

15 November 2022

Mr Peter Bettridge
General Manager
Cook Cove Inlet

email: peter@boydproperties.com.au

Dear Mr Bettridge,

Cooks Cove Planning Proposal

Thank you for the opportunity to discuss with you and your colleagues the Cooks Cove Planning Proposal (**the Planning Proposal**) on 14 November 2022.

The meeting was held in accordance with the requirement to consult Sydney Airport and the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (**the Department**) as outlined in clause 3 of the Gateway Determination issued on 5 August 2022 by Ms Amanda Harvey, Executive Director, Metro East and South, Planning and Land Use Strategy, Department of Planning and Environment:

*Prior to the commencement of community consultation, the proponent must consult with Sydney Airport Corporation Limited and the Commonwealth Department of Infrastructure, Regional Development and Cities. Should the proponent be advised that permission is required in accordance with (5)(d) of s9.1 Direction 3.5 and/or the Airports Act 1996 (**the Act**), this permission must be granted prior to the commencement of community consultation. The planning proposal must also be updated with the outcomes of this consultation prior to community consultation.*

At the meeting, I referred to the letter I sent to you on 7 November 2022. This earlier letter raised the need for the Planning Proposal to include an assessment of the proposal against the National Airports Safeguarding Framework (**NASF**) and its guidelines. These guidelines cover issues that are relevant to the controlled activity provisions in s. 182 of the Act as well as other important airport/aviation-related issues that are not.

As I mentioned, it will be important to ensure that a Windshear Assessment is undertaken and provided to Sydney Airport in accordance with *NASF Guideline B: Managing Building Generated Windshear and Turbulence*. This will be particularly relevant for the proposed structures in Block 3 of the proposed development at the southern end of the Cooks Cove site given it is closer to the flight path used by aircraft using Sydney Airport's east-west runway than are Blocks 1 and 2. I note that you have engaged Dr Graeme Wood from Arup to prepare that assessment.

Based on your advice, it is not expected that future development on the site will result in controlled activity approvals being necessary under the Act. However, I note Mr Phil McClure from the Department mentioned that, should construction cranes be necessary that would temporarily intrude into Sydney Airport's prescribed airspace, approval would be needed under the short-term controlled activity provisions in the *Airports (Protection of Airspace) Regulations 1996*. My earlier letter outlined how to make such an application, which would be made to Sydney Airport at the development application stage rather than as part of the Planning Proposal process.

When the Planning Proposal is on public exhibition, we will also be considering the following issues as part of the submission process:

- Traffic modelling and its importance to the precinct
- On-site carparking and ensuring this is provided within the precinct (i.e. not being dependent on outside infrastructure)
- Active Transport Links – ensuring future development provides for integration and encouragement of the use of active transport links, including links to the Sydney Airport precinct

Sydney Airport is therefore pleased to advise that we believe permission at this stage will not be required under either cl. (2)(d) of Local Planning Direction 5.3 (Development Near Regulated Airports and Defence Airfields) or the Act and that it would now be appropriate for community consultation to commence in accordance with clause 3 of the Gateway Determination.

Thank you again for the opportunity to meet and discuss this important proposal. Please feel free to call me on 0409 072 436 if you have any queries.

Your sincerely,



Ted Plummer
Special Adviser Government and Community Relations