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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:** 74 Rickard Road, Bankstown NSW  
**MGA 94 Coordinates:** E 318425.68; N 6245553.38  
**Proponent:** Built Pty Ltd

I refer to the application from Built Pty Ltd (the Proponent), received by the Department of Infrastructure, Transport, Cities and Regional Development (the Department) on 26 April 2021 from Sydney Metro Airports Pty Ltd. This application sought approval under the Airports (Protection of Airspace) Regulations 1996 (the Regulations) for the intrusion of a tower crane at 74 Rickard Road, Bankstown NSW (the site) into airspace which, under the Regulations, is prescribed airspace for Bankstown Airport.

The proposed activity was previously approved by the Department on 18 November 2019 for operations to a maximum height of 108.1 metres Australian Height Datum (AHD) from 1 January 2021 to 23 May 2021 and to a maximum height of 125 metres AHD from 24 May 2021 to 23 August 2021.

This application seeks to vary the dates of crane operation to a maximum height of 108.1 metres AHD from 13 May 2021 to 30 November 2021 and to a maximum height of 125 metres AHD from 1 December 2021 to 28 February 2022.

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 Inner Horizontal Surface of the OLS above this site is at a height of 51 metres above the Australian Height Datum (AHD) and hence prescribed airspace above the site commences at 51 metres AHD. At a maximum height of 125 metres AHD, the tower crane will penetrate the OLS by up to 74 metres.

The PANS-OPS surface above this site is at a height of 108.2 metres AHD. At a maximum height of 125 metres the tower crane will penetrate the PANS-OPS by up to 16.8 metres. The PANS-OPS intrusion is for a period of less than three months.

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 OLS	Penetration of PANS-OPS
Hammerhead Tower Crane	E 318425.68; N 6245553.38	108.1 metres	57.1 metres	nil
		125 metres	74 metres	16.8 metres

The crane is to be used to construct a building which was approved by the Department on 18 November 2019 that will intrude 55.78 metres 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 activities for the intrusion of a hammerhead tower crane at 74 Rickard Road, Bankstown NSW into prescribed airspace for Bankstown Airport to a **maximum height of 125 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-039 and SMA.

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

1. The crane may engage in operations which will cause it to intrude into prescribed airspace **only** as follows:
  - to a maximum height of **108.1 metres AHD** from **13 May 2021 to 30 November 2021**;
  - to a maximum height of **125 metres AHD** from **1 December 2021 to 28 February 2022**.

2. The crane **must be obstacle marked** in alternating red and white bands of colour in accordance with section 8.11 of the Civil Aviation Safety Regulations 1998 Manual of Standards - Part 139 Aerodromes (the MOS), or they should be lit with flashing white obstacle lighting during daylight hours.
3. The crane must be obstacle lit at night with a medium intensity steady red light at the highest point of the structure as per section 9.31 of the Part 139 (Aerodromes) Manual of Standards (MOS) and with a low intensity steady red light at the front end of the boom.
4. The Proponent **must ensure** the obstacle lighting has a remote monitoring capability, or SMA is to monitor the ongoing availability of the obstacle lighting. For detailed requirements for the monitoring of obstacle lights within the aerodrome's OLS refer to subsection 9.36 of the MOS.
5. The Proponent **must ensure** obstacle lighting is maintained in serviceable condition and any outage immediately reported to SMA.
6. The Proponent **must give** SMA at least two business days notice prior to the crane being erected above 51 metres AHD. SMA needs to ensure that a Notice to Airmen (NOTAM) has been issued regarding the crane height and location, in accordance with section 7.18 of the MOS.
7. A NOTAM **must be raised** by Airservices during the time of crane operation at heights above 108.2 metres AHD up to the maximum of 125 metres AHD to increase the CAT A & B Circling minima at Bankstown Airport by 60 feet from 750-(716-2.4) to 810(776-204) as described in Airservices advice YSBK-CA-039 on 1 November 2019.
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-039.
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.

Please note the original approval of 18 November 2019 is no longer in effect as it is superseded by this approval.

Yours sincerely



Sarah Tink  
Director  
Demand Management and Protection of Airspace  
Aviation and Airports

11 May 2021