



## Australian Government

### Department of Infrastructure, Regional Development and Cities

File reference: F17/968-40

TO	CC	FROM
Madeleine Lloyd <b>Walker Corporation</b> <a href="mailto:Madeleine.Lloyd@walkercorp.com.au">Madeleine.Lloyd@walkercorp.com.au</a>	Mr David Binskin <b>Sydney Metro Airports</b> <a href="mailto:David.Binskin@bankstownairport.com.au">David.Binskin@bankstownairport.com.au</a>  <b>Civil Aviation Safety Authority</b> <a href="mailto:airspace.protection@casa.gov.au">airspace.protection@casa.gov.au</a>  <b>Airservices Australia</b> <a href="mailto:airport.developments@airservicesaustralia.com">airport.developments@airservicesaustralia.com</a> <a href="mailto:ifp@airservicesaustralia.com">ifp@airservicesaustralia.com</a>  <b>City of Parramatta</b> <a href="mailto:council@cityofparramatta.nsw.gov.au">council@cityofparramatta.nsw.gov.au</a>	Flysafe <b>Airspace Protection</b> <a href="mailto:flysafe@infrastructure.gov.au">flysafe@infrastructure.gov.au</a>

#### DECISION UNDER THE AIRPORTS (PROTECTION OF AIRSPACE) REGULATIONS 1996

**Proposed Activity:** Construction of a building

**Location:** 4 Parramatta Square, Parramatta NSW

**MGA 94 Coordinates:** E 315 300; N 6 256 400

**Proponent:** Walker Corporation

I refer to the application from Walker Corporation (the Proponent), received by the Department of Infrastructure, Regional Development and Cities (the Department) on 28 November 2018 from Sydney Metro Airports (SMA). This application sought approval under the Airports (Protection of Airspace) Regulations 1996 (the Regulations) for the intrusion of a building at 4 Parramatta Square, Parramatta NSW (the site) into airspace which, under the Regulations, is prescribed airspace for Bankstown Airport. The proposed development was previously approved by the Department on 19 October 2016 for a maximum height of 164.1 metres above the Australian Height Datum (AHD). This application seeks to vary the approval to increase the height of the building to **170.4 metres AHD**.

Under regulation 6(1), 'prescribed airspace' includes 'the airspace above any part of either an Obstacle Limitation Surface (OLS) or Procedures for Air Navigation Services - Aircraft Operations (PANS-OPS) surface for the airport'.

The Conical Surface of the OLS above this site is at a height of 156 metres above the Australian Height Datum (AHD) and hence prescribed airspace above the site commences at 156 metres AHD. At a maximum height of 170.4 metres AHD, the building will penetrate the OLS by 14.4 metres.

Accordingly, the construction of the building constitutes a “controlled activity” under Section 182 of the *Airports Act 1996* (the Act). Section 183 of the Act specifies that controlled activities cannot be carried out without approval. Details of the penetration of prescribed airspace are provided in Table 1.

Table 1: Height and location of the proposed activity that will intrude into prescribed airspace for Bankstown Airport.

Activity	MGA 94 Coordinates	Maximum height (AHD)	Penetration of prescribed airspace
Building	E 315 300; N 6 256 400	170.4 metres	14.4 metres

Regulation 14 provides that a proposal to carry out a controlled activity must be approved unless carrying out the controlled activity would interfere with the safety, efficiency or regularity of existing or future air transport operations into or out of the airport concerned. Regulation 14(1)(b) provides that an approval may be granted subject to conditions.

Under the Regulations, the Secretary of the Department is empowered to make decisions in relation to the approval of controlled activities, and impose conditions on the approval. I am the Secretary’s Delegate for the purposes of the Regulations.

### **Decision**

In accordance with regulation 14, **I approve** the controlled activity for the intrusion of a building at 4 Parramatta Square, Parramatta NSW into prescribed airspace for Bankstown Airport to a **maximum height of 170.4 metres AHD**.

In making my decision, I have taken into consideration the opinions of the Proponent, the Civil Aviation Safety Authority, Airservices Australia’s advice number YSBK-CA-026 and BAL.

In accordance with regulation 14(1)(b), I impose the following conditions on my approval:

1. The building **must not exceed** a maximum height of **170.4 metres AHD**, inclusive of all lift over-runs, vents, chimneys, aerials, antennas, lightning rods, any roof top garden plantings, exhaust flues etc.
2. The building **must be obstacle lit** by medium intensity steady red lighting during the hours of darkness at the highest point of the building. Obstacle lights are to be arranged to ensure the building can be observed in a 360 degree radius as per subsection 9.4.3 of the Manual of Standards Part 139 – Aerodromes (MOS). Characteristics for medium intensity lights are stated in subsection 9.4.7 of Part 139 of the MOS.
3. The Proponent **must ensure** obstacle lighting arrangements have a remote monitoring capability, in lieu of observation every 24 hours, to alert Bankstown Airport reporting staff of any outage. For detailed requirements for obstacle monitoring within the OLS of an aerodrome, refer to subsection 9.4.10 of Part 139 of the MOS.
4. The Proponent **must advise** Airservices Australia at least three business days prior to the controlled activity commencing by emailing <ifp@airservicesaustralia.com> and quoting YSBK-CA-026.

5. Separate approval **must be sought** under the Regulations for any equipment (i.e. cranes) required to construct the building. Construction cranes may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Regulations. Therefore, it is advisable that approval to operate construction equipment (i.e. cranes) be obtained prior to any commitment to construct.
6. On completion of construction of the building, the Proponent **must provide** SMA with a written report from a certified surveyor on the finished height of the building.

**Breaches of approval conditions are subject to significant penalties** under Sections 185 and 187 of the Act.

In accordance with regulation 16, **I revoke** the original approval of 19 October 2016 as it is now superseded by this approval.

Yours sincerely



Lachlan Phillips  
A/g General Manager, Aviation Environment  
Aviation and Airports Division

*17th*  
December 2018