JRPP No:	Item 1 (2010NTH001)
DA No:	DA0293/2010
PROPOSED	INDOOR SPORTS CENTRE, GREG
DEVELOPMENT	NORMAN DRIVE, HILLVUE
APPLICANT:	Hines Constructions Pty Ltd
REPORT BY:	Tamworth Regional Council
CONTACT:	Catherine Pyne
TELEPHONE:	6581 8538

Assessment Report and Recommendation

EXECUTIVE SUMMARY:

Reason for Consideration by Joint Regional Planning Panel:

The application has been referred to the Joint Regional Planning Panel pursuant to clause 13B(2) of the State Environmental Planning Policy (Major Development) 2005 for the following reasons:-

- The owner of land on which the proposed development is to be carried out is Tamworth Regional Council;
- The proposed development is to be carried out by Tamworth Regional Council; and,
- The project has a capital investment value exceeding \$5 million.

Brief Description of Proposal:

The development application seeks approval for the construction of an Indoor Sports Complex, comprising two connected buildings and associated infrastructure and on-site parking. The submitted plans are attached to this report as Annexure 1.

Compliance with Planning Controls:

The site is zoned 6 Recreation pursuant to the Tamworth Local Environmental Plan 1996. The proposal falls within the definition of "recreation facility" and is permissible within this zone with development consent. The proposal is consistent with the zone objectives as it comprises the development of a facility which will cater for a variety of sports in accordance with community needs. It has been planned in consultation with the Tamworth Regional Sports Working Group, which includes representation from the sporting organisations.

Consultation:

The application was notified and advertised in accordance with Council's Development Control Plan No.20 – Advertising/Notification of Development Applications. One (1) submission was received, which clearly identifies no objection to the proposal. A copy of the submission is included in this Report as Annexure 2.

Assessment Milestones:

The following table contains information in relation to the timeframes and milestones associated with the application, which are pertinent to the Environmental Planning & Assessment legislative provisions.

Date/s	Milestone	Comments
05/01/2010	Application lodged	Clock started 2 days later (07/01/2010)
11/01/2010 to	Exhibition period	
01/02/2010		
11/01/2010	Referral to RTA under SEPP(I)07	21 day response due 01/02/2010
18/01/2010	Additional information request	Clock paused
02/02/2010	Additional information supplied	Clock restarted
11/02/2010	Determination anticipated	Clock stopped

In summary, the current projected timeframe for the determination of this application is 22 days.

Recommendation:

It is recommended that DA0293/2010 be approved subject to the conditions contained in Annexure 3.

Annexures:

- Annexure 1 Plans
- Annexure 2 Public Submission
- Annexure 3 Draft Conditions

1 Proposal

The application seeks consent for the development of a multi purpose indoor sports hall complex, catering primarily for the sports of basketball, netball, volleyball and futsal. It includes ancillary components of a gymnasium, management and control offices, commercial kitchen facilities and café seating (indoor and outdoor areas). Additionally, the development includes the required amenities (toilets and showers), landscaping and on-site car parking (112 spaces).

The Statement of Environmental Effects separates the development into several zones, described as –

- Front entry Foyer and Control, café seating area adjacent the commercial kitchen, amenities servicing this area as well as providing for office/administration and managers office, multi purpose room, utilities room and future outdoor netball courts.
- 3 court indoor sports hall with timber sports floor and tiered seating for 240 people, major storage facility, and a tournament records office.
- Two storey central core providing ground floor amenities and change rooms, referees change room, recovery rooms, cleaners stores, lift and stair well to upper level containing foyer area, large open gymnasium space, separate amenities and air conditioning plant room.
- Single show court indoor hall including large tiered bench seating with 640 seat capacity. Storage under seating structure.
- Separate two court indoor sports hall with synthetic sports floor forming a distinctly separate building linked via a fire rated corridor.

• Car parking facilities for some 112 cars, including 4 disabled spaces closest to the entry.

By way of clarification, it is confirmed that the development application does not include the "future netball courts" or "Stage 2 – 71 Carspaces" shown on the Site Plan.

2 Site Description

The subject land is legally known as Lot 3, DP 1092556. With a total area of over 33 hectares, the property contains the lands which have been progressively developed as the Tamworth Regional Sporting Complex Precinct. Diagram 1 below identifies the location of the site relative to adjacent properties.

The site presently contains the Tamworth Regional Entertainment and Conference Centre, Athletics Centre and Hockey Centre, as well as an internal road network and car parking facilities.

That part of the land which comprises the development site is rectangular in shape, located immediately west of the Australian Equine and Livestock Events Centre. It has dimensions of approximately 160 metres by 140 metres, comprising an area of just over 2.2 hectares.

The applicant was contacted to seek clarification about the existence of a Transmission Line Easement that is nominated by DP 635278, and still appears to traverse the site, conflicting

with the northern building by approximately 2.5 metres. In response, Council has been provided with written advice from Transgrid which confirms that this proposed easement was never formally acquired and is not needed.

It is appropriate that the proposed easement be rescinded and removed from the Land Title to Lot 3, DP 1092556. A condition may be imposed requiring this to be finalised prior to the issue of an Occupation Certificate for the Building.



Diagram 1 – Locality Plan

3 Referrals

The application was referred to the Roads and Traffic Authority pursuant to the operation of *State Environmental Planning Policy (Infrastructure) 2007*. The 21-day period for their reply expired on 1 February 2010, without response being made.

Internal referrals were also made to internal Council specialists: Development Engineer; Building Inspector; Environment & Health Officer; and, Water Enterprises Engineer.

Their responses are contained within the relevant sections of this Report.

4 Environmental Planning and Assessment Act 1979

In determining a development application, the consent authority must take into consideration matters referred to in Section 79C(1) of the Environmental Planning & Assessment Act 1979 as are of relevance to the development. The following section of this report summarises the relevant matters for consideration and provides a planning response.

Section 79C(1)(a)(i) any environmental planning instrument

State Environmental Planning Policies

State Environmental Planning Policy No.55 - Remediation of Land

Clause 7 of SEPP55 specifies that the consent authority must give consideration as to the whether land is contaminated before giving consent to any development application. As a project involving the development of land for recreation purposes, it is also necessary to be satisfied that the history of the land does not demonstrate its use for a nominated list of potentially-contaminating activities identified in the Policy.

"A Preliminary Contaminated Site Assessment for an area proposed to be used for the National Equine and Livestock Centre, New England Highway, Tamworth, New South Wales" has been submitted in support of the development application.

The development site is contained within Sampling Area A.

The Report concluded that "the history of the site and the samples collected and analysed all serve to indicate that there has been no site contamination."

State Environmental Planning Policy (Infrastructure) 2007

Clause 104 of the Policy identifies requirements for developments identified in Schedule 3 to be referred to the Roads and Traffic Authority (RTA) and take into account any submission made in response to the 21 day notification period.

In additional to the consultation requirement, the Policy also specifies that consideration must be given to:-

- (i) the accessibility of the site, including:-
 - (a) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and
 - (b) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and

(iii) any potential traffic safety, road congestion or parking implications of the development.

Further comments concerning access, parking and traffic implications are made in Section 4 of this Report.

State Environmental Planning Policy (Major Development) 2005

The purpose of this Plan is to identify development for which regional panels are to exercise specified consent authority functions.

JRPP (Northern Region) Business Paper – 11 February 2010 – Item No. 1

In this case, the proposal comprises development nominated in clause 13B(2) of the Plan, and therefore, the Joint Regional Planning Panel is the consent authority for the application. <u>Regional Environmental Plans</u>

There are no regional environmental plans that apply to the land.

Local Environmental Plans

The subject land is zoned 6 Recreation pursuant to the provisions of the Tamworth Local Environmental Plan 1996. Defined as a "recreation facility", the proposal is a form of development that is permitted with development consent under the development control table for Zone 6 Recreation.

- (1) The general objectives of this zone are:
 - (a) to identify land which is used, or intended to be used, for the purpose of open space, recreation and associated land uses, and
 - (b) to provide opportunities for the enhancement of environmental quality within the City of Tamworth.
- (2) The specific objectives of this zone are:
 - (a) to ensure there is adequate land in accessible locations to meet both present and likely future open space recreational needs,
 - (b) to permit the development of a comprehensive range of recreational environments and facilities to maximise opportunity for informal and casual open space leisure activities and for a variety of organised sporting and other open space activities in accordance with community needs,
 - (c) to permit development of land within this zone for uses which are associated with, or ancillary to, the use of the land for recreational open space purposes, where such uses:
 - (i) are compatible with development permitted elsewhere in the locality,
 - (ii) are an integral part of the development of land for open space purposes and are of a scale and nature appropriate to the needs of that development, and
 - (iii) will not prejudice the use or amenity of land or adjoining land within the zone for open space purposes, and
 - (d) to permit development of the land within the zone in a manner which will neither adversely affect any associated physical, chemical and ecological riverine environment nor the natural and cultural heritage values of any associated riverine environment.
- (3) Development for the purpose of the following is usually not consistent with the objectives of this zone:

airport-related land uses; animal establishments; boarding houses; child care centres; convenience stores; home activities; hospitals; passenger transport terminals; serviced apartments; service stations.

The proposal is for the purpose of providing an additional recreation facility to service the Tamworth regional community and is therefore clearly consistent with objectives 1(a), 2(b) and 2(c). It is not inconsistent with the other zone objectives.

Section 79C(1)(a)(i) any draft environmental planning instrument that is or has been placed on public exhibition

The Draft Tamworth Regional Local Environmental Plan 2009 was exhibited from 14 July to 25 August 2009. Under the Draft Plan, the land is proposed to be zoned SP3 Tourist. The development is defined as *"recreation facility (indoor)"*, a landuse that is permitted with development consent in the SP3 Tourist zone.

The zone objectives to the SP3 Tourist zone are -

- To provide for a variety of tourist-related development and related uses.
- To facilitate development that recognises the unique characteristics of the nationally and regionally significant tourist precinct that are the Australian Equine Livestock and Events Centre (AELEC) and the Tamworth Regional Racing Precinct.

The proposal is considered to be a compatible use within the Tourist precinct. As a regional sporting complex, it is anticipated that the facility will be host to State and National Championship sporting events.

Section 79C(1)(a)(iii) any development control plan

Tamworth Development Control Plan No.1 – Traffic and Parking Guidelines

This Plan applies in so far as it provides guidance to the number of parking spaces to be provided to support different forms of development, the associated design guidelines, and promotes safe and efficient use of traffic and parking facilities.

The nature of this development does not match any of the usual landuses which attract a rate of parking provision. Only one use, the gymnasium, is assigned a rate of parking: one space per $15m^2$ of floor area.

A "Traffic and Parking Report" was prepared by Halcrow MWT and submitted in support of the development application. It concludes that "the proposed development is considered satisfactory with regard to traffic and parking". In this regard, it is considered that the design and provision of carparking for 112 vehicles as shown on the submitted plans is satisfactory to service the development.

Tamworth Development Control Plan No.9 – Outdoor Lighting Guidelines

The application was accompanied by certification that the external lighting associated with the development will meet the Plan.

Tamworth Development Control Plan No.14 – Longyard Masterplan

The aims of this DCP are:

- To provide guidance to persons intending to develop land within the Longyard locality so that development occurs in an orderly and logical manner and so that all new development, including redevelopment, promotes the desired character and amenity of the various precincts within the area.
- To achieve Council's desired visual character and amenity for the precincts within the locality through well designed and appropriately located development;

- To provide for the safe, efficient and convenient traffic management and pedestrian safety;
- > To reinforce the regional status of the Tamworth Regional Sporting Complex;
- To plan for development that recognises and provides mitigation (where required) in relation to issues of ground water and potential soil salinity;
- > To ensure that new development is adequately serviced;
- To set appropriate environmental criteria for daylight, privacy, noise, vehicular access, parking and open space within the residential precinct;
- > To provide for compatibility between residential and non-residential development; and
- To ensure the satisfactory provision and distribution of public open space for recreational purposes.

In relation to the specific development guidelines contained within the Plan, a planning response is provided.

2.1 Traffic Management and Pedestrian Safety

The road hierarchy is consistent with the road network shown on the DCP Map. The *Traffic* and *Parking Report* submitted in support of the application concluded that the traffic and parking arrangements are satisfactory.

2.2 Access and Roadworks

The current extension to the internal AELEC Road does not form part of the development application, nor is it within the development site. Consequently, the evaluation is limited to those works required to construct the driveways and parking areas, and the connections to the AELEC Road. The design and layout of these components has been reviewed in the Traffic Report, which concludes that they comply with the Australian Standards.

2.3 Subdivision

Not relevant to this application.

2.4 Utility Services

Arrangements for water supply and sewerage system connection have been made with the Water Enterprises Directorate of Tamworth Regional Council (as the local water supply authority). The detailed design of these utility services is subject to submission of engineering design plans for approval.

Stormwater arrangements have been nominated and are to the satisfaction of Council's Development Engineer. Appropriate conditions relating to the design, approval and construction of these works have been nominated.

2.5 Other Utility Services

It is the responsibility of the proponent to make arrangements for the supply of electricity and telecommunications to the development.

2.6 Section 94 Contributions

This kind of development does not attract any developer contributions pursuant to the provisions of the *Tamworth Urban Section 94 Contributions Plan 2006-2011*.

2.7 Soil erosion during construction

The Statement of Environmental Effects nominates that erosion and sediment control arrangements will be detailed in the civil engineering drawings submitted for Construction Certificate. An appropriate condition may be imposed to specify that approval of these arrangements is to be obtained prior to issue of the Construction Certificate.

2.8 Soil Salinity

Soil salinity is a known issue in this locality, appearing more prevalent on the areas immediately adjoining the Longyard Gold Course, particularly where a higher density of residential development occurs.

The development site was included in the sampling positions undertaken in conjunction with an investigation titled *"A Report on Salinity of Soils at a Site Proposed for use as an Equine and Livestock Centre, New England Highway, Tamworth, NSW".* A copy of this report was submitted in support of the development application and the Statement of Environmental Effects relies upon this report to draw the conclusion that no adverse salinity was detected.

2.9 Land Contamination

The issue has previously been considered under the provisions of *State Environmental Planning Policy No.55 – Remediation of Land.* No further consideration of this issue is required.

2.10 Landscaping

The submitted plans include a sketch notated as "Proposed Landscape Plan". There are no details of the species of "shade trees", planting numbers or method of planting. Adequate land is available for the consent authority to be satisfied that landscaping can be undertaken, and it would be appropriate that this be in accordance with the landscaping theme that is developing within the Recreation and AELEC Precinct. A condition may be imposed which specifies that properly prepared Landscape Plans be submitted and approved prior to any landscaping works being undertaken, and that the landscaping be completed prior to the issue of the Occupation Certificate for the Buildings.

2.11 Outdoor Lighting

Previously considered under the provisions of *Tamworth Development Control Plan No. 9 – Outdoor Lighting Guidelines.* No further consideration of this issue is required.

2.12 Waste Management

The submitted information indicates that the facility will be serviced by the Garbage Collection System for the Tamworth Regional Council area. Because the waste will include putrescible content, it is appropriate that details be sought of the arrangements to ensure that it is stored in a safe and hygienic manner. A condition may be imposed which specifies that a Waste Management Plan be submitted and approved prior to the occupation of the premises.

It is also noted that approval to Trade Waste Arrangements is required and will be sought.

2.13 Disabled Access

This is more of an advisory section within the Development Control Plan. The Building Code of Australia and the Disability Discrimination Act 1992 regulate for the provision of equitable access for all persons.

3.2 Recreational Precinct

The Development Control Plan identifies a series of land use precincts within the Longyard locality. The subject land is included within the Recreational Precinct.

The objectives for the Recreational Precinct are:-

- To emphasise and reinforce Tamworth City's position as a major destination for regional recreational interests;
- To encourage quality building design and appearance in keeping with the "country" character and amenity of the surrounding locality;
- To provide for the development of a range of recreational environments in order to maximise opportunity for the provision of a variety of "organised sporting" activities in accordance with community needs; and
- To provide opportunities for shared car parking and internal access roadways within the Regional Sporting Complex (recognising the profile of peak traffic generation and complementary use of facilities) and for pathways and landscaping areas to integrate the various facilities (existing and future) on the site.

In relation to the specific development guidelines for the recreational precinct, a planning response is provided.

3.2.1 Location

Clarifies that the recreational precinct is for facilities with a regional focus.

3.2.2 Building Design and appearance

This guideline identifies the necessity to design buildings with consideration to the overall appearance of the precinct, and to ensure consideration is given to the visibility of the development from the New England Highway and Greg Norman Drive, the collector road which provides the alternate precinct entry point.

In this regard, the building presents towards the centre of the recreation precinct, using variety in shape and materials to achieve a modern outcome. The roof form is shaped to complement the form of the adjoining iconic AELEC building, and to accommodate the two storey section within the main building without a stepped appearance. This is attributable to the high ceiling levels that are required for the court areas, based on the function of the activity.

As identified earlier in this report, it will be necessary for the proponent to submit detailed landscaping information for approval, and this will also be assessed in relation to the use of landscaping to enhance the rear (southern) elevation of the building.

3.2.3 Access and Carparking

The Development Control Plan (prepared in 2002) recognises the main entry point to the Recreational Precinct as being the roundabout at the intersection of Greg Norman Drive and The Ringers Road.

As this area has evolved, it is evident that the construction of the AELEC and the associated AELEC Road intersecting with the New England Highway, would be recognised as the primary access point, especially for non-residential users of the recreation facilities.

The Traffic and Parking report submitted in support of the application confirms that traffic and parking arrangements are satisfactory.

In conclusion, the proposal is consistent with the provisions of Tamworth Development Control Plan No.14 – Longyard Masterplan, both in terms of the general location criteria, and the identification of development guidelines with the Recreational Precinct.

Tamworth Development Control Plan No.20 – Advertising/Notification of Development Applications

The application was both advertised and notified to adjoining property owners. The usual exhibition period of fourteen (14) days was extended, commencing on 11 January 2010 and closing on 1 February 2010, due to its coincidence with the School Holiday Period. This is usual practice.

The exhibition was undertaken in accordance with the provisions of the Plan.

Section 79C(1)(a)(iiia) any planning agreement

None apply.

Section 79C(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purpose of this paragraph)

There are no matters applicable to this application.

Section 79C(1)(b) the likely impacts of the development

The scale, built form and operation of the proposal are considered satisfactory. The proposal comprises an additional recreational facility to be located within an established recreational precinct, along with the existing sporting disciplines of: hockey; athletics; and, gymnastics.

This co-location of recreational activities provides opportunity for the sharing of supporting facilities/amenities and to achieve efficiencies in relation to management and maintenance of the precinct.

The proposed development will have a positive impact in terms of the natural and built environments, and social and economic aspects as detailed in the sections below.

Context and setting

The proposal is consistent with the overall character of the recreation precinct. The form of the building is complementary to the adjoining iconic structure of the Australian Equine and Livestock Events Centre. It has been positioned within the development site to allow generous setbacks, providing ample room for the placement of suitable landscaping and clear separation from other activities and buildings.

Access, transport and traffic

The traffic and parking implications of the proposal have been examined in a Traffic and Parking Report that was submitted in support of the application. Council's Development Engineer has reviewed the Report and has raised some issues in relation to some of the assumptions made about the operational characteristics of the site, as well as the overall cumulative traffic and parking arrangements when all recreation facilities and the AELEC operate concurrently.

It has been suggested that it is appropriate that a performance-based requirement be imposed which requires the applicant to demonstrate the suitability of traffic and parking arrangements once the facility becomes operational. This is considered a reasonable request, and may be imposed as a condition.

Public domain

The subject development is very much part of the public domain, and the existing overall recreation precinct demonstrates appropriate linkages in terms of vehicle and pedestrian movements. The development is within the location of the Regional Sports Centre and will be included in the Council Management Plan for the Precinct.

<u>Utilities</u>

Arrangements for telecommunications and electricity utilities will be made by the developer.

Council's Development Engineer and Water Enterprises Engineer have reviewed the proposal. The utility services of sewer, water and stormwater drainage are available to the development. Appropriate conditions relating to extension of the services have been identified.

<u>Heritage</u>

There are no items of the environmental heritage identified in the locality that would be affected by the proposed development. Additionally, in support of the development application, a copy of the report "An Archaeological Survey of the Area selected for the proposed Equine and Livestock Centre Complex on the Southern Approaches to Tamworth in

Northwestern NSW" prepared by Patrick Gaynor, was submitted. This Report included the development site in its review and concluded by making recommendations for a member of the Tamworth Local Aboriginal Land Council to be on site during topsoil stripping to identify any artefacts should they be unearthed.

Other land resources

The use of this land for recreational purposes, on the southern fringe of Tamworth, provides an appropriate buffer to the rural land resources further south.

<u>Water</u>

Council's Water Enterprises Directorate have confirmed the availability of water supply to the development. As the proposal will result in the relocation of some existing sports, water consumption will effectively be transferred from one location to another.

Stormwater harvesting and reuse is proposed for all roofwaters captured from the development.

<u>Soils</u>

No other developments in the locality have encountered any issues of poor soil quality or instability, and the land gently slopes from north to south. Consideration has been given to the issues of salinity and potential land contamination, with the proposal found to be satisfactory.

Air and microclimate

Measures will be put in place to manage dust during the construction phase. The development will not pose any further issues in relation to air quality and microclimatic conditions.

Flora and fauna

The site is presently only lightly grassed, and has been largely disturbed in conjunction with the construction of other development in the locality, as well as works on the power lines to the north of the site and the extension of the AELEC Road.

A Flora and Fauna Impact Assessment Report for the Proposed Australian Equine and Livestock Centre and Associated Residential Development was undertaken by North West Ecological Services in January 2006. It has been submitted in support of the current application, including an Addendum Statement, dated January 2010.

The Report confirms that the test required by the Threatened Species Conservation Act 1995 has been undertaken, and that a Species Impact Statement is not required. It also reiterates the recommendations from the 2006 Report:

- Retain existing trees and shrubs wherever possible,
- Retain nominated hollow trees, or provide compensatory roost habitat for the Yellowbellied Sheathtail Bat,

- Plant native trees and shrubs along the new roadsides, carparks and vacant land areas in accordance with the nominated Species in the Report,
- Construct stormwater drainage channels to encourage ponding and natural regeneration of wetland habitats,
- Control noxious and invasive weeds,
- > Adopt a weed hygiene policy for environment and soil transfer.

It is noted that the development site does not contain any of the hollow trees identified in the Report. The requirement for the submission and approval of landscaping details for the site can include reference to the desirable species identified in the Report, which provide natural food sources and habitat.

Waste

Suitable arrangements for waste collection and storage have generally been noted. A condition may be imposed which specifies that a Waste Management Plan be prepared and submitted for Council's approval, prior to the occupation of the building.

Energy

The orientation of the development site in a north/south axis allows for the placement of the building so as to achieve passive energy efficiency in the design. Western walls contain few openings, and the nature of these – doors – allows for control of the heat of the western sun.

The entry foyer and social room (including the dining area) is positioned on the northern elevation, and achieves suitable protection from the sun by the two metre wide eave arrangement. This is also the position of the outdoor eating area, inclusive of shade structures and trees (which will be subject to further assessment during the assessment of the landscaping plan).

Noise and Vibration

While there can be some noise and vibration impacts during the construction phase, these can largely be contained to acceptable levels. It is noted that the site is remote from residential development, including the physical buffers that are in place with the existing surrounding development.

Natural Hazards

There are no known natural hazards that affect this site.

Technological hazards

There are no known technological hazards that affect this site, or require any further consideration.

Safety, security and crime prevention

Council has a Protocol with the Oxley Local Area Command of the New South Wales Police Force in relation to the implementation of Crime Prevention Through Environmental Design (CEPTED) principles. With changes in nominated staff and availability of officers, the present arrangements involve the notification of all new development applications to the Crime Prevention Officer based at Tamworth Police Station. Applications that the Officer wishes to review are "called up".

This application was not requested.

Social impact in the locality

The proposal is anticipated to have great positive social impacts in the locality, providing colocation for the sports of basketball, indoor netball, volleyball and futsal alongside the existing sports which have established in the Regional Sports Precinct.

Economic impact in the locality

While the construction of the facility will have an immediate positive economic impact on Tamworth, its longer term economic impact on the Region will be as a consequence of securing events which attract visitors/participants to Tamworth. It will also reinforce Tamworth's role as a major regional inland centre, which offers existing and potential residents a broad suite of services and facilities and a range of lifestyle and sporting opportunities.

Site design and internal design

The shape and orientation of the development site provides for the easy positioning of the buildings and infrastructure. The buildings are set back some 20 metres from the eastern and southern boundaries, providing good opportunity for appropriate landscaping and the implementation of the Flora and Fauna Study recommendations.

Parking facilities are clearly positioned at the front of the facility, making for easy access which ensures its use by patrons. The inclusion of a set-down/pick-up area is another positive for a facility of this nature, and its position at the front of the entry foyer is suitable.

Although the plans identify future additional parking, the next stage should include clear provision for the parking of buses, which are often used by sporting associations to attend team sport events. In the interim, this area could be nominated for bus parking.

Application for a construction certificate has been lodged with Tamworth Regional Council. In response to the internal referral, Council's Building Inspector has noted that the proposal does not comply with the deemed to satisfy provisions of the Building Code of Australia. A fire engineered solution is being prepared to overcome the deemed to satisfy provisions as they relate to compartment requirements.

Construction

As a new development, the site can be managed from a construction perspective with occupational health and safety the responsibility of the building contractor.

Cumulative impacts

The only potential cumulative impact that has been identified relates to the traffic and parking management should all of the facilities be at peak operations concurrently. This requires that the Indoor Sports Complex be included in the Traffic Management Plan which is already in place for concurrent activities at both TRECC and AELEC. To ensure the traffic implications of the Indoor Sports Complex are correctly quantified, it has been proposed that a traffic investigation be undertaken once the facility is operational and the Traffic Management Plan for the precinct be amended accordingly.

Section 79C(1)(c) the suitability of the site for the development

The location of the Indoor Sports Complex on this site is clearly suitable providing for the sporting disciplines of basketball, indoor netball, volleyball and futsal to be co-located within the Regional Sports Precinct with hockey, athletics and gymnastics.

The characteristics of the site are conducive to the construction and operation of the Indoor Sports Complex, with appropriate consideration given to building design and appropriate arrangements proposed to manage traffic and parking implications.

Section 79C(1)(d) any submissions

The development application was publicly advertised and adjoining landowners informed of the proposal. One (1) submission was received in response to the public exhibition processes. It clearly identifies that there are no objections to the proposed development. A copy of the submission is attached to this report, as Annexure 2.

Section 79C(1)(e) the public interest

The development is considered to have very positive community benefits and therefore is in the public interest.

4 Recommendation

The application has been assessed in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000. The evaluation demonstrates that the proposal is satisfactory in terms of the matters for consideration identified in the legislation.

It is recommended that the proposal be granted conditional development consent.

Catherine Pyne Team Leader Development Assessment Planning and Alison McGaffin Director, Environment,

Economic Development

3 February 2010

Annexure 1 – Development Plans



DEVELOPMENT APPRATION 7.12.00 EB ISSUE DATE BY
BCA CONSULTANT: Building and Environmental Health State State St
 HYDRAULIC ENGINEER: Hydraulic Design Group HDG Barkiew Road Fax: (02) 9948 8857 Farfyst, NSV00 Email: elewen@gopod.not.au
Participation 100 2004 Email: elision@ldgood.net.au ELECTRICAL ENGINEER: SPECTRU Monometeria Monometeria Sector 2012 Sector 2012 Sector 2012
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 COPYINGHT FACULTY DESKIN GROUP PTY. LIMITED. ALL RICHTS RESERVED. DO NOT SCALE OF DRAWINGS. WORK TO FIGURED DIMENSIONS ONLY. VERY'Y DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.

Development Application No.0293/2010 Tamworth Regional Council Assessment Report







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43 PLANT ROOM	STORE 5	GYM	UPPER FOYER	MALE TOILETS 2	FEMALE TOILETS 2	STORE 6	2 COURT FOYER	COURTS 5, 6	NETBALL SCORE	ROOM	HINES	Fhone: (02) 6332 1222 Faore: (02) 6333 1222 Faor : (02) 6331 9818 Email : alan@hinesconstruct.com.au
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Development Application No.0293/2010 Tamworth Regional Council Assessment Report







DA07 PERSPECTIVES 3

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DEVELOPMENT APPLICATION ISSUE- 7.12.09

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TAMWORTH INDOOR SPORTS CENTRE

ENTRY FOYER VIEW 2



ENTRY FOYER VIEW 1







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Development Application No.0293/2010 Tamworth Regional Council Assessment Report



DA08 PERSPECTIVES 4

PRELIMINARY ISSUE- 24.11.09

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Annexure 3 – Proposed Conditions

Prior to Work Commencing

- 1. Pursuant to s.81A of the Act, the following matters must be satisfied prior to the commencement of work: -
 - (i) obtain a construction certificate from either Council or an accredited certifier; and
 - (ii) appoint a Principal Certifying Authority (and advise Council of the appointment, if it is not the Council).
- 2. Erosion and sediment controls for the construction works are to be installed and authorised before any site works begin, and be maintained effectively for the duration of the construction works.
- 3. A licensed plumber and/or drainer shall obtain a permit prior to the commencement of work of water supply and/or sanitary plumbing and drainage.
- 4. A sign is to be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out stating that unauthorised entry to the work site is prohibited and showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours. The sign is to be removed when the work has been completed. This condition does not apply to building work carried on inside an existing building, or building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is carried out.
- 5. Toilet facilities are to be provided, prior to the commencement of work, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out.

Facilities are to be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a standard flushing toilet, and must be connected to a public sewer. If connection to a public sewer is not practicable, then the toilet is to be connected to an accredited sewage management facility approved by the council. If connection to a public sewer or an accredited sewage management facility is not practicable, then connection to some other sewage management facility approved by the council is required.

- 6. The contractors engaged on the development must maintain public liability insurance cover to the minimum value of \$20 million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Documentary evidence of the currency of the policy shall be provided to Council prior to the commencement of work and upon request, during the progress of the work.
- 7. Prior to landscape works commencing, a Landscape Design Plan shall be submitted and approved. The Plan is to include details of species, planting densities, methodology and placement. In this regard, consideration of the following aspects shall be included:-
 - Inclusion of the species recommended in the Flora and Fauna Impact Assessment Report for the Proposed Australian Equine and Livestock Centre and Associated Residential Development prepared by North West Ecological Services, January 2006 and the Addendum dated January 2010.
 - Treatment of the southern elevation of the building, in relation to its visibility from the New England Highway.

Prior to Issue of a Construction Certificate

- 8. A compliance certificate under Section 306 of the Water Management Act 2000 must be obtained from the Council (as the local water supply authority) prior to the issue of a Construction Certificate. All infrastructure design, including engineering drawings and construction specifications for water and sewer supply (prepared in accordance with Council's Engineering Guidelines for Subdivisions and Developments), must be approved and payments for water and sewer headworks contributions made prior to the issue of the compliance certificate.
- 9. An Erosion and Sediment Control Management Plan prepared in accordance with the relevant sections of the Department of Housing Manual "Soil and Water Management for Urban Development", and Council's current Engineering Guidelines for Subdivisions and Developments shall be submitted to and approved by Council with the application for construction certificate.

The plan shall include :

- (i) Measures to prevent site vehicles tracking sediment and other pollutants from the development site;
- (ii) Dust control measures;
- (iii) Control structures such as sediment basins, sediment fences and sediment traps to trap sediment and allow filtered water to pass through;
- (iv) Safety measures for temporary and permanent water bodies including fencing and maximum batter slopes;
- (v) Contingencies in the event of flooding;
- 10. Detailed engineering drawings specific to the works, prepared in accordance with Council's Engineering Guidelines for Subdivisions and Developments, are required for the following, as a minimum, to ensure all works are designed and constructed in accordance with recognised and accepted standards and guidelines:-
 - (i) Carpark and internal road construction;
 - (ii) Signs and Line marking; and
 - (iii) Stormwater Construction.

The engineering drawings shall be submitted to Council for approval prior to the issue of a Construction Certificate.

All engineering drawings and specifications are to be certified by a Chartered Professional Engineer or a registered Consultancy.

- 11. Pursuant to Section 68 of the Local Government Act 1993, the following approvals must be obtained from Council prior to the issue of a Construction Certificate:-
 - (i) Carry out water supply works;
 - (ii) Carry out sewerage works;
 - (iii) Carry out stormwater drainage work; and
 - (iv) Dispose of waste into a sewer of the Council (Trade Waste).
- 12. Prior to construction of the commercial kitchen and food sales areas, a plan will be required to be submitted and approved by Council detailing its layout, including location of all equipment, sink locations and wall, floor and ceiling construction details.

General

- 13. All proposed building, site works or property improvement indicated on the submitted plans or otherwise required under the terms of this consent shall be completed prior to occupation of the premises to ensure compliance with the provisions of the Environmental Planning and Assessment Act, 1979.
- 14. The development must be carried out in accordance with the Development Application and accompanying plans, drawings and other documents as amended by conditions of this consent.
- 15. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
- 16. The five (5) recommendations of the Hunter Acoustics Report must be adopted by the Applicant in the construction and operation of the development.

Stormwater

17. All roof water and surface stormwater discharging from the proposed development site, buildings and works must be conveyed by underground pipe drains complying with AS3500.3 to the satisfaction of Council. No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.

In this regard, stormwater discharge from the site shall be as follows:-

- (i) The surface stormwater discharging from the stage 1 car park is to be directed to the underground stormwater system, specifically Pit 9 and/or Pit 21 located in AELEC Road in accordance with Tamworth Regional Council Drawing No. 18219;
- (ii) All roof waters from the development site are to be discharged to a new underground stormwater system to be constructed by the developer, denoted as Roof Stormwater Line 6, inclusive of Pits 65, 64, 53, 62 and 61, in accordance with Tamworth Regional Council Drawing Nos. 18224 and 18225.

The stormwater discharge drainage system must be constructed to comply with the following requirements as a minimum:-

- (i) All plumbing within the site must be carried out in accordance with relevant provisions of Australian Standard AS/NZS 3500.3 2003 Plumbing and Drainage Stormwater Drainage;
- (ii) Temporary down pipes shall be connected as soon as the roof has been covered so as to not cause a nuisance to adjoining properties;
- (iii) All surface flow paths must have a practical and satisfactory destination with due consideration to erosion and sediment control during all stages of development;
- (iv) Any interruption to the natural overland flow of stormwater drainage which could result in the disruption of amenity, or drainage or deterioration to any other property is not permitted.
- 18. An easement shall be obtained over Lot 1, DP 1092556 (AELEC Property) in favour of Lot 3, DP 1092556 (Indoor Sports Centre development site) in the location of the underground stormwater system for Roof Stormwater Line 6 in accordance with Tamworth Regional Council Drawing No. 18224.

Traffic and Parking

- 19. All internal driveways, parking areas, loading bays and vehicular turning areas to be constructed with a base course of adequate depth to suit design traffic, being sealed with either asphaltic concrete, concrete or interlocking pavers and being properly maintained to facilitate the use of vehicular access and parking facilities and to minimise any associated noise and dust nuisance. Full details of compliance are to be included on the plans accompanying the Construction Certificate application.
- 20. All parking bays shall be permanently marked out on the pavement surface and being clearly indicated by means of appropriate signs to facilitate the orderly and efficient use of onsite parking and loading/unloading facilities.
- 21. The direction of traffic movement within the site shall be clearly indicated by means of suitable signs and pavement markings to ensure that clear direction is provided to the drivers of vehicles entering and leaving the premises in order to facilitate the orderly and efficient use of on-site parking and driveway access and in the interest of traffic safety and convenience.
- 22. The driveway from AELEC Road to the stage 1 car park shall be constructed in accordance with Council's Engineering Guidelines for Subdivisions and Developments to the satisfaction of the Responsible Authority, before the use is commenced or building occupied and shall comply with the following:-
 - (i) The alignment of the driveway shall be at right angles to AELEC Road;
 - (ii) The proposed vehicular crossing shall have satisfactory clearance to any drainage pit, power pole or telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the Developer's expense.
 - (iii) The driveway shall have adequate pavement depth to accommodate the likely traffic generated from the development and shall be paved. The paving shall consist of either asphaltic concrete, concrete or interlocking pavers.
- 23. All internal driveways, parking areas and vehicle turning areas are to be designed in accordance with the requirements of AS2890.1-2004 "Parking Facilities Off Street Parking".
- 24. Provision is to be made for the parking of buses in the location marked as "Stage 2 Carpark". It is confirmed that provision for formal bus parking is to be incorporated into the design for Stage 2 works/activities, and will be assessed at the time of the subsequent development application.

During Construction

25. Work on the project shall be limited to the following hours to prevent unreasonable disturbance to the amenity of the area:-

Monday to Friday – 7.00am to 5.00pm; Saturday – 8.00am to 1.00pm if audible on other residential premises, otherwise 7.00am to 5.00pm; No work to be carried out on Sunday or Public Holidays if it is audible on other residential premises.

The builder shall be responsible to instruct and control his sub-contractors regarding the hours of work.

- 26. The drainage service is to be provided with at least one overflow gully the top level of which shall not be less than 150mm below the floor level of the building and not less than 75mm above the finished ground level to provide for sewerage surcharge outside the building in case of a blockage in the sewer main.
- 27. To ensure the safety of workers on site and the public, all excavations and backfilling are to be executed safely and in accordance with appropriate professional standards and, properly guarded and protected to prevent them from being dangerous to property or life.
- 28. A site rubbish enclosure shall be provided on the site for the period of the proposed construction works.
- 29. In accordance with the recommendations of the Archaeological Survey, prepared by Patrick Gaynor and dated January 2006, a member of the Tamworth Local Aboriginal Land Council shall be present on-site during the stripping of topsoil to confirm no items of aboriginal heritage significance are unearthed.
- 30. A copy of the current stamped approved engineering construction plans and specification must be kept on site for the duration of the works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.
- 31. The applicant shall ensure that dust suppression is undertaken to the satisfaction of the Responsible Authority, in the form of constant water spraying or other natural based proprietary dust suppressant, to ensure that dust caused by any vehicles moving within the site does not cause a nuisance to surrounding properties.
- 32. Stockpiles of topsoil, sand, aggregates, spoil or other material shall be stored clear of any natural drainage path, constructed drainage systems, easement, water bodies, or road surface and located wholly within the site with measures in place to prevent erosion or movements of sediment in accordance with the approved erosion and sediment control management plan.
- 33. All spillage of materials, as a result of delivery or handling, must be removed as soon as practicable and placed into suitable receptacles for reclamation or disposal in a manner that does not cause pollution of the environment.
- 34. Open and piped drains, gutters, roadways and access ways shall be maintained free of sediment for the duration of the work. When necessary, roadways shall be swept and drains and gutters cleaned of sediment build up.
- 35. AELEC Road, internal roads within the precinct and the surrounding sporting fields are not to be used for construction purposes or placing of building materials (without prior consent) to ensure safe and unobstructed access for motorists and pedestrians.

Any damage caused to AELEC Road and associated infrastructure in the vicinity of the development site during building operations shall be rectified to the satisfaction of Council to ensure the integrity of the road infrastructure is maintained in an acceptable standard.

Inspections

- 36. When building works have reached the following stages an inspection is to be arranged by contacting Council's Customer Service Centre by phoning 67554 555 (or by Facsimile 6755 4499) by 4:00pm the day before the inspection is required. Please advise Council if the work will not be ready at the appointed time. Failure to do so may incur an additional inspection fee.
 - (i) Pier holes, pads or bulk piers before concrete is poured;
 - (ii) Trenches with reinforcement steel in position;
 - (iii) Concrete slabs with reinforcement in position;
 - (iv) Framework before fixing of internal linings;
 - (v) Wet area flashings before laying tiles (or other finish);
 - (vi) Storm water drainage prior to backfilling trenches or covering;
 - (vii) Construction of the driveway between the roadway and the property boundary before placing concrete or laying paving; and
 - (viii) Final inspection of the development.
- 37. As a consent authority under the Water Management Act 2000, the following inspections are required to be carried out by Council. Where Council is not the Principal Certifying Authority, an additional fee for each inspection will apply.
 - (i) Underfloor drainage under hydrostatic test prior to covering;
 - (ii) Internal stackwork under hydrostatic test prior to covering;
 - (iii) Hot and cold water plumbing under pressure test prior to covering;
 - (iv) Sanitary drainage (under hydrostatic test) prior to backfilling trenches or covering;
 - (v) The installation of the Trade Waste Facility prior to backfilling or covering; and
 - (vi) Final inspection of all plumbing and drainage works.
- 38. Inspections are required to be carried out by Council for works as specified below:-
 - (i) Stormwater drainage infrastructure prior to backfilling trenches;
 - (ii) Internal roads and car park areas, prior to sealing.

Please note that Council requires a minimum of 24 hours notice to undertake inspections.

Prior to Occupation

- 39. To ensure that the required fire safety measures are provided in accordance with the buildings use and operate in accordance with the appropriate standards, the owner must cause a copy of a Fire Safety Certificate (Form 15) to be given to the Council and the Commissioner of the NSW Fire Brigades prior to occupation in relation to the Fire Safety Measures required to be installed in the building. A copy of the Fire Safety Certificate including the current Fire Safety Schedule is to be prominently displayed in the building. Thereafter, the owner must cause Council to be given such a certificate at least once in each period of twelve (12) months after the first certificate.
- 40. To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by the occupants, the building (or part of the building in the case of alterations and additions) shall not be occupied or used until -
 - (a) it is completed in accordance with the approval and the principal certifying authority has completed a satisfactory final inspection; or
 - (b) the principal certifying authority gives written permission to allow the building to be occupied or used before it is completed.

An occupation certificate may not be issued until the completion of all ancillary components to the development, including:-

- Landscaping
- Car parking, access and manoeuvring roads
- Completion of utility infrastructure in relation to water, sewer and stormwater drainage arrangements
- 41. A Plan of Waste Management is to be submitted for approval by Council prior to the commencement of operations. The Plan is to include details of waste storage and collection procedures so as to achieve safe and hygienic conditions.
- 42. Prior to the issue of an Occupation Certificate, documentary evidence is to be submitted to confirm that the Proposed Transmission Line Easement identified in DP 635278 has been removed from the Land Title for Lot 3, DP 1092556.

Continued Operations

- 43. The sealing of all vehicular parking and manoeuvring areas is to be maintained at all times.
- 44. The pavement markings of all vehicular parking areas are to be maintained at all times.
- 45. All vehicular movement to and from the site shall be in a forward direction to ensure that the proposed development does not give rise to vehicle reversing movements on or off the public road with consequent traffic accident potential and reduction in road efficiency.
- 46. To ensure that the required parking and associated driveways are able to function efficiently for their intended purpose, they shall be maintained clear of obstruction and be used exclusively for the purposes of car parking and vehicle access respectively and under no circumstances are such areas to be used for the storage of goods or waste materials.
- 47. Once the Complex has been in operation for twelve (12) months, a Traffic Management Review is to be undertaken which gives consideration to the cumulative traffic impacts within the Tamworth Regional Recreation Precinct. The Review is to include anecdotal data of operations, present conclusions on any issues that become apparent, and make recommendations for both amendments to the Traffic Management Plan and remedial actions required.



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