

45.02 AIRPORT ENVIRONS OVERLAY

Shown on the planning scheme map as **AEO** with a number.

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To identify areas which are or will be subject to high levels of aircraft noise, including areas where the use of land for uses sensitive to aircraft noise will need to be restricted.

To ensure that land use and development are compatible with the operation of airports in accordance with the appropriate airport strategy or master plan and with safe air navigation for aircraft approaching and departing the airfield.

To assist in shielding people from the impact of aircraft noise by requiring appropriate noise attenuation measures in new dwellings and other noise sensitive buildings.

To limit the number of people residing in the area or likely to be subject to significant levels of aircraft noise.

45.02-1 Use of land

Any requirement in a schedule to this overlay must be met.

45.02-2 Construction of buildings

Any new building must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-1994, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by the Standards Association of Australia.

Note: In Section 3 of Australian Standard AS 2021-1994, Table 3.3 refers to both building types and activities within those buildings. Each building type listed has its ordinary meaning and should not be interpreted as defined in this scheme.

45.02-3 Subdivision

A permit is required to subdivide land.

An application to subdivide land must be referred to the airport owner under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the airport owner.

45.02-4 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Whether the proposal will result in an increase in the number of dwellings and people affected by aircraft noise.
- Whether the proposal is compatible with the present and future operation of the airport in accordance with the appropriate airport strategy or master plan.

- Whether the design of the building incorporates appropriate noise attenuation measures.
- The views of the airport owner or, in the case of Melbourne Airport, the lessee of the airport lease for Melbourne Airport in accordance with the *Commonwealth Airports Act 1996*.

45.02-5 Referral Authority

If a schedule to this overlay requires an application to be referred under Section 55 of the Act to the airport owner in relation to the operation of Melbourne Airport, the airport owner is the lessee of the airport lease for Melbourne Airport in accordance with the *Commonwealth Airports Act 1996*.

Notes:

Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check the requirements of the zone which applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.