



Australian Government

**Department of Infrastructure, Transport,
Regional Development, Communications, Sport and the Arts**

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DECISION UNDER THE AIRPORTS (PROTECTION OF AIRSPACE) REGULATIONS 1996

Proposed Activity: Construction of a building
Location: UNSW G25 Education Building, Kensington NSW
Coordinates: E 336719; N 6245535 (MGA 94)
Proponent: University of New South Wales

I refer to the application from NSW Planning & Environment on behalf of University of New South Wales (the Proponent), received by the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (the Department) on 20 September 2025 from Sydney Airport Corporation Limited (SACL). This application (SACL Ref. 25/0307) sought approval under the Airports (Protection of Airspace) Regulations 1996 (the Regulations) for the intrusion of a building at UNSW G25 Education Building, Kensington NSW (the site) into airspace which, under the Regulations, is prescribed airspace for Sydney Airport.

The proposed development was previously approved by the Department on 14 October 2025 for the incorrect maximum height of 120.8 metres above the Australian Height Datum (AHD). This approval states the correct height of **107.8 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 75 metres AHD and hence prescribed airspace above the site commences at 75 metres AHD. At a maximum height of 107.8 metres AHD, the building will penetrate the OLS by 32.8 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 Sydney Airport.

Activity	Coordinates (MGA 94)	Maximum height (AHD)	Penetration of prescribed airspace
Building – G25	E 336719; N 6245535	107.8 metres	32.8 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 UNSW G25 Education Building, Kensington NSW into prescribed airspace for Sydney Airport to a **maximum height of 107.8 metres AHD**.

In making my decision, I have taken into consideration the opinions of the Proponent, the Civil Aviation Safety Authority (F25/7490-67), Airservices Australia (advice number Airservices advice number) and SACL.

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 **107.8 metres AHD, including 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 obstacle lighting during the hours of darkness and periods of low visibility at the highest point of the building. Obstacle lights are to be arranged as per Section 9.31 of the Civil Aviation Safety Regulations 1998 – Part 139 (Aerodromes) Manual of Standards (MOS). Characteristics for medium intensity lights are described in Section 9.33 of the MOS.
3. The proponent **must ensure** obstacle lighting is maintained in serviceable condition and any outage immediately notified to SACL.
4. 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 Section 9.36 of the MOS.

5. Separate approval **must be sought** under the Regulations for any equipment (e.g. cranes, concrete pumps) required to construct the building. Construction cranes or concrete pumps 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 (e.g. cranes, concrete pumps) be obtained prior to any commitment to construct.

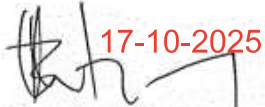
It is understood that two applications for tower cranes are being considered in conjunction with this application.

6. The Proponent **must advise** Airservices Australia at least three business days prior to the controlled activity commencing by emailing ifp@airservicesaustralia.com and quoting Airservices advice number.
7. The Proponent **must advise** SACL at least seven business days prior to the constructed height of the building reaching 75 metres AHD. From this date, the following lighting condition **must be met** at all times:
 - If at any time after the height of the building has reached 75 metres AHD, the crane(s) used to construct the building are removed and no other crane(s) are in place then the Proponent **must arrange** for the highest point of the building to be obstacle lit with a medium intensity steady red obstacle light during hours of darkness and periods of low visibility at the highest point of the building. The obstacle lights **must be arranged** to ensure the lighting can be observed in a 360 degree radius as per Section 9.31 of the Civil Aviation Safety Regulations 1998 – Part 139 (Aerodromes) Manual of Standards (MOS).
8. Following completion of the building, the Proponent **must advise** SACL, in writing:
 - a) that the future owner(s)/manager(s) of the building **have been informed** of their **obligation to maintain** the obstacle lighting in accordance with conditions of this approval; and
 - b) the contact details of the person/position **responsible for the maintenance** of the obstacle lighting. These details **must be reviewed regularly** and kept up to date.
9. On completion of construction of the building, the Proponent **must provide** SACL with a written report from a certified surveyor on the finished height of the building.
10. A separate assessment and approval under the Regulations will be required for any further addition to the height of the building (including the installation of antennas) as it will increase the penetration of the OLS.

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 14 October 2025 as it is superseded by this approval.

Yours sincerely



17-10-2025

Brendon Montgomery
A/g Director
Airspace Protection & Airport Safeguarding
Domestic Aviation & Reform

17 October 2025