

7.4 Airspace operations

General Information

The provision applies to all airports to which the Airports (Protection of Airspace) Regulations 1996 under Airports Act 1996 apply. Appropriate wording may be added if there is a need to apply the clause to more than one airport. Until further consultation is finalised with the Department of Defence military airfields are excluded from the application of this clause.

The affected area should be identified on the *Obstacle Limitation Surface (OLS) Map* and the *Procedures for Air Navigation Systems Operations Surface (PANS-OPS) Map* prepared by the airport operators and endorsed by the Commonwealth authority. As the Map can be amended at short notice subject to the change of airport operations it should not be included into the LEP in order to avoid the need for frequent LEP amendments.

Councils may wish to include a provision in their DCPs relating to other activities that may interfere with aircraft operations such as: intense artificial light, sunlight reflectivity of the façade material, air turbulence and wind shear, emission of smoke dust or steam and telecommunication, broadcasting or other radiating equipment that cause electromagnetic interference.

Councils may also wish to consult with the relevant airport authority and develop a management plan that would incorporate measures to minimise hazards related to wildlife activity in the vicinity of the airport. Developments that increase wildlife hazard are considered to be: a dam or reservoir (not being a water storage dam for a public authority), the handling or storage of grain, an abattoir, a stock and sale yard, a feed lot, waste disposal sites, landfill sites, wetlands and nature reserves.

When writing to the relevant Commonwealth body, councils should specify a time in which a reply is requested (e.g. 21 days) from receipt of council's letter.

- (1) The objectives of this clause are to:
 - (a) provide for the effective and on-going operation of the [Name] Airport by ensuring that such operation is not compromised by proposed development that penetrates the Obstacle Limitation Surface or the Procedures for Air Navigation Systems Operations Surface for that airport,
 - (b) protect the community from undue risk from the airport operation.
- (2) If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Obstacle Limitation Surface or the Procedures for Air Navigation Systems Operations Surface as shown on the Obstacle Limitation Surface Map or the Procedures for Air Navigation Systems Operations Surface Map for the [Name] Airport, the consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application.
- (3) The consent authority may grant development consent for the development if the relevant Commonwealth body advises that the:
 - (a) development will penetrate the Obstacle Limitation Surface or the Procedures for Air Navigation Systems Operations Surface but it has no objection to its construction, or
 - (b) development will not penetrate the Obstacle Limitation Surface or the Procedures for Air Navigation Systems Operations Surface.
- (4) The consent authority must not grant development consent for the development, if the relevant Commonwealth body advises that the development will penetrate the

Obstacle Limitation Surface or the Procedures for Air Navigation Systems Operations Surface and should not be constructed.

(5) In this clause:

relevant Commonwealth body means the body that is responsible for development approvals for development that penetrates the Obstacle Limitation Surface or the Procedures for Air Navigation Systems Operations Surface for the [Name] Airport under Commonwealth legislation.
