



Australian Government

Department of Infrastructure and Regional Development

File reference: 13/7683

TO: Mr Mark Ciano Brookfield Multiplex Mark.Ciano@brookfieldmultiplex.com	Cc: Peter Bleasdale Sydney Airport peter.bleasdale@syd.com.au Jessica Neidert Airservices Australia Jessica.neidert@airservicesaustralia.com Joe Hain Civil Aviation Safety Authority Joe.Hain@casa.gov.au Jane Flanagan NSW Dept of Planning and Infrastructure jane.flanagan@planning.nsw.gov.au	FROM: Flysafe Aerodromes Precincts flysafe@infrastructure.gov.au
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DECISION UNDER THE AIRPORTS (PROTECTION OF AIRSPACE) REGULATIONS 1996:

Proposed Activity: Building construction: Multi-storey building

Location: 1 Carrington Street, Sydney NSW

Proponent: Brookfield Multiplex

I refer to the application from Brookfield Multiplex (the proponent), received by the Department on **4 September 2013** from Sydney Airport Pty Ltd (SACL). This application sought approval under the Airports (Protection of Airspace) Regulations 1996 (the Regulations) for the intrusion of a multi-storey building at **1 Carrington Street, Sydney NSW (the site)**, into airspace which, under the Regulations, is prescribed airspace for Sydney Airport.

‘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’ (see subregulation 6(1)).

The outer horizontal surface of the OLS above this site is at a height of **156 metres AHD** and hence prescribed airspace above the site commences at **156 metres AHD**. At a maximum height of **159.7 metres AHD** the proposed building will penetrate the OLS by **3.7 metres AHD**.

Accordingly, the construction of building would constitute a “controlled activity” under Section 182 of the *Airports Act 1996* (the Act). Section 183 of the Act requires 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 building at the site that will intrude into prescribed airspace for Sydney airport and details of the penetration of prescribed airspace

Building	MGA 94 coordinates for corner of the building closest to the take-off and approach surfaces of the OLS for Sydney Airport	Maximum height (AHD)	OLS Penetration
1 Carrington Street, Sydney NSW	E 334 117; N 625 1319	159.7m	3.7m

Attachments A1-A3 show the locations, coordinates and height of the proposed building which will intrude into prescribed airspace at the site.

I sought additional information which was provided on 27 September 2013.

Under the Regulations, the Secretary is empowered to make decisions in relation to the approval of controlled activities, and the imposition of conditions on approvals. I have been delegated the Secretary's powers under the Regulations.

Decision

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. Paragraph 14(1)(b) provides that an approval may be granted subject to conditions.

In making my decision, I have taken into consideration the opinions of the proponent, SACL, the Civil Aviation Safety Authority (CASA) and Airservices Australia (Airservices).

Pursuant to paragraph 14(1)(b), I have decided to **approve the proposal, subject to the conditions set out below.**

I impose the following conditions on my approval:

1. The building must not exceed a maximum height of 159.7 metres AHD, inclusive of the building maintenance unit, all lift over-runs, vents, chimneys, aerials, antennas (of whatever type), lightning rods, roof top garden plantings, construction cranes etc.
2. The proponent must arrange for a certified surveyor to notify SACL of the finished height (in metres AHD) and the coordinates of the building.

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

Recommendation

I recommend that the proponent should seek an approval under the Regulations for any equipment or cranes to be used on the site that will intrude into prescribed airspace before entering into a commitment to construct any building at the site.

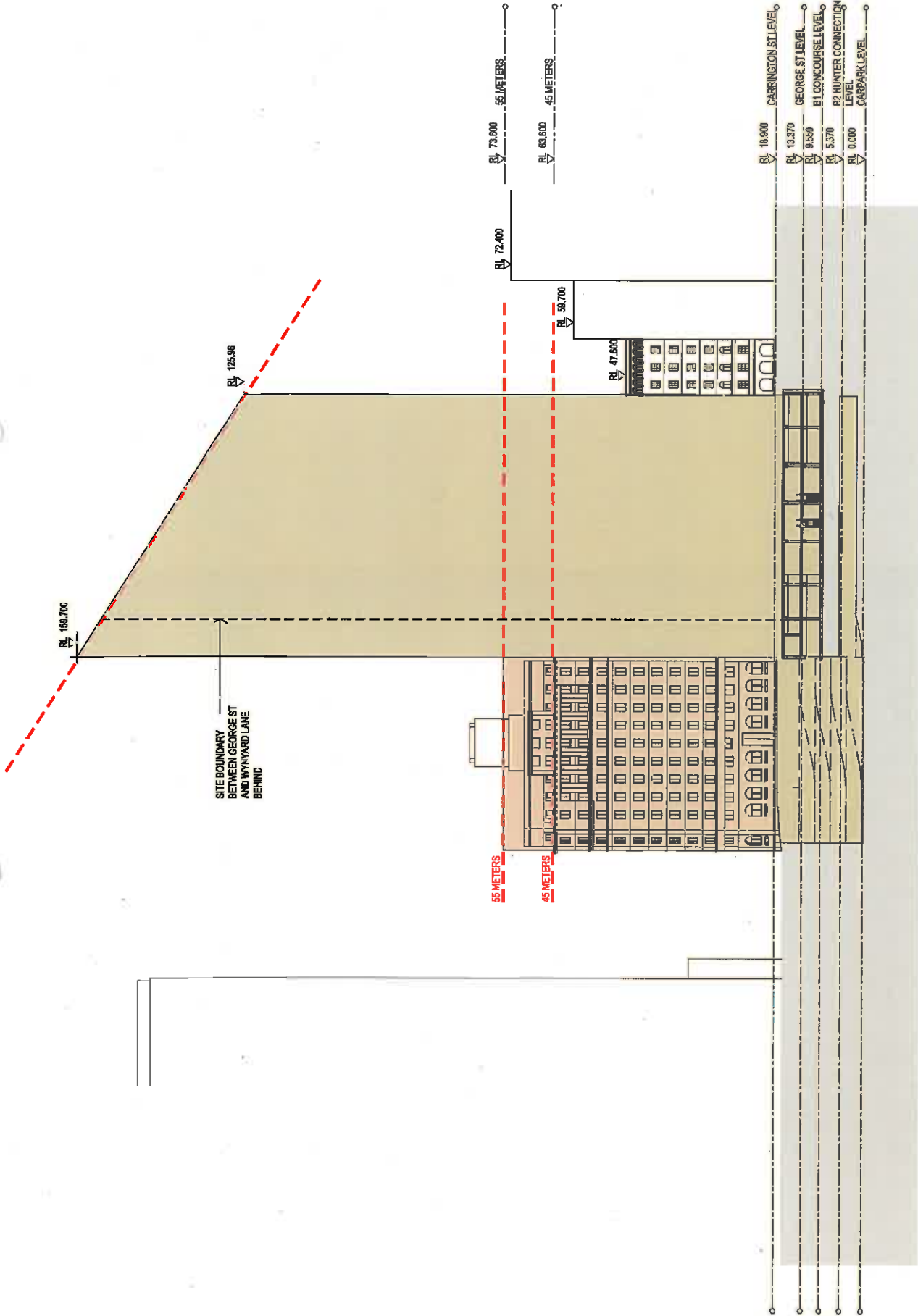
Yours sincerely

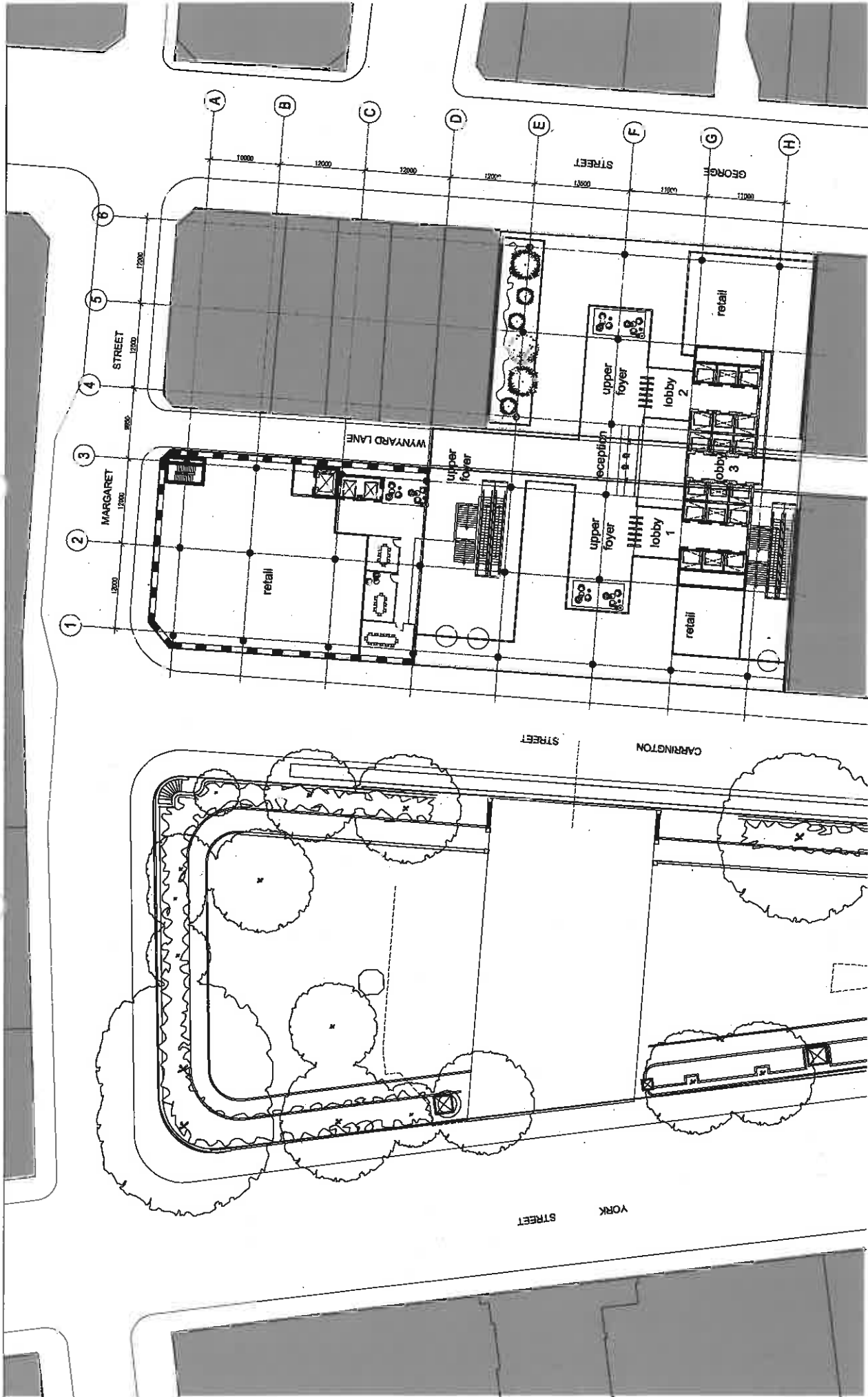


Dilip Mathew
Director - Aerodrome Precincts
Aviation and Airports Division

2 October 2013







PROPOSED

Client

THAKRAL HOLDING GROUP

Project

CITYONE WYNYARD

Drawing

PROPOSED PLAN - YORK ST

Drawing No

SK-011

Project No

PSA 7468A

Date

04.01.2011

Scale

1:500 @ A3

Drawn By

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