



Reg No.: 24/0305

Tuesday, 30 April 2024

To: The Secretary

Dear Sir / Madam,

Application for approval of a controlled activity pursuant to:

s.183 Airports Act - Referral to the Secretary under Reg 11(2) of the Airports (Protection of Airspace) Regulations 1996

Proposed Activity: PROPERTY DEVELOPMENT

Location: 161-179 PRINCES HIGHWAY & EDEN
STREET ARNCLIFFE

Proponent: THOMPSON GCS PTY LTD

Sydney Airport has received the attached application for approval by the Secretary.

The controlled activity is as set out in **Schedule 1**.

Sydney Airport is required to invite submissions from CASA & Airservices as well as the Airlines within 7 days of receiving the application. Sydney Airport therefore sought submissions regarding the proposed activity from those entities. Their submissions (if received) are set out in **Schedule 2**.

Where submissions have not been received from any one of the prescribed entities, this has been stated in **Schedule 2**. You may of course wish to contact such entities, the Proponent or Sydney Airport for further information under Regulation 15(1). In that case the time for giving notice of your decision is extended to 28 days from when you receive such information. Sydney Airport requests that you advise it of any such requests for information.

Sydney Airport's comments on the application are set out in **Schedule 3**.

We look forward to your notice of determination of the application and reasons for your decision

Sydney Airport

Sydney Airport Corporation Limited ACN 082 578 809 — The Nigel Love Building, 10 Arrivals Court, Locked Bag 5000
Sydney International Airport NSW 2020 Australia — Telephone +61 2 9667 9111 — sydneyairport.com.au

SYD Classification: Confidential

having regard to the matters set out in Regulation 13 and the effect that the controlled activity, if carried out, would have on the efficiency or regularity of existing or future air transport operations into or out of Sydney Airport.

Sincerely,

A handwritten signature in dark ink, appearing to read 'PBleasdale', written in a cursive style.

Peter Bleasdale

Manager, Airfield Infrastructure Technical Planning

Sydney Airport

Schedule 1

Details of Application for Approval Of Controlled Activity By Secretary

Controlled Activity Details

Registration No:	24/0305
Date:	11/04/2024
Description:	PROPERTY DEVELOPMENT
Location:	161-179 PRINCES HIGHWAY & EDEN STREET ARNCLIFFE
MGA94 Co-ord E:	328835
MGA 94 Co-ord N:	6243193
Start Date:	
Finish Date:	
BCR (m):	15.24
Ground Height (m) (AHD):	26
OLSType:	INNER HORIZONTAL
OLS (m)(AHD):	51
Dev/Equipt Height (m) (AEGH):	75.3
Dev/Equipt Height (m) (AHD):	101.3
Penetration (m):	50.3

Applicant Details

Applicants Ref No.:		File No:	
Applicant	THOMPSON GCS PTY LTD	Proponent:	Arncliffe Eden Property Pty Ltd
Contact	Dr Ian Thompson	Contact:	Conor McBrien
Address		Address:	
Suburb		Suburb:	
Postcode	0	Postcode:	0
Phone	0418 304 493	Phone:	0415 579 323
Email	ithompson@thompsongcs.com	Email:	conor.mcbrien@billbergia.com.au

Schedule 2

Regulatory Bodies' Submissions on The Proposed Activity

1. CASA:

CASA has assessed the proposed development at 161-179 Princes Highway and Eden Street, Arncliffe.

The height of the proposed building at this site, including antennas and other equipment, is 101.3m above AHD or 75.3 m Above Ground Level (AGL). At this height the proposed building will infringe the inner horizontal surface by 50.3 m.

CASA advises that the proposed development has been determined as a hazard to aircraft operations under the regulation 139.180(1) of the Civil Aviation Safety Regulations 1998 and will therefore require the following mitigations:

- I. It must be obstacle lit by medium intensity flashing red lighting during the hours of darkness at the highest point of the building. Obstacle lights are to be arranged as per section 9.31 of the Part 139 (Aerodromes) Manual of Standards (MOS). Characteristics for medium intensity lights are stated in subsection 9.33 of MOS.
- II. The proposed obstacle lighting system must incorporate an alarm system that will provide remote monitoring to notify the person responsible for the maintenance of the obstacle lighting.
- III. The designated person must be available 24 hours per day, 7 days per week. Immediate action must be taken to repair the obstacle lighting and notify Sydney Airport of any outage.
- IV. The contact details of the person responsible for the maintenance of the obstacle lighting must be sent to Sydney Airport prior to the completion of the building and must be kept up to date.
- V. In the event of the obstacle lighting being inoperable, the person responsible for the maintenance of the obstacle lighting is to immediately contact the Sydney Airport Airfield Operations Supervisor on 0419 278 208 or 9667 9824.

CASA assessment is conducted independent of airspace procedure and Airservices advice. Any additional requirements imposed by a procedure designer or by Airservices following their assessment must be complied with.

Any future addition to the height of the building (including the installation of additional antennas) will infringe the PANS-OPS surfaces and will not be permitted.

2. Airservices:

Airservices are yet to provide an assessment.

3. Airlines:

VIRGIN - The proposed property development at 161-179 PRINCES HIGHWAY & EDEN STREET ARNCLIFFE with a maximum height of 101.30 m AHD will not affect any of our special engine out procedures.

Virgin Australia Airlines has no objection pursuant to Air Services Australia indicating the proposed development will not adversely affect the existing airspace procedures, the performance of any navigational aids, sector or circling altitudes or any Communication/ Navigation/ Surveillance (CNS) facilities. Where any of these facilities or procedures are impacted, Sydney Airport shall expect a revised assessment from Virgin Australia for this proposed development.

REX - This Property Development will have NO IMPACT on REX Operations

QANTAS - This proposed development will not impact Qantas departures.

JETSTAR - The proposed buildings will have no performance impact on Jetstar operations.

Schedule 3

Sydney Airport's Comment of The Proposed Activity

Sydney Airport does not support the development of any permanent structure that intrudes into the Obstacle Limitation Surfaces as defined by the International Civil Aviation Organization (ICAO). The Obstacle Limitation Surfaces were developed to ensure the safety of aircraft operations in the vicinity of airports, and these surfaces should be protected to maintain the safety of present and future aircraft operations.

Furthermore, Sydney Airport believes that the approval of developments that penetrate the OLS allows for the increase in height of other adjacent potential developments using the shielding principle, which compounds the issues surrounding Airspace Protection.

At a maximum height of 101.3m AHD, the proposed development will penetrate the OLS by approx. 50.3 metres.

If the Department decides to approve the proposed development, we recommend that the following minimum conditions be imposed on that approval, which the Department is entitled to do under r14 (3) of the Regulations.

We believe that these conditions are in the interests of the safety, efficiency and regularity of air transport operations at Sydney Airport:

At the completion of the construction of the building, a certified surveyor is to notify (in writing) the Sydney Airport Manager, Airfield Spatial & Technical Planning of the finished height of the building.

With regards to CASA's obstacle lighting requirements, the proponent has provided the following obstacle light monitoring procedure:

- The obstacle lighting will incorporate an alarm system that will provide remote monitoring to notify the person responsible for their maintenance.
- The designated person will be available 24 hours per day, 7 days per week.
- Action will be taken to repair the obstacle lighting within 12 hours of the light not operating.
- The contact details of the person responsible for the monitoring of the obstacle lighting will be sent prior to the building being completed to Sydney Airport, and will be kept up to date.
 - Business name – Arncliffe Eden Property
 - Contact name – Conor McBrien
 - Phone number -0431 156 249
 - Email address - conor.mcbrien@billbergia.com.au
- In the event of the obstacle lighting being inoperable, the person responsible for the maintenance of the obstacle lighting will immediately contact the Sydney Airport Airfield Operations Supervisor on 0419 278 208 or 9667 9824.
- Once the obstacle lighting is again working, the person responsible for the maintenance of the obstacle lighting will notify the Sydney Airport Airfield Operations Supervisor.

AEP confirms the suggested procedure above will be used. Should there be any changes in management procedure, AEP will inform Sydney Airport Airfield Operations of the proposed changes for both parties to agree, acting reasonably.

Sydney Airport requests the above procedure be included as a condition in any approval provided by the Department.

Separate approval must be sought under the Airports (Protection of Airspace) Regulations 1996 for any cranes required to construct the buildings. 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 Airports (Protection of Airspace) Regulations, therefore Sydney Airport advises that approval to operate construction equipment (ie cranes) should be obtained prior to any commitment to construct.