendment which provides guidance only. However, there are benefits through increased clarity of interpretation.
Risk of acting or not acting	There is a risk that without the amendments the advice note is unclear and Plan users and decision makers are uncertain as to when helicopters used for construction work are covered by the rule and how the noise associated with them is measured.
Conclusion as to the most appropriate option	The proposed amendments are considered more effective and efficient at achieving the purpose of the objectives.

Table 3 – Amendments to AIRPZ-R1, NOISE-R9, NOISE-R10 and NOISE-R11

Effectiveness and efficiency	- The recommended amendments to AIRPZ-R1, NOISE-R9, NOISE-R10 and NOISE-R11 are technical in nature to provide increased clarity and direction for plan users and decision makers by ensuring the following: - It is clear that aviation activity includes agricultural aviation - It is clear that NOISE-R9 only applies to GRUZ & RLZ because these are the only zones where agricultural aviation is enabled. - That noise from aircrafts enabled by TEMP-R11 is also managed by NOISE-R10. - That NOISE-R11 does not erroneously refer to TEMP-R11 which is actually provided for in NOISE-R10.
Costs/Benefits	There will be no discernible costs associated with the amendments as they are technical in nature. However, there are benefits through improved plan useability and interpretation.
Risk of acting or not acting	The risk of not making these amendments is that there is confusion as to what provisions apply and whether agricultural aviation is also enabled at the airport.
Conclusion as to the most appropriate option	Overall, the amendments are the more efficient means of giving effect to the objectives than the notified version.

Table 4 – Amendment to TEMP-R11

Effectiveness and efficiency	The recommended amendment provides an alternative framework for non-compliance with the rule which allows for either a restricted discretionary pathway for non-compliance with certain activities, otherwise the activity will default to the zone rule provisions. The intent of the Temporary Activity Chapter is to provide for 'temporary' activities which is made clear. The amendments are therefore more efficient and effective at aligning with the intent of the Chapter and the structure of the PDP.
Costs/Benefits	The recommendation is to an amendment recommended through the s42A report which contains a more detailed analysis of the overall rule. However, this further amendment is considered to have limited costs and greater benefits in terms of plan integration and useability.
Risk of acting or not acting	There is a risk that without the amendment there would be a pathway for permanent aircraft or helicopter bases to seek consent through the Temporary Activity Chapter which is not appropriate as the Temporary Activity Chapter is just for 'temporary' activities.
Conclusion as to the most appropriate option	Overall, the amended framework is considered the most appropriate option to align with the structure of the PDP and give effect to the objectives of both the Temporary Activity Chapter but also the Noise and Zone Chapters.