



Australian Government

Department of Infrastructure, Transport, Regional Development and Communications

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TO	CC	FROM
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DECISION UNDER THE AIRPORTS (PROTECTION OF AIRSPACE) REGULATIONS 1996

Proposed Activity: Crane Operation – Hammerhead Tower Crane

Location: 52 Scott Street, Liverpool NSW

MGA 94 Coordinates: E 308037.706; N 6244215.348

Proponent: Built Pty Ltd

I refer to the application from Built Pty Ltd (the Proponent), received by the Department of Infrastructure, Transport, Regional Development and Communications (the Department) on 16 April 2020 from Sydney Metro Airports (SMA). This application sought approval under the Airports (Protection of Airspace) Regulations 1996 (the Regulations) for the intrusion of a hammerhead tower crane at 52 Scott Street, Liverpool NSW (the site) into airspace which, under the Regulations, is prescribed airspace for Bankstown Airport.

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 125 metres above the Australian Height Datum (AHD) and hence prescribed airspace above the site commences at 125 metres AHD. At a maximum height of 135.9 metres AHD, the crane will penetrate the OLS by up to 10.9 metres.

Accordingly, the proposed operation of the crane would constitute 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 proposed activity at the site that will intrude into prescribed airspace for Bankstown Airport.

Activity	MGA 94 Coordinates	Maximum height (AHD)	Penetration of prescribed airspace
Crane Operation	E 308037.706; N 6244215.348	135.9 metres	10.9 metres

The crane is to be used to construct a building which will not intrude into prescribed airspace for Bankstown Airport.

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 hammerhead tower crane at 52 Scott Street, Liverpool NSW into prescribed airspace for Bankstown Airport to a **maximum height of 135.9 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-044 and SMA.

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

1. The crane **must not exceed** a maximum height of **135.9 metres AHD**.
2. The crane may engage in operations which will cause it to intrude into prescribed airspace **only** as follows:
 - from **1 June 2022 to 30 June 2023**.
3. The crane **must be obstacle marked** in alternating red and white bands of colour in accordance with subsection 8.10.2 of the Civil Aviation Safety Regulations 1998 Manual of Standards - Part 139 Aerodromes (the MOS), or it should be lit with flashing white obstacle lighting during daylight hours.
4. The crane **must be obstacle lit** with medium intensity steady red lighting at night at the highest point of the structure and at the end of the boom. Obstacle lights are to be arranged to ensure the lighting can be observed in a 360° radius as per subsection 9.4.3 of the MOS. Characteristics for medium intensity lights are stated in subsection 9.4.7 of the MOS.
5. The Proponent **must ensure** the obstacle lighting is monitored. For detailed requirements for the monitoring of obstacle lights within the aerodrome's OLS refer to subsection 9.4.10 of the MOS.

6. The Proponent **must ensure** obstacle lighting is maintained in serviceable condition and any outage immediately reported to SMA.
7. The Proponent **must give** SMA at least two business days notice prior to the crane being erected above 125 metres AHD. SMA needs to ensure that a Notice to Airmen (NOTAM) has been issued regarding the crane's height and location, in accordance with paragraph 7.1.4.3 of the MOS.
8. 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-044.
9. The Proponent **must provide** SMA with surveyed as installed details including the height of the crane after it is erected.
10. At the end of the project the Proponent **must notify** SMA of the dates and hours for the removal of the crane and give a minimum of two business days notice.

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

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal line extending to the right.

Sharyn Owen
Director, Airspace Protection & Safeguarding
Aviation and Airports Division

24 April 2020