

CHAPTER 5 – OVERLAY CODES

PART 13 OPERATIONAL AIRSPACE AND AVIATION FACILITIES OVERLAY CODE

Division 1 Applicability of the Operational Airspace and Aviation Facilities Overlay Code

1.1 This code applies to development:-

- (1) that is located¹ in “operational airspace footprint”, “aviation facility buffer area” or “wildlife hazard buffer area” shown on *Overlay Code Map 13 - Operational Airspace and Aviation Facilities*; and
- (2) referred to as “code assessable” in Tables 5.13.1 or 5.13.2 below.

Division 2 Assessment Tables for the Operational Airspace and Aviation Facilities Overlay Code

2.1 Assessment Categories for the Operational Airspace and Aviation Facilities Overlay Code

The assessment categories are identified for development in Column 2 of Tables 5.13.1 or 5.13.2, as follows:-

- (1) Table 5.13.1 - Material Change of Use and Associated Works² for uses listed in Column 1; or
- (2) Table 5.13.2 - Other Development not associated with a Material Change of Use³ listed in Column 1.

Note: Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see Chapter 1, Part 1, Division 4, Section 4.8(3) explaining how the higher assessment category prevails.

2.2 Relevant Assessment Criteria for Development Affected by the Operational Airspace and Aviation Facilities Overlay Code

- (1) The relevant assessment criteria in the overlay code are referred to in Column 3 of Tables 5.13.1 and 5.13.2.
- (2) For development requiring code assessment, the relevant assessment criteria are applicable codes.

Table 5.13.1: Assessment Categories and Relevant Assessment Criteria for the Operational Airspace and Aviation Facilities Overlay Code – Material Change of Use and Associated Works²

COLUMN 1 Uses ⁴	COLUMN 2 Assessment category	COLUMN 3 Relevant assessment criteria - applicable code for code assessable development
All Defined and Undefined Uses	Wildlife Hazard Buffer	
	Code Assessable – if the development incorporates the on-site processing or disposal of putrescible waste.	<ul style="list-style-type: none"> Operational Airspace and Aviation Facilities Overlay Code
	Operational Airspace Footprint	
	Code Assessable – if <ol style="list-style-type: none"> 1. the development processes involve the release of emissions which discharge at a velocity of more than 4.3m per second when measured at the point of discharge OR <ol style="list-style-type: none"> 2. the development incorporates building work which extends above 110m AHD⁵. 	<ul style="list-style-type: none"> Operational Airspace and Aviation Facilities Overlay Code
	Airspace Above Operational Airspace Footprint	
	Code Assessable – if the development incorporates the	<ul style="list-style-type: none"> Operational Airspace and Aviation Facilities Overlay Code

COLUMN 1 Uses ⁴	COLUMN 2 Assessment category	COLUMN 3 Relevant assessment criteria - applicable code for code assessable development
	movement of objects through the airspace above a level of 110m AHD ⁵ .	
	Aviation Facilities Buffer	
	Code Assessable – if the development incorporates building work which extends above 770m AHD ⁵ .	<ul style="list-style-type: none"> Operational Airspace and Aviation Facilities Overlay Code
All Other Defined and Undefined Uses	Exempt	

Table 5.13.2: Assessment Categories and Relevant Assessment Criteria for the Operational Airspace and Aviation Facilities Overlay Code – Other Development not Associated with a Material Change of Use³

COLUMN 1 Type of Development	COLUMN 2 Assessment category	COLUMN 5.13.2 Relevant assessment criteria - applicable code for code assessable development
Building Work (other than <i>minor building work</i>)	Operational Airspace Footprint	
	Code Assessable – if building work extends above 110m AHD ⁵ .	<ul style="list-style-type: none"> Operational Airspace and Aviation Facilities Overlay Code
	Aviation Facilities Buffer	
	Code Assessable – if building work extends above 770m AHD ⁵ .	<ul style="list-style-type: none"> Operational Airspace and Aviation Facilities Overlay Code
Minor Building Work	Exempt ⁸	
All Other Development	Exempt	

Division 3 Compliance with the Operational Airspace and Aviation Facilities Overlay Code

3.1 Assessable development that is consistent with the specific outcomes contained in Division 5, Table 5.13.3 complies with the Operational Airspace and Aviation Facilities Overlay Code.

Division 4 Overall Outcomes for the Operational Airspace and Aviation Facilities Overlay Code

4.1 The overall outcomes are the purpose of this code.

4.2 The overall outcomes sought by the Operational Airspace and Aviation Facilities Overlay Code are the following:-

- (1) The safety of aircraft using operational airspace is not compromised by development impacts; and
- (2) The operation of aviation facilities is not compromised by development impacts.

Division 5 Specific Outcomes for the Operational Airspace and Aviation Facilities Overlay Code

5.1 The specific outcomes and probable solutions for the Operational Airspace and Aviation Facilities Overlay Code are contained in Table 5.13.3. The elements covered by the specific outcomes are:-

- (1) Siting and Height of Buildings, **Structures** and Other Objects;
- (2) Transient/Intermittent Activities;
- (3) Emission Standards; and
- (4) Wildlife Impacts.

Table 5.13.3 Specific Outcomes and Probable Solutions for Assessable Development

Specific Outcomes for Assessable Development	Probable Solutions
Siting and Height of Buildings, Structures and Other Objects	
SO 1 Temporary and permanent buildings, structures and other objects do not adversely affect the operation of aircraft within operational airspace ⁶ .	PS 1 No solution provided.
SO 2 Temporary and permanent buildings, structures and other objects do not adversely affect the operation of aviation facilities ⁷ .	PS 2 Buildings and other structures within 500m of the communications masts/towers on land described as Special Lease 27/34463, Portion 80 within State Forest 809, Parish of DUNDAS, County of Stanley, do not extend above 770m AHD (Australian Height Datum) ⁵ .
Transient/Intermittent Activities	
SO 3 Dynamic activities which involve movement of objects through airspace are undertaken in a manner which does not adversely affect the operation of aircraft within operational airspace.	PS 3 No solution provided.
Emission Standards	
SO 4 Emissions resulting from development processes do not significantly increase air turbulence within operational airspace or adversely affect, to a significant extent, visibility or engine operation of aircraft travelling within operational airspace.	PS 4 No solution provided.
Wildlife Impacts	
SO 5 Development is undertaken in a manner which does not attract wildlife, particularly flying vertebrates, in significant numbers into operational airspace.	PS 5 No solution provided.

¹ This overlay code does not apply if the proposed development is outside the mapped areas.

² Table 5.13.1 refers to material change of use and associated works undertaken at the same time as the material change of use. Also, see planning scheme explanatory notes giving examples that explain the type of development involved in different proposals.

³ Table 5.13.2 refers to other development including works not undertaken at the same time as the material change of use. Also, see **planning scheme** explanatory notes giving examples that explain the type of development involved in different proposals.

⁴ For defined uses see Chapter 7, Part 2, Use Definitions Schedule.

⁵ Contact the Queensland Department of Natural Resources, Mines and Energy for the location and elevation of the nearest permanent survey mark.

⁶ "Operational airspace" has the meaning given in *State Planning Policy 1/02 "Development in the Vicinity of Certain Airports and Aviation Facilities"* and for the purposes of this code, includes that space above the operational airspace footprint shown on *Overlay Code Map 5.13 - Operational Airspace and Aviation Facilities*.

⁷ "Aviation facilities" has the meaning given in *State Planning Policy 1/02 "Development in the Vicinity of Certain Airports and Aviation Facilities"*.

⁸ Exempt building work may still require a building development approval from a building certifier under the Building Act.

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