

From: [Safeguarding](#)
To: [Anne Qin](#)
Subject: RE: Request for Pre-Exhibition Discussion - Georges River Local Environmental Plan 2020 [SEC=UNOFFICIAL]
Date: Thursday, 12 March 2020 1:08:22 PM

UNOFFICIAL

Hello Anne

Thank you for your recent email seeking the Department's pre-exhibition comment on the draft Georges River LEP.

My comments will specifically address Sections 6.7 and 6.8 of the draft LEP which relate to aviation matters.

Section 6.7 (5) – to align phraseology with the Commonwealth *Airports Act 1996* and Airports (Protection of Airspace) Regulations 1996 (APARs) the Department suggests the term “development approvals” be amended to “controlled activity” approvals. It is not the Department's role to approve off-airport development but to provide approval for the intrusion of a controlled activity into prescribed airspace.

Section 6.8 (3) (b) and (c) – reference to the Australian Standard 2021 could be pared back to just AS2021 or updated to reflect the most recent version which is AS2021-2015.

Section 6.8 (4) definitions – ANEF contour – clarification – ANEF contours for the leased federal airports, including Sydney Airport, are included in an airport's Master Plan which is reviewed periodically. As part of the master planning process the ANEF contours are assessed for technical accuracy and endorsed by Airservices Australia (not the Department).

In a broader context, it should be noted that under Regulation 8 of the APARs Council is required to notify Sydney Airport of relevant development applications. In order to meet the state imposed statutory timeframes for development applications Council may wish to amend 6.7 (2) to reflect this “notification” process **but in issuing approvals for these developments note the approval is conditional on the proponent receiving the required controlled activity approval from the Department.** For example –

If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless it has notified the operator of Sydney Airport.

Hope this information is of assistance. Happy to discuss.

Regards

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The department proudly acknowledges the Traditional Owners and Custodians of Australia, and their continuing connections to the land, waters and communities. We pay our respects to them and to their Elders past, present and emerging.

