

18 December 2019

General Manager
Aviation Environment
Department of Infrastructure, Transport, Cities and
Regional Development
GPO Box 594
Canberra ACT 2601

Dear Mr Wolfe

Re: Implementation Review of the National Airports Safeguarding Framework

I am writing to advise you of the work undertaken by the NT Department of Infrastructure, Planning and Logistics on behalf of the Northern Territory Government, to implement the National Airports Safeguarding Framework (NASF) into the NT planning framework.

At the National Airports Safeguarding Advisory Group (NASAG) meeting on 21 August 2019, it was requested that Government agencies provide an update on how the NASF guidelines are being implemented into their planning system. Please find attached an overview of how the Department of Infrastructure, Planning and Logistics is implementing the NASF Guidelines (Attachment A) set out in accordance with the NASF Implementation Review Terms of Reference.

If you have any questions or would like to discuss these comments in further detail, please do not hesitate to call George Maly on 8999 3937.

Yours sincerely



Douglas Lesh
Senior Director, Planning

Terms of reference	Comment
<p><i>Whether the NASF has been/is being embedded in legislation/regulations?</i></p>	<p>Guideline A: Managing Aircraft Noise</p> <p>Provisions of Guideline A are contained within planning regulations via clause 6.9 (Land In Proximity to Airports) of the NT Planning Scheme.</p> <p>Clause 6.9 applies to land near the NT's three major aerodromes, Darwin, Katherine and Alice Springs for which the ANEF contour maps are available as a graphic layer on the zoning maps within the NT Planning Scheme.</p> <p>The "AS 2021 – 2000 Australian Standard Acoustics" table for siting of buildings against aircraft noise intrusion that relates to Clause 6.9 and the ANEF contours is listed in the Schedule to Clause 2.8 (Reference to Guidelines) of the Scheme. Guidelines referenced by the Scheme are available at:</p> <p>https://nt.gov.au/property/building-and-development/nt-planning-scheme/northern-territory-planning-scheme/referenced-documents-guidelines</p> <p>Guideline B: Managing Building Generated Windshear and Turbulence</p> <p>Risk from windshear and turbulence generated by buildings is primarily managed through height controls of the NT Planning Scheme and through the existing referral and consultation process.</p> <p>Currently any structure over 8.5m requires consent and development proposals involving buildings over 8.5m in height proposed in the vicinity of key airports (or within the Guideline's "trigger template area") are referred to the relevant airport stakeholders and CASA for comment and advice</p> <p>Any concerns are addressed by the consent authority ("decision maker" under the Planning Act) as part of the development assessment process or via conditions of approval.</p> <p>Guideline C: Managing Wildlife Strike Risk</p> <p>Recommendations of Guideline C are also contained within clause 6.9 (Land In Proximity to Airports) of the Scheme. Subclause 6.9.5 precludes the use or development of land in the manner, which would attract birds or bats to an extent that prejudices the safe operation of an airport.</p> <p>Guideline D: Managing Wind Turbine Risk to Aircraft</p> <p>The management of risk to aircraft from wind turbines is addressed through height controls of the NT Planning Scheme and through the related referral and consultation process.</p>

Terms of reference	Comment
<p><i>Cont....Whether the NASF has been/is being embedded in legislation/regulations?</i></p>	<p>Guideline E: Managing Pilot Lighting Distraction</p> <p>Recommendations of Guideline E are contained within clause 6.9 (Land In Proximity to Airports) of the Scheme. Subclause 6.9.4 precludes the use or development of lighting on land within flight approach paths so as not to prejudice the safe operation of an airport.</p> <p>Guideline F: Managing Protected Airspace Intrusion;</p> <p>Similar to Guideline B, risk of intrusion into protected airspace is primarily managed through height controls of the NT Planning Scheme and the consultation and referral processes.</p> <p>Buildings or structures proposed in the vicinity of key NT airports that are over 8.5m in height are referred to Airport operators including Department of Defence and CASA for comment, particularly where these are located in areas identified in the NT Defence (Areas Control) Regulations. Defence regulations are also referenced in guidance notes provided next to relevant clauses in the Scheme provisions.</p> <p>Guideline G: Communications, Navigation and Surveillance</p> <p>Provisions of Guideline G are reflected in regional land use and area plans, which refer to height restrictions for land near airports, particularly the defence/civilian joint user airports in Darwin and Katherine.</p> <p>Guideline H: Protecting Strategically Important Helicopter Landing Sites</p> <p>Protection of safe helicopter flightpaths from tall buildings is currently addressed through height controls of the NT Planning Scheme and through the related referral and consultation process.</p> <p>The Department has identified helicopter-landing sites at Darwin, Alice Springs and Katherine Hospitals as strategically important due to their function in relation to medical emergencies. Discussions with helicopter operators who use these selected helipads, such as Careflight, regarding the implementation of Guideline H in the NT Planning Scheme in an overlay format is ongoing.</p> <p>Guideline I: Managing the Risk in Public Safety Areas at the Ends of Runways</p> <p>Public safety within proximity of airport flight paths has long been recognised in the NT Planning Scheme as an important objective in the regulation of land use in the vicinity of airports. Zone RD (Restricted Development) of the NT Planning Scheme applies to land on the east and west side of Darwin International Airport as well as at the ends of the majority of other runways in the Northern Territory.</p>

Attachment A – NT Submission to NASF implementation review

Terms of reference	Comment
<i>Cont....Whether the NASF has been/is being embedded in legislation/regulations?</i>	<p>The RD zone has been in place for over 10 years, prior to the introduction of draft Guideline I, and already prohibits most types of development at the end of runways in the NT.</p> <p>The Berrimah North Area Plan, adopted in the NT Planning Scheme in December 2014 includes a Public Safety Zone on land east of the Darwin International Airport and RAAF Base Darwin, and includes principles that respond to land use constraints associated with Darwin International Airport and RAAF Base Darwin.</p>
<i>Whether the NASF is reflected in policy, guidance and any other planning advice?</i>	Provisions of Guidelines A, C and E are also reflected in relevant regional land use and area plans, which contain land use policy with respect to land near airports.
<i>What impediments (if any) have there been to full implementation?</i>	<p>Incorporation of provisions of Guideline H into the NT Planning Scheme is currently in progress in consultation with Hospitals and helicopter operators.</p> <p>Adoption of Guideline B will be reviewed as trigger area templates proposed by the Guideline are updated.</p> <p>The Northern Territory supports the endorsement of Guideline I as it relates to civilian aviation facilities. The NT has previously expressed concern over recommendations of Guideline I regarding the establishment of Military PSZs for land near Defence Airports, which would likely affect Katherine and Darwin airports. The Northern Territory will continue to work with Defence and the Commonwealth to resolve issues around implementation.</p>
<p><i>The level of awareness, consideration and use of the NASF principles and Guidelines A to I by relevant government agencies, public and private airport operators</i></p> <p><i>And</i></p> <p><i>The level of industry and community stakeholder awareness and familiarity with the NASF framework and guidelines.</i></p>	<p>Given that NASF is implemented in the NT Planning Scheme which applies to all zoned land in Northern Territory there is a high level of awareness amongst local and shire governments, strategic airport operators and the development industry. This Department will continue to consult with CASA, Defence, airport operators and other stakeholders on the implementation of NASF and its Guidelines.</p> <p>Clause 6.9 has been implemented in the NT Planning Scheme since 2016 and considered to be a standard planning provision for the control of land use on land near the NT's major airports. The provisions of Clause 6.9 (Land In Proximity to Airports) of the NT Planning Scheme are recognised by industry and community stakeholders as important and necessary for addressing risks posed to airport and aircraft operations.</p> <p>NT Planning Scheme is currently under review however and one option considered as part of amendments to the requirements of clause 6.9 is to reform the provisions of the clause into a new "overlay" format.</p>