



Australian Government

Department of Infrastructure and Regional Development

File Reference: 14/329

Mr Ben Lusher
Acting Director
Key Site Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Ms Sara Roach

Dear Mr Lusher

Request for comments on Modification Application for Barangaroo Concept Plan (MP06_0162 MOD8) and proposed State Environmental Planning Policy Amendment (Barangaroo) 2015

I refer to your letter of 16 March 2015 to Mr Adam Sutherland seeking comments on the Modification Application for Barangaroo Concept Plan (MP06_0162 MOD8) and proposed State Environmental Planning Policy Amendment (Barangaroo) 2015 (SEPP). Mr Sutherland has forwarded your letter to me as this matter is the responsibility of my Branch.

I note that the Environmental Assessment Report (Report) submitted by the proponent, Lend Lease (Millers Point) Pty Limited, in support of the application addresses prescribed airspace for Sydney Airport at section 9.19 and concludes that the proposed Modification will not affect the operations of Sydney Airport and is acceptable from a safety perspective in regard to Sydney Airport's prescribed airspace.

While this section makes reference to the Airports (Protection of Airspace) Regulations 1996 (Regulations) it doesn't specifically note the need to obtain approval for any intrusion into Sydney Airport's prescribed airspace under the Regulations. I do note however, that the Report states that the requirement for separate approvals covering crane activity and any necessary lighting on the building or crane is a routine practice.

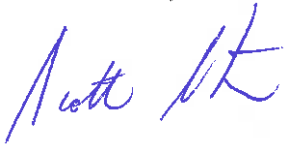
You should note that approval for controlled activities including buildings and crane activity are necessary under the Regulations following assessment by the Civil Aviation Safety Authority (CASA) and Airservices Australia. Specific requirements for lighting or marking of buildings or cranes can be imposed as conditions to the building approval under paragraph 14 (1)(b) of the Regulations and breaches of approval conditions are subject to significant penalties under sections 185 and 187 of the *Airports Act 1996*. It is important that any such applications are properly considered under the

Regulations so that any safety impacts and lighting and marking requirements can be properly informed by specialist advice from aviation agencies.

The Department of Infrastructure and Regional Development (Department) recommends that proponents seek approval for construction cranes when they seek approval for the building, or if that is not possible to be aware that that approval for cranes may be limited by the physical characteristics of the airspace and require careful consideration and management. Where a proposed crane will intrude into the Procedures for Air Navigation Services - Aircraft Operations (PANS-OPS) surface the Regulations only permit the Department to give an approval for up to three months and that is subject to the support of the airport operator.

Thank you for the opportunity to comment on this application. Should you have any questions about this matter please contact Sue Strickland on 6274 6751 or sue.strickland@infrastructure.gov.au.

Yours sincerely



Scott Stone
General Manager
Aviation Environment

1 May 2015