

Roles and responsibilities of agencies and authorities in relation to aviation.

Please note: This summary is for information only and is not a statutory document.

The Tyabb Airfield Precinct Plan 2017 indicates that there are a number of agencies and authorities with roles and responsibilities relating to aviation in Australia.

A summary of the main agencies and their role is outlined below.

It is important to recognise that many of these bodies are primarily responsible for the regulation of larger airport facilities and controlled airspace, and have no formal role in relation to uncontrolled airspace and smaller facilities, such as the Tyabb Airfield. This is indicated in the following notes.

Department of Infrastructure and Regional Development (DIRD)

The [Department of Infrastructure and Regional Development](#) advises the Commonwealth government on the policy and regulatory framework for Australian airports and the aviation industry. The Department also provides policy advice to the Minister on the efficient management of aircraft noise, including regulatory oversight of:

- curfews which apply to night time aircraft operations at Sydney, Adelaide, Gold Coast and Essendon airports.
- the [Air Navigation \(Aircraft Noise\) Regulations 1984](#) as they apply to aircraft which do not meet Australian aircraft noise standards.

DIRD has no direct role in the management or regulation of the Tyabb Airfield but is responsible for advice to the (Federal) Minister on the general regulatory framework.

Civil Aviation Safety Authority (CASA)

[CASA](#) is an independent statutory authority with responsibility for the regulation of civil aviation operations in Australia and the operation of Australian aircraft overseas. CASA gives overriding consideration to air safety. Consideration of the environmental effects of

the activities it regulates are secondary to its safety-related obligations. Through the Office of Airspace Regulation, CASA also has responsibility for airspace regulation.

CASA is primarily responsible for aircraft safety and has issued guidelines – such as CAAP 92-1 Guidelines for Aeroplane Landing Areas, but has no direct role in the management of aircraft noise at the Tyabb Airfield.

Airservices Australia

[Airservices](#) Australia provides air traffic control, aviation rescue and firefighting as well as other related services to the aviation industry. This includes maintaining technology used by the industry for navigation and surveillance and aircraft noise monitoring.

Airservices has a major role in managing aircraft noise and distributing information about aircraft noise management, although its primary role is limited to controlled airspace.

Airservices has indicated that it is responsible for managing noise complaints nationally in both controlled and uncontrolled airspace.

While Airservices only has the ability to directly change what happens in controlled airspace, in uncontrolled airspace (such as Tyabb Airfield) if Airservices can identify any measure that may assist they will try to influence or persuade operators of aircraft and/or airports to take that action in order to alleviate the noise disturbance to residents.

Airservices also advises that Noise abatement procedures are in place for Tyabb Airport, this information is available on the [Airservices Australia website](#). Select En Route Supplement Australia (ERSA) then scroll down for Tyabb. The ERSA is regarded as part of the information that pilots are required to carry under the Civil Aviation Regulations 1988.

The Tyabb ERSA in turn refers to the [Fly Neighbourly Advice](#).

Aircraft Noise Ombudsman (ANO)

The Aircraft Noise Ombudsman (ANO) conducts independent reviews of Airservices Australia's and the Department of Defence's management of aircraft noise-related activities, including:

- the handling of complaints or enquiries made to Airservices Australia or Defence about aircraft noise
- community consultation processes related to aircraft noise
- the presentation and distribution of aircraft noise-related information

The ANO does not have responsibility for aircraft noise management at Tyabb Airfield (as it operates in uncontrolled airspace) but has provided general information and advice in the preparation of the Tyabb Airfield Precinct Plan.

State government

State governments determine planning frameworks for areas around airports to ensure that inappropriate developments are avoided where aircraft noise is (or could be in the future) particularly high. **However, in Victoria, there is no direct state government regulation of aviation, for example in relation to noise emissions from aircraft in flight.**

The Environment Protection Agency has produced non-statutory Noise Control Guidelines (ref : Publication 1254 October 2008). However, the EPA is only directly responsible for the regulation of noise produced by aircraft on-ground, under industrial and commercial noise controls.

Airport Managers

Airports ensure that noise-generating activities, such as ground running and helicopter take-offs, take place as far away as possible from residential areas. This helps minimise the noise impact on local communities.

Some airports have also worked with aircraft operators and local councils to develop 'Fly Neighbourly Agreements', which are voluntary codes that include measures to reduce the noise impact of aircraft operations on residential areas near airports.

The Peninsula Aero Club, as the owner of the land containing the major aviation facilities at Tyabb, has a role in the management of aircraft noise, and has sought to address this through the non-statutory [Fly Neighbourly Advice](#). The airfield operator

also has an obligation to comply with the conditions of the planning permits governing the use and development of the site.

Local Council

The primary role of a Local Council is as the responsible authority in the assessment of planning permit applications under the local planning scheme (subject to review by the Victorian Civil and Administrative Tribunal) and the subsequent enforcement of planning permit conditions.

The Council is also a Planning Authority for its municipal district (as is the Minister for Planning), and may seek amendments to the local planning scheme, including the introduction of new local policies and overlays

Council's also have general roles and responsibilities in relation to public health and amenity, under a range of legislation, however these powers are not specific to the control of aviation related activities.