



Figure 3: Land reserved for acquisition by Council (marked in yellow) for the purpose of road construction on the corner of Bigge Street and Elizabeth Street, Liverpool.

Source: Council GIS

Council is in the process of developing an alternative traffic pattern for Liverpool City Centre as part of an LEP review process. This aims to ameliorate future pressure on the Bigge Street/Elizabeth Street intersection, notwithstanding the increased traffic pressure that would be introduced were the subject site developed to its full potential pending the rezoning of the site proposed by this planning proposal.

As a result, Council wishes to relinquish its interest in purchasing the land and seeks to have the reservation of the land depicted in Figure 3 removed from the site.

6. *Revision of clause 7.17 of LLEP 2008*

As noted above, DIRD requested that Council replace clause 7.17 of LLEP 2008 *Development in flight paths* with the following clause 7.17 *Airspace operations*. As a result, Council submits this amended Planning Proposal pursuant to Section 58 of the EP&A Act 1979. The new draft clause reads as follows:

7.17 Airspace operations

- (1) *The objectives of this clause are to:*
 - (a) *Provide for the effective and ongoing operation of the Bankstown Airport by ensuring that such operation is not compromised by proposed development that penetrates the Obstacle Limitation Surface or the Procedures for Air Navigation Systems Operation Surface for that airport;*
 - (b) *Protect the community from undue risk from that airport operation.*
- (2) *Development consent must not be granted to undertake a controlled activity on land located under the prescribed airspace of Bankstown airport unless the airport has been consulted and the relevant Commonwealth body has granted approval under relevant*

Commonwealth legislation.

- (3) *The consent authority may grant development consent for the intrusion into prescribed airspace if the relevant Commonwealth body has issued an approval under relevant Commonwealth legislation. The consent authority must not grant consent to a controlled activity if an approval is not granted by the relevant Commonwealth body.*
- (4) *In this clause:*

prescribed airspace of an airport means the Obstacle Limitation Surface (OLS) and the Procedures for Air Navigation Services Aircraft Operations Surfaces (PANS/OPS) or any airspace declared by the relevant Commonwealth body under relevant Commonwealth legislation

relevant Commonwealth body means any body of the Commonwealth having responsibility for airports under Commonwealth legislation.

controlled activity means

- Construction of permanent structures, such as but not limited to, buildings, vents, aerals, poles that intrude into prescribed airspace;
- Construction of temporary structures, such as cranes, that intrude into prescribed airspace; and
- Any activities causing intrusions into the prescribed airspace through glare from artificial light or reflected sunlight, air turbulence from stacks or vents, smoke, dust, steam or other gases or particulate

Part 3- Justification

A. Need for the planning proposal

Is the planning proposal a result of any strategic study or report?

This planning proposal is not the result of any strategic study or report commissioned by Council or any other government entity. It is based on a rezoning application lodged by the proponent to rezone the site.

It is to be noted however, that Liverpool City Council has begun the "Building Our New City" program which aims to revitalise the city centre. The proponent has argued that the proposed rezoning will support the objectives of this program of creating greater vibrancy in the city centre and supporting the recreational functions of Bigge Park by activating the site at all hours, potentially increasing the surveillance of the park from proposed adjacent residential use.