

28 February 2017

Ms Ann-Maree Carruthers
Director, Urban Renewal (Sydney Metro)
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Dear Ms Carruthers

Re: Bayside West Precincts – draft Land Use and Infrastructure Strategy

Thank you for the opportunity to comment on the *Draft Land Use and Infrastructure Strategy for the Bayside West Precincts* (the draft strategy).

Sydney Airport commends the Department of Planning and Environment (DPE) for preparing the draft strategy.

Given its proximity to our western boundary, the area of most interest to Sydney Airport is the part of the Bayside West precincts known as Cooks Cove which, in turn, is divided into a northern and southern precinct.

Sydney Airport recently made a supportive submission to Bayside Council concerning a development application covering the Cooks Cove southern precinct. With respect to the Cooks Cove northern precinct, the draft strategy recommends that the existing trade and technology zone within part of that precinct be reviewed "...to determine how it can be redeveloped, providing new homes and jobs in an attractive, liveable and convenient place." Sydney Airport supports this review, with some sensible precautions related to aviation safety and airport-related matters, as we believe it will substantially improve the amenity of the area and provide an improved outcome for Cooks Cove and the local community. .

Prior to preparing a planning proposal, the draft strategy recommends that a new study be prepared for the Cooks Cove northern precinct. The requirements for this study are detailed in section 9 of the draft strategy.

One study requirement is to investigate the potential to strengthen Cooks Cove's relationship with Sydney Airport, with a view to complementing its activities and maximising opportunities for success.

With this in mind, we believe there are opportunities to permit some aviation and airport-related activities in the Cooks Cove northern precinct. These would complement those occurring on the airport itself and be compatible with the other proposed mixed land uses, including residential and commercial.

Sydney Airport also supports the NSW Government's proposed WestConnex motorway, which will improve access to the airport and port from Western and South-western Sydney. It will be important to ensure development of the motorway is not adversely affected by future development at Cooks Cove. The draft strategy recognises this point.

We look forward to continuing to engage with DPE, the proponent and Bayside Council as the study proceeds and preparation of the planning proposal gets underway.

Our comments—which address the land use and infrastructure related issues outlined in the draft strategy—are shown at **Attachment A**. More detailed comments will be provided at the planning proposal stage.

If you would like to discuss this submission further, please contact Sydney Airport's Head of Government and Community Relations, Mr Ted Plummer, on (02) 9667 6182 or at ted.plummer@syd.com.au.

Yours sincerely



Kerrie Mather

Managing Director & Chief Executive Officer

Sydney Airport comments – Draft Land Use and Infrastructure Strategy for the Bayside West Precinct

1. Comments concerning the proposed key considerations

The issues in this section of the draft strategy relevant to Sydney Airport are: (a) airport associated employment land uses; (b) aircraft noise; (c) airspace requirements; and (d) pedestrian and cycling connections. We also believe the National Airports Safeguarding Framework and its seven guidelines should be included as a key consideration.

(a) Airport associated employment land uses

The draft strategy states that:

“The close proximity of Sydney Airport presents opportunities to locate supporting and associated land uses within the precincts. This could include airport logistic and freight industries but also other associated industries such as housing and services to support airport workers and short-term accommodation and services for visitors. ...

Further assessment of the Cooks Cove Precinct should take the proximity of the airport into consideration when determining the appropriate mix of land uses. Consideration of improving the connection between Cooks Cove and the airport for pedestrians and cyclists is also required.”¹

As well as the mixed commercial and residential land uses proposed for the Cooks Cove northern precinct, we believe there are opportunities to permit some aviation and airport-related activities. These would complement those occurring on the airport and be compatible with the mixed land uses being contemplated. Sydney Airport would be pleased to work with the proponent as part of this assessment and during preparation of the planning proposal.

(b) Aircraft noise

The future residents of Cooks Cove will live in an area that, to varying degrees, will be affected by routine airport operations. Aircraft noise will be generated by: aircraft landing on or taking off from the east-west runway; taxiing between the International terminal (T1) and the runway or nearby aircraft parking areas in the airport's south west sector; or noise generated by auxiliary power units when aircraft are on gate (particularly those gates closest to the Cooks River on the southern or western side of Pier C in the T1 precinct).

In similar circumstances, Sydney Airport has recommended that future residents be provided with accurate information about nearby aviation activity and its likely noise impacts. This could be achieved by including an appropriately worded notification in planning certificates issued by the Bayside Council to prospective purchasers of residential property within Cooks Cove.²

¹ Draft strategy, p. 16.

² This would be a matter for the Bayside Council and is permitted under section 149(5) of the *Environmental Planning and Assessment Act 1979*, which states that: “A council may, in a planning certificate, include advice on such other relevant matters affecting the land of which it may be aware.”

As planning certificates are annexed to a Contract of Sale of Land, this provides a transparent and guaranteed mechanism of ensuring prospective purchasers receive relevant aviation-related information before they decide to purchase a property. In turn, this reduces the likelihood that residents will lodge noise complaints in the future.

There are precedents for this, including:

- Planning proposal in the Inner West local government area to the north of Sydney Airport
- The Western Australian Government's *State Planning Policy 5.1 – Land use planning in the vicinity of Perth Airport*.³

We would be pleased to work with DPE, Bayside Council and the proponent to draft appropriate wording for such a notification.

To minimise noise impacts on future residents, it may also be appropriate to place a noise barrier between the Cooks Cove residential area and the airport boundary. A similar barrier exists downstream on the Cooks River to minimise motorway and aircraft noise-related impacts on people living in Kyeemagh. This noise barrier could be funded by the proposed Special Infrastructure Contribution (SIC).

(c) Airspace requirements

The airspace surrounding Sydney Airport needs to be protected from development that may present safety risks. Australian Government regulations have therefore long recognised the need to restrict the height of buildings and other structures (such as cranes) near the airport.

Cooks Cove is only several hundred metres from the western end of Sydney Airport's east-west runway and just north of the flight path used by aircraft landing on or taking off from that runway. For this reason, the height of buildings in Cooks Cove is an important issue.

Sydney Airport's protected airspace (also known as "prescribed airspace") includes seven surfaces, details of which can be found at:

<http://www.sydneyairport.com.au/corporate/community-environment-and-planning/planning/airspace-protection.aspx>.

Sydney Airport has reviewed the *Aeronautical Impact Assessment for the Arncliffe Banksia Area*⁴ (the aeronautical assessment) as prepared by The Ambidji Group and publicly exhibited by DPE with the draft strategy and the following conclusions:

- The OLS and PANS-OPS prescribed airspace surfaces extend over the development area;
- The limiting surface over most of the development area is the inner horizontal surface (IHS) at 51 metres AHD;
- The sloping Rwy 07 approach surface and Rwy 25 take-off surface are lower than the IHS;
- The PANS-OPS surfaces are not lower than the OLS;

³ The policy can be downloaded at: <https://www.planning.wa.gov.au/publications/6429.asp>

⁴ The Ambidji Group Pty Ltd, 23 June 2015

- Requests can be made to penetrate the IHS/OLS, but these must be supported by an aeronautical safety case such requests are normally restricted to individual buildings or small groups of buildings;
- It will not be possible to penetrate the PANS-OPS and the OLS approach and take-off surfaces;
- The clearance plane of the Sydney Airport Terminal Airspace radar is not infringed if approved building heights are restricted to 58.3 metres. Airservices may require an engineering study of the impact on radar performance for buildings above this height; and
- The restricted areas for the Sydney Airport navigation aids are not infringed.

Sections 5 and 6 of the aeronautical assessment outline the process for considering any proposed building or other structure (including a crane) that may intrude into Sydney Airport's prescribed airspace.

With respect to sections 5.3 and 6.3 specifically, it should be noted that it is the Commonwealth Department of Infrastructure and Regional Development that is responsible for approving buildings that intrude into the OLS, not Sydney Airport.

As section 7 of the aeronautical assessment indicates, airlines may also have developed what are called "engine-out procedures" that may be relevant and would also need to be considered.⁵ Airlines should be consulted accordingly during the preparation of the study.

(d) Pedestrian and cycling connections

Sydney Airport supports a pedestrian and cycling linkage between Cooks Cove and the airport, particularly if aviation and airport-related activities are permitted within the northern precinct.

Sydney Airport is currently building a shared path for pedestrians and cyclists linking the airport's International (T1) precinct with the external cycleway network. It is noted that the draft strategy states that:

"As part of the works being undertaken by RMS to widen Marsh Street, a new cycleway is being provided on the southern side of Marsh Street to connect to the existing cycle path of the Giovanni Brunetti Bridge."⁶

The existing cycleway over the bridge is on the opposite side of the road to the proposed new cycleway along Marsh Street. It also does not directly connect with the airport's proposed new shared path connection to T1. The cycleway on the bridge should therefore ideally be moved to the other side of the bridge. This could be funded by the proposed SIC.

(e) The National Airports Safeguarding Framework

Given the proximity of Cooks Cove to the airport, strategic land use planning should have regard to the National Airports Safeguarding Framework (NASF).

⁵ Under Civil Aviation Order 20.7.1B, operators of aircraft having an all-up weight in excess of 5,700kg are required to consider obstacle clearance requirements in the event of an engine failure. The specific procedures applicable to meeting these requirements are a matter for the aircraft operator concerned.

⁶ Draft strategy, p 20.

The NASF is a national land use planning framework that aims to:

- improve community amenity by minimising aircraft noise-sensitive developments near airports; and
- improve safety outcomes by ensuring aviation safety requirements are recognised in land use planning decisions through guidelines being adopted by jurisdictions on various safety-related issues.

The National Airports Safeguarding Advisory Group, comprising Commonwealth, State and Territory Government planning and transport officials, the Australian Government Department of Defence, the Civil Aviation Safety Authority, Airservices Australia and the Australian Local Government Association developed the NASF.

Commonwealth, State and Territory Ministers considered and approved of the NASF at the Standing Council on Transport and Infrastructure meeting on 18 May 2012⁷.

The NASF consists of:

- Principles for National Airports Safeguarding Framework
- Guideline A: Managing Aircraft Noise
- Guideline B: Managing Building-Generated Windshear
- Guideline C: Managing Wildlife Strike Risk
- Guideline D: Managing Wind Turbine Risk to Aircraft
- Guideline E: Managing Pilot Lighting Distraction
- Guideline F: Managing Protected Airspace Intrusion
- Guideline G: Protecting Aviation Facilities – Communication, Navigation and Surveillance⁸

Future planning should have regard to the NASF will help ensure that land use planning in Cooks Cove – and the future consideration of development applications – occurs in a way that will avoid adverse impacts on aircraft operations at Sydney Airport. This will be particularly relevant when landscaping plans for Cooks Cove are developed (to ensure bird and bat attracting species are not chosen, increasing the risk of wildlife strike) and when lighting, including flood lighting, are considered (to ensure distractions to pilots are not created).

2. Comments concerning the proposed Land Use Strategy

The issues in this section of the draft strategy relevant to Sydney Airport are: (a) Land Use Plan; (b) Building heights and (c) Strategic intent.

(a) Land Use Plan

The draft strategy recommends that a review of the existing trade & technology zoning in the Cooks Cove northern precinct be undertaken to determine how it can be redeveloped, providing new homes and jobs in an attractive liveable and convenient place. The study requirements are shown in section 9 of the draft strategy.

⁷ The NSW Government agreed to all but one of the six NASF guidelines, the exception being *Guideline A: Measures for Managing the Impacts of Aircraft Noise* where the government expressed reservations on the format of the guideline.

⁸ See https://infrastructure.gov.au/aviation/environmental/airport_safeguarding/nasf/

As noted in part 1(a) of this submission, Sydney Airport believes that, as well as the mixed commercial and residential land uses proposed for the Cooks Cove northern precinct, there are also opportunities to permit some aviation and airport-related activities. These would complement those occurring on the airport and be compatible with the mixed land uses being contemplated. Sydney Airport would be pleased to work with the proponent as part of this assessment and during preparation of the planning proposal.

(b) Building heights

In determining the relevant built form for the precinct, the draft strategy states that:

“Sydney Airport height restrictions are a key consideration in determining appropriate heights within the precincts. Proposed heights should ensure buildings fall below the PANS-OPS surface. In some locations in the town centres, taller buildings exceeding the OLS (Obstacle Surface Limitation) may be considered on the basis that approval will be also required from Sydney Airport.”⁹

It should be noted that, while applications involving proposed buildings higher than the OLS are submitted, in the first instance, to Sydney Airport, the decision whether to approve such a building lies with the Australian Government's Department of Infrastructure and Regional Development. The Department makes its decisions after considering advice from Sydney Airport, CASA, Airservices Australia and airlines.

Sydney Airport does, however, have a direct role in approving temporary (< 3 months) intrusions into prescribed airspace such as cranes.

(c) Strategic intent

Consistent with the strategic intent of the land use strategy to protect Sydney Airport's, airspace and operating requirements, land use planning and future development should have regard to and be consistent with the NASF and its guidelines. This will help to ensure operations or aviation safety at Sydney Airport are not adversely affected by future development at Cooks Cove.

3. Comments concerning the proposed Infrastructure Strategy

Sydney Airport notes the following measures proposed in the proposed Infrastructure Strategy¹⁰:

(a) R1 : New major intersections on Marsh Street to provide access to Cooks Cove

As Marsh Street is a key part of the road network used by people approaching the airport from the south or south-west of Sydney, we recommend that Sydney Airport be consulted during the design process for these intersections.

(b) P1: Investigate provision of a new walking and cycling bridge over the Cooks River to the Sydney Airport

⁹ Draft strategy, p26.

¹⁰ Draft strategy, pp 31 and 32.

Sydney Airport supports a new walking and cycling bridge over the Cooks River, which should be funded by the SIC.

As noted in part 1(d) of this submission, Sydney Airport also believes the existing cycleway over the Giovanni Brunetti Bridge should be moved to the opposite side of the road so it will connect directly with the proposed new cycleway along Marsh Street and Sydney Airport's proposed new shared path connection to T1. This could also be funded by the proposed SIC.

Section 7.2 (Transport) notes that:

*"The Cooks Cove investigations show that significant investment along Marsh Street will be required. Additional investment would also be required on surrounding roads to reduce the effect of queuing traffic on the access to the M5 Motorway and Sydney Airport. The queues forecast on Marsh Street could be especially long, possibly stretching longer than 2km and creating serious impacts on the surrounding road network. Investment should also be placed upon secondary access locations such as Levey Street to reduce the demand on Marsh Street."*¹¹

Queues on Marsh Street "possibly stretching longer than 2km" could seriously impede road access to Sydney Airport's International terminal precinct from areas to the south or south-west of Sydney. As the draft strategy notes, significant investment will be required to alleviate congestion caused by new development at Cooks Cove. Sydney Airport also supports better public transport access to the airport, particularly from the St George – Sutherland Shire area where more than a third of the airport's 29,000 workers live.

4. Comments concerning proposed implementation

Section 9 of the draft strategy indicates that further investigations in Cooks Cove are to be undertaken. Several study requirements are listed.

As part of Study Requirement 1 (Detailed economic and social analysis), one of the key issues it to investigate:

*"the potential to strengthen the precinct's relationship with Sydney Airport to complement its activities and maximise opportunities for success."*¹²

As noted in the covering letter to this submission, we believe there are opportunities to permit some aviation and airport-related activities in the Cooks Cove northern precinct. These would complement those occurring on the airport itself and be compatible with the other proposed mixed land uses, including residential and commercial. The study should, in our opinion, include consideration of such aviation and airport-related land uses in Cooks Cove.

As part of Study Requirement 3 (Traffic and transport assessment), a Strategic Transport Plan is to be prepared in consultation with Transport for NSW, which includes a Traffic and Transport Impact Assessment Study.¹³ This is to include consideration of the impact of traffic queuing across access roads to Sydney Airport. Sydney Airport would appreciate being consulted while this study is being undertaken and during the preparation of this plan.

¹¹ Draft strategy, p 35.

¹² Draft strategy, p 41.

¹³ Draft strategy, p 41.

As part of Study Requirement 9 (Aeronautical), an assessment is to be provided of the impact on airport operations, including National Airports Safeguarding Framework affectations. For reasons outlined in part 1(e) and 2(c) of this submission, this will be an important assessment and Sydney Airport would appreciate being consulted during its preparation.