

Airport referrals and pre-lodgement agreements

This fact sheet provides information about referrals to the Commonwealth Secretary for the Department of Transport and Regional Services (DTRS) and associated pre-lodgement agreements.

It is produced by the Planning and Land Use Services (PLUS) Planning and Development section of the Attorney-General's Department (AGD), which offers a free pre-lodgement case management service.

When are development proposals referred to the Commonwealth Secretary for the Department of Transport and Regional Services?

A referral is necessary when the height of a proposed building or structure will – or is likely to – penetrate the Obstacle Limitation Surface (OLS).¹

Airspace above the OLS is protected for aviation safety. Proposed buildings or structures exceeding this surface must be approved by the Commonwealth Secretary of DTRS, as required under the [Airports Act 1996](#).

Such developments may be approved if they do not compromise safety.

As a referral agency DTRS can direct the planning authority to refuse a development application or approve a development under certain conditions.

This power of direction can therefore ultimately determine the outcome of the application. For more information on referral types see *Fact Sheet – Referral agencies and pre-lodgement agreement*.

What is the role of Adelaide Airport Limited in the referral process?

Adelaide Airport Limited administers and facilitates the assessment and approval process for all development applications affecting airspace above the OLS.

It considers the merits of a proposal's impact on aviation safety and operations, and provides advice to the applicant and the approval authority.

It also coordinates comments and advice from the Civil Aviation Safety Authority (CASA) and Airservices Australia, which are then provided to the Commonwealth Secretary of DTRS for assessment and approval.

¹ DIT approval may be required for future aerials, masts and cranes even where the building or structure does not penetrate the OLS. Advisory notes may be added to any planning consent to flag the possible need for such approval.

What is the referral and assessment process?

1. The application is referred to the Commonwealth Secretary of DTRS through Adelaide Airport Limited for assessment.
2. Adelaide Airport Limited seeks comments and advice from CASA and Airservices Australia.
3. Adelaide Airport Limited forwards its own comments and advice, along with those of CASA and Airservices, to DTRS.
4. Unless further information is needed DTRS makes a decision on the proposal within 28 days of receiving the comments and forwards its decision to the approval authority.

DTRS cannot approve a building, structure or aerial if CASA advises it would have an unacceptable effect on the safety of existing or future airport operations.

Can Adelaide Airport Limited issue a development approval?

No, the State Planning Commission (SPC) is the approval authority for development proposals eligible for the pre-lodgement process.

However, DTRS may direct the assessing authority to refuse the proposal to ensure the operational safety of the airport.

How does the referral process work during pre-lodgement?

Our pre-lodgement service helps you manage referrals to, and negotiate pre-lodgement agreements with, DTRS.

Pre-lodgement agreements can preclude the need for referrals during the formal assessment process. This can significantly reduce assessment timelines and provide you with greater certainty.

If you are using the pre-lodgement service, your case manager will advise whether or not a referral is needed.

If you do need a referral your case manager will contact Adelaide Airport Limited on your behalf, forward the relevant documents and arrange for a representative to take part in a pre-lodgement panel – if required – to discuss your proposal and any related issues.

What if I do not use the pre-lodgement service?

If you lodge your development application directly with the SPC and do not get a pre-lodgement agreement your application will be subject to the statutory referral process – which currently takes 20 business days.

If the material you provide with your development application – such as final building heights – is incomplete when lodged the application may be subject to ‘stop-the-clock’ provisions while further information is requested. This may delay your project.

What material is required for assessment?

Your development proposal should include the following information – for both pre-lodgement and lodgement directly with the approval authority:

- site location details
- elevations and external materials and finishes
- a detailed description of the proposed development
- details of the proposed development's maximum height above the Australian Height Datum (AHD)
- details of flue exhausts – such as location and discharge rate.

Additional information may be requested by aviation bodies.

Separate approval is required for mobile and tower crane operations. An application should be made in writing to Adelaide Airport Limited at least 8 weeks before you plan to use the crane. The approval process generally takes 4 to 6 weeks.

In some cases the approval authority may require a report by an aeronautical engineer demonstrating the proposed development will not affect airport operational safety.

Your case manager will discuss with you the level of detail required to support your proposal during the pre-lodgement process.

How can I determine if my building or structure will penetrate protected airspace?

Refer to the Airport Building Heights (Regulated) Overlay in the [Planning and Design Code](#) or turn on the Airport Building Heights Overlay in the South Australian Property and Planning Atlas (SAPPA) at sappa.plan.sa.gov.au.

The values shown are in Australian Height Datum (AHD) – commonly known as 'above sea level'. A surveyor can help determine the level of your site in AHD.

Further information

You can download a pre-lodgement pack from plan.sa.gov.au/en/pre-lodgement or ask PLUS Planning and Development section to mail it to you.

To discuss your needs, contact:

Our Inner Metro Development Assessment Team

Call 1800 752 664

Email PlanSA@sa.gov.au

Adelaide Airport Limited

Call (08) 8308 9211

www.adelaideairport.com.au

Adelaide City Council – Development Assessment Team

Call (08) 8203 7203

www.adelaidecitycouncil.com/planning-development/city-planning/

Airservices Australia

[Contact us - Airservices \(airservicesaustralia.com\)](http://airservicesaustralia.com)

Commonwealth Department of Transport and Regional Services

Call 1800 075 001

www.infrastructure.gov.au/aviation