[redacted]

DEPARTMENT OF IMMIGRATION AND BORDER PROTECTION – PROPOSED LEASE AND FITOUT OF NEW HEADQUARTERS

References:

A. Australian Standard AS 2021:2015 *'Acoustics – Aircraft noise intrusion – Building siting and construction'* of April 2015

B. ACT Environmental Protection Act 1997

C. NLR Report *'Wind Criteria due to obstacles at and around airports'* of 2010

D. SLR Report *'Guidance Material for Building Induced Wake Effects at Airports'* of Dec 12

[redacted]

Executive Summary

1. This proposal includes the largest office building and lease on any Australian leased Federal airport (i.e. Net Lettable Area of 30,104 sqm). Importantly, the proposed site at 3 Molonglo Drive, Canberra Airport, is located immediately adjacent to the threshold of the main north/south runway, Runway 35. The distance from the runway to the existing building is less than 400m. Furthermore, this proposal intends to accommodate in the order of 2100+ Commonwealth Government employees (i.e. APS). This submission focusses primarily on the suitability of the site at Canberra Airport, for the long term purposes of the Commonwealth Government as a whole, and the prospective value of the works. Given the sites' proximity to the main runway, a number of important considerations may have been overlooked, understated or not investigated in the detail required to satisfy the Commonwealth Government's duty of care, or in order to develop accurate project costings.

[redacted]

Background - Building Approval and Siting

2. The building proposed to accommodate elements of the Department of Immigration and Border Protection (DIBP) at 3 Molonglo Drive, Canberra Airport was very likely designed based upon incorrect Commonwealth Government airport development guidelines (i.e. NASF Guideline B) and/or a misinterpretation of the supporting guidance material (i.e. References C and D). Reference D was a summary of Reference C and other reference material. Reference B, *NASF Guideline B: 'Managing the Risk of building induced windshear and turbulence at airports'* incorrectly summarised the key planning and design criteria dictated by both References C and D.

3. In basic terms, the Commonwealth (i.e. Department of Infrastructure and Regional Development - DIRD) airport planning guideline incorrectly summarised the expert guidance material which it is based upon (References C and D). Furthermore, it is very likely that the proponent's wind analysis supporting the design was significantly flawed, and the wind environment characteristic to Canberra Airport inaccurately defined. The result has been an increase to the level of operational risk at Canberra Airport, due to a combination of the existing building's dimensions, the proximity to the threshold of Runway 35, and the common strong and gusty westerly winds characteristic to the local environment. Attached at Reference E is a supporting document which expands on these issues and includes a detailed discussion regarding the use of BOM wind averaging tools (i.e. Wind Rose Diagrams). These tools are currently inadequate for long term airport planning and development assessment.

4. As a consequence, the Airport Leasing Company (ALC), [redacted] must now apply risk mitigation strategies to address the risks to flight operations. These strategies include automated warnings for pilots on approach to Canberra Airport during adverse wind events, which may have very limited effectiveness. Ultimately, if the risks are to be adequately treated the building size should be reduced. [redacted]

5. How was the construction of 3 Molonglo Drive approved without condition? Why did the Airport Building Controller (ABC) not alert the DIRD, including CASA and Air services

Australia as to the issues raised above? Most importantly, has 3 Molonglo Drive actually been wind tunnel tested by expert wind engineers (i.e. PhD qualified)? What exact wind speed at roof level (i.e. circa 30m+) was used during the wind tunnel test? What range of wind speeds and directions (i.e. wind vectors) does the existing building create problematic windshear and turbulence across the critical zones of the runway? How often does this phenomena occur?

6. If allowed to proceed, the occupation of this building by the Commonwealth will tend to legitimize its deficiencies and set a precedent for other airports throughout Australia.

Acoustic Design to protect Commonwealth Government employees

7. By agreeing to lease 3 Molonglo Drive, Canberra Airport the Commonwealth accepts a duty of care to ensure the noise exposure within and surrounding the building is of an acceptable level for thousands of public sector employees. Note, the applicable Australian Standard (*AS2021:2015*) does not cover the *'acceptability of outdoor spaces'* (Refer *AS2021:2015* page 5, Para 1.1). Importantly, most of the car parking is located between the building and the Runway (i.e. closer to the taxiway and runway, or source of the noise).

8. Given Singapore International Airlines (SIA) are currently operating a Boeing 777 to/from Canberra on a regular basis, with plans to operate daily, what is the estimated Aircraft Noise Reduction (ANR) required for the Base Building and/or Commonwealth funded purpose built integrated fitout? Who will fund additional treatment of the base building and/or fitout to satisfy the requirements of *AS 2021:2015*? As more airlines (i.e. Qatar etc.) operate additional large wide body intercontinental aircraft to/from Canberra, will this change the Australian Noise Exposure Forecast (ANEF) for Canberra Airport? (Note: the Canberra Airport Master Plan 2014 only includes ANEF based on traffic in the year 2008, which did not include B777 operations)

9. Compliance with the Work Health and Safety Act 2011 is likely to be problematic if these issues are not resolved prior to occupation. Furthermore, the Commonwealth may be exposing itself to significant contingency expenditure and/or future legal penalties if the acoustic

requirements are not clarified prior to Agreement for Lease (AFL) negotiation and endorsement.

10. Have fitout works commenced? If so, can the proponent and/or project manager assure the committee that the specific requirements detailed in *AS2021:2015* will be satisfied? What type of work is required? What is the estimate of the additional compliance costs?

11. Reference A (*AS2021:2015*, page 17) provides that *'specialist acoustic advice will need to be sought to ensure that sound transmission loss…is appropriate to achieve the required ANR values'.* What acoustic specialist (i.e. acoustic consultancy) has been engaged by the building proponent/Airport Leasing Company [redacted], the Department (i.e. DIBP) and/or the client side Project Manager to verify and advise on these specialised requirements and costs? How does the proponent and/or Commonwealth intend to insure compliance? Will this increase the project budget, or the likelihood that project contingency funds will be required?

12. If they have not been engaged, expert acoustic specialists should be consulted as soon as possible to ensure compliance with *AS2021:2015* and other acoustic standards. Questions that require clarification include: is the proposed facility a 'public building' or 'commercial building' (Refer Table 2.1, p12 of *AS2021:2015*); should 3 Molonglo Drive be treated as an 'Acceptable', 'Conditionally Acceptable' or 'Unacceptable' facility; and, what is the estimated Aircraft Noise Reduction (ANR) required given the building is less than 400m from the take-off/landing threshold of the main runway which regularly services large wide body international aircraft? It is noteworthy that Canberra Airport intends to service more airlines and an increased volume of wide body aircraft traffic in the future.

    Note: B777 noise level for departure is ~80-83 dB (A), ERJ170/ERJ190 ~70-73 dB (A), whilst the indoor design noise level (i.e. private offices, conference rooms) is between 50 – 55 dB (A).

ACT Environmental Protection Act 1997 – Irrelevant to this proposal

13. 3 Molonglo Drive is sited on Commonwealth land. The Commonwealth government has leased Canberra Airport, including Brindabella Business Park, to the Airport Leasing Company

(ALC)[redacted] Therefore, the ACT Environment Protection Act 1997 (i.e. Reference B) has very limited relevance to this particular site, specifically with regard to acoustics and/or noise protection for the significant number of public service employees who will occupy 3 Molonglo Drive (i.e. estimated 2100+ APS staff) for between 15 and 25 years.

14. Furthermore, the Environmental Protection Act 1997 (page 8) clearly states that the Act *'does not apply in relation to noise made by…a Commonwealth jurisdiction aircraft..'* The Air Services Act 1995 (Commonwealth) includes a detailed definition of *'Commonwealth jurisdiction aircraft'*. In basic terms, the ACT Environment Protection Act 1997 is not applicable to aircraft or aviation operations.

15. Finally, the ACT Government is likely to dispute liability for any offence against Reference B as 3 Molonglo Drive is on leased Commonwealth land (i.e. Part 1 Preliminary, Para 10 – *Criminal Liability of the Territory*).

16. Recommend the Committee (i.e. PWC) investigate these issues thoroughly and fully resolve prior to AFL negotiation and/or endorsement.

Power security, redundancy and allocation priority on Canberra Airport land

17. [redacted] currently provides for approximately 16 leases to numerous Commonwealth government departments, including multiple leases to the Department of Defence (ADF). Some of these organisations/elements are also important to Australia's national security.

18. This new proposal includes provision for the accommodation of 'critical elements' of the DIBP and the new Australian Border Force (ABF) capability. However, the primary role of the airport is to provide a safe operating environment for aircraft. How does the proponent [redacted] prioritise power supply and power security for these multiple Commonwealth organisations, whilst concurrently maintaining the required power supply and power redundancy for critical civil and military aviation/airport infrastructure (i.e. airport/runway lighting, aviation communications, the instrument landing system etc.)? Which Commonwealth departments will

have priority for power during both normal and non-normal airport operations? If local Mains Power is not available, for how long can the airport self-sustain power to all critical elements of their internal network, including concurrent supply to all national security elements and the airport's critical aviation infrastructure?

Local Impacts of decision to relocate significant number of APS employees

19. Estimation of lost Revenue to the ACT Government due lost land tax/rates. [redacted] pay no land tax or local rates to the ACT government as 3 Molonglo Drive is on Commonwealth land. Conservative estimate: minimum $2.6m per year lost revenue = 2.6 x 15 = $39m+ over the initial 15 years, or 2.6 x 25 = $65m+ over 25 years, not indexed for inflation etc.). How did this difference correspond to the costs of other proponents as part of the procurement process (i.e. RFT evaluation)?

[redacted] Estimation of lost Revenue to the ACT Government due car parking. Estimated lost car parking at Belconnen – circa 1500+ employees (Note: some senior employees will have allocated car parks in Belconnen and [redacted]). 1500 x $15.70/day = $23,500+ per day. Note, this revenue will be transferred directly from the local ACT government to the proponent, [redacted]

21. Was the Social Cost of Carbon assessed as part of the procurement process? This proposal is almost certain to have increased the impacts of climate change with respect to the local Canberra environment and ACT local and Commonwealth electorates, due primarily to the additional road travel required by the workforce (i.e. private and/or public transport).

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