Amendment 02-2026 of the State Planning Provisions
Alignment with Commonwealth Airports legislation

1. In C16.4 Use or Development Exempt from this code, in clause C16.4.1 add the additional subclause, as shown in the table.

Clause	Amendment
C16.4.1 Use or Development Exempt from this code	In Clause C16.4.1, amend the exempt requirements by inserting the text shown underlined below: C16.4.1 The following use or development is exempt from this code: (a) development that is: (i) not more than the AHD height specified for the site of the development in the relevant airport obstacle limitation area; <u>or</u> (ii) <u>a lateral addition attached to an existing building, if the building does not increase in height above the obstacle limitation surface by more than the existing building.</u>

2. In C16.6 Development Standards for Buildings and Works, in clause C16.6.1 A1 add the additional subclause, as shown in the table.

Clause	Amendment
C16.6.1 Buildings and works within an airport obstacle limitation area	In Clause C16.6.1, amend the requirements by inserting the text shown underlined below: **C16.6.1 Buildings and works within an airport obstacle limitation area** **A1** Buildings and works within an airport obstacle limitation area associated with a Commonwealth-leased airport that exceed the specified height limit shown on the airport obstacle limitation area overlay applicable for the site of the development must have approval from the relevant<u>:</u> <u>(a)</u> Commonwealth department under the *Airports Act 1996* (Commonwealth)<u>; or</u> <u>(b)</u> <u>delegate of the Commonwealth-leased Airport under the *Airports (Protection of Airspace) Regulations 2026* (Commonwealth).</u>