

MINUTES OF THE NORTHERN JOINT REGIONAL PLANNING PANEL MEETING HELD AT GLEN INNES SEVERN LEARNING CENTRE ON WEDNESDAY 12 DECEMBER 2012 AT 3.30PM

PRESENT:

Garry West	Chair
Pamela Westing	Panel Member
John Griffin	Panel Member

IN ATTENDANCE

Graham Price	Glen Innes Severn Council
Tamai Davidson	Glen Innes Severn Council
Keiley Hunter	Planning Consultant

APOLOGY: Nil

1. The meeting commenced at 3.30pm.

2. Declarations of Interest

The panel chair (Mr Garry West) advised that, before the meeting, panel members Cr Colin Price and Cr Michael Scherf declared a potential conflict of interest with regards to the development application having been part of council deliberations on a letter of intent with the applicant to facilitate the development. Cr Price and Cr Scherf therefore stood down from the regional panel and were not involved in the decision.

3. Business Items

ITEM 1 - 2012NTH014 – Glen Innes Severn Council - DA09/12-13 - New educational establishment comprising aviation training college, accommodation, teaching facilities, dining and recreation facilities and 3 lot subdivision, Glen Innes Aerodrome, Lot 3 DP1102229, Emmaville Road, Glen Innes

4. Public Submission

Don Hall	Addressed the panel for the item
James Gresham	Addressed the panel for the item
Ross Kamphorst	Addressed the panel against the item
Neil Hamsford	Addressed the panel on behalf of the applicant

5. Business Item Recommendations

ITEM 1 - 2012NTH014 – Glen Innes Severn Council - DA09/12-13 - New educational establishment comprising aviation training college, accommodation, teaching facilities, dining and recreation facilities and 3 lot subdivision, Glen Innes Aerodrome, Lot 3 DP1102229, Emmaville Road, Glen Innes

Motion:

As per the recommendation contained in council's assessment report, that DA09/2013 for an educational establishment comprising aviation training college, accommodation, teaching facilities, dining and recreation facilities in association with Glen Innes Aerodrome facility, and three lot subdivision of Lot 3 DP 1102229, be approved subject to the conditions specified at Attachment A to the council assessment report (copy of conditions attached to this document).

Moved Pam Westing **Seconded** John Griffin

MOTION CARRIED UNANIMOUSLY

6. The meeting concluded at 4.00pm.

Endorsed by



Garry West
Chair, Northern Joint Regional Planning Panel
18 December 2012

ATTACHMENT 1

APPROVED CONDITIONS OF CONSENT

ATTACHMENT A

Development Application 09/12-13

Schedule of Conditions

Prescribed Conditions (Section 80A(11) EP&A ACT)

Building Code of Australia

- 1) All work must be carried out in accordance with the requirements of the Building Code of Australia

Reason: To comply with the provisions of Clause 98 of the Environmental Planning & Assessment Regulation 2000.

Signage

- 2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c) stating that unauthorised entry to the work site is prohibited.

Reason: To comply with the provisions of Clause 98A of the Environmental Planning & Assessment Regulation 2000.

Development is to be in accordance with approved plans and supporting documents:

- 1) The proposed development be carried out in accordance with the plans listed below except where modified by any conditions of the consent:

Drawing No.	Name of Plan
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**DEVELOPMENT APPLICATION 9/12-13 – Aviation Training College – Glen Innes
Aerodrome – Lot 3 DP 1102229**

DA 00	Cover page – Issue C
DA 01	Existing Site Plan - Issue B
DA 02	Proposed Site (Roof) Plan – Issue C
DA 03	Proposed Ground Plan – Issue D
DA 04	Staging Diagram – Issue C
DA 05	Site Entry Elevation – Issue B
DA 06	Building Plans and Elevations-Classrooms/kitchen – Issue B
DA 07	Building Plans and Elevations-Flight Operations/Recreation – Issue B
DA 08	Building Plans and Elevations- Recreation/Computer/Reception – Issue B
DA 09	Building Plans and Elevations-Simulator/Bed Units - Issue B
DA 10	Demolition Plans – Issue A
DA 11	Lighting Plan – Issue A
DA 12	Fencing Plan – Issue A
DA 13	Site Service Plan – Issue B
DA 14	Fuel storage and delivery point – issue A

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DA 15

Building Plans and Elevations – Issue A

Note: Any proposal to modify the terms or conditions of this consent, whilst still maintaining substantially the same development to that approved, will require the submission of a formal application under Section 96 of the Environmental Planning and Assessment Act 1979 for Council's consideration. If amendments to the design result in the development not remaining substantially the same as that approved by this consent, a new Development Application will have to be submitted to Council.

Reason: To ensure compliance with approved plans.

Staging

- 2) The development is to be constructed in the following stages (refer drawings # 1211- DA4 & DA10):

Stage 1	200 beds (30 accommodation units) and all other infrastructure.
Stage 2	100 beds (18 accommodation units) and demolition of caretaker's residence and workshop/storage shed.
Stage 3	100 beds (18 accommodation units)
Stage 4	180 beds (37 accommodation units)

Reason: To ensure compliance with approved plans.

Conditions to be Complied with prior to Issuing a Construction Certificate Stage 1

Consultative Committee

- 3) The Proponent shall establish a community consultative committee for the life of the project, unless otherwise agreed by Council. The Proponent shall ensure the committee structure is approved by Council and is in operation prior to the issue of the occupation certificate or commencement of the academy.

Reason: To ensure a coordinated approach to operational matters of the academy that impact on the community.

Procedures for Air Navigation Services

- 4) Prior to the issue of a Construction Certificate, the developer is to engage a suitably qualified independent assessor to verify that the development will not impact on Procedures for Air Navigation Services – Aircraft Operations Services (PANS-OPS) which apply to Glen Innes Aerodrome.

Reason: To ensure that the proposed development does not pose a hazard to air traffic using instrument approach procedures.

Headworks Charges

- 5) The payment to Council of a contribution for water and sewerage headworks at the following rate:

Prior to the issue of a Stage 1 Construction Certificate

Water Headworks. \$65,640

Sewer Headworks \$72,537

Payment of remaining headworks charges will be as follows:

Prior to the issue of a Stage 2 Construction Certificate

Water Headworks. \$76,059

Sewer Headworks \$84,051

Prior to the issue of a Stage 3 Construction Certificate

Water Headworks. \$81,268

Sewer Headworks \$89,808

Prior to the issue of a Stage 4 Construction Certificate

Water Headworks. \$93,771

Sewer Headworks \$103,624

Reason: Because the development will create an increased demand for water and sewer services and put an increased load on the existing infrastructure.

Landscape Plan

- 6) A Landscape Plan is to be prepared showing:
- a. trees to be removed / retained
 - b. protection of trees during construction
 - c. selection of plant species (un-attractive to bird life)
 - d. mowing regime of aerodrome grounds (maintenance of grasses to ensure no seeding)

The Landscape Plan is to be submitted to and approved by the Glen Innes Severn Council's Director of Development, Regulatory & Sustainability Services prior to the issue of the Construction Certificate for Stage 1.

Reason: To improve the amenity of the site.

External appearance

- 7) To minimise the visibility of the development, natural colours and non-reflective building materials are to be used for new buildings. Non-reflective roofing material must also be used to minimise glare to pilots. A colour palette and materials schedule is to be submitted to and approved by the Glen Innes Severn Council's Director of Development, Regulatory & Sustainability

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Services prior to the issue of a Construction Certificate.

Reason: To improve the amenity of the site.

Developer Contributions

- 8) In accordance with the provisions of Council's Section 94A plan, a contribution towards the provision, extension or augmentation of public amenities or services, is required to be paid prior to issue of the construction certificate for stage 1. The required contribution is 1% of the estimated cost of the development works, being \$140,000.00.

Reason: To ensure the requirements of Council's Section 94A plan are met.

Waste Management

- 9) A Waste Management Plan generally as set in Section 9 of the document titled 'Project Outline and Statement of Environmental Effects' is to be submitted to and approved by the Glen Innes Severn Council's Director of Development, Regulatory & Sustainability Services prior to the issue of a Construction Certificate for Stage 1.

Note: Liaison with Council's Department of Infrastructure Services is recommended prior to finalisation of the Waste Management Plan.

Reason: To maintain the amenity of the site.

Local approval

- 10) Prior to any plumbing work commencing a section 68 local approval is to be lodged with Council.

Reason: To comply with the Local Government Act 1993.

Public Utility Assessment

- 11) A public utility assessment shall be carried out on all public utility services in the vicinity of the subject site prior to the commencement of any construction work, and for any service requiring adjustment, the submission to Council of documentary evidence that the relevant utility authorities' requirements have been satisfied.

Reason: Because it is in the public interest that utility services be protected from damage and remain operational.

Conditions to be Complied with prior to construction work commencing

Prior to Commencement of development

- 12) Prior to commencing work the applicant must appoint a Principal Certifying Authority to carry out the inspections required by these conditions and issue certificates of compliance. The Principal Certifying Authority may be either an accredited certifier or Glen Innes Severn Council. Two days before any work commencing on site the applicant must:

(i) forward Form 7 of the Regulation to notify Council of commencement of work and the appointment of the Principal Certifying Authority (if the Principal

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Certifying Authority is not the Council, the accredited certifier registration number must be included); and

(ii) notify the adjoining owners that work will commence.

Reason: To comply with the provisions of Clause 81 of the Environmental Planning & Assessment Act 1979

Builder's details

- 13)** Prior to the commencement of work the owner of the premises or the principal certifying authority shall advise Council of the builder's name, address, licence number, phone and fax numbers.

Council is to be immediately informed in writing if

- i. A contract is entered into for the work to be done by a different licensee (builder); or
- ii. Arrangements for doing the work are changed.

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 unauthorized 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.

Reason: Compliance with the Building Code of Australia.

Erosion and Sedimentation Controls

- 14)** To prevent soil leaving the site and entering the stormwater system and causing pollution of rivers and creeks erosion and sediment controls are to be installed prior to work commencing and include the following:

- a) The installation of a sediment fence with returned ends across the low side of the site so that all water flows through. Drains, gutters, roadways etc shall be kept clean and free of sediment.
- b) To prevent the movement of soil off site, a single entry/exit point to the property shall be constructed of 40mm blue metal aggregate or recycled concrete to a depth of 150 mm. The length must be a minimum of 5 m and a width of 3 m.

These measures shall be maintained throughout the course of construction and until all disturbed areas are restored by turfing and mulching, paving or re-vegetation.

Reason: To comply with the requirements of the Protection of the Environmental Operations Act 1997 and protect the amenity of the local environment.

Conditions to be complied with prior to the issue of a Subdivision Certificate

Subdivision

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- 15) The subdivision is to be carried out generally in accordance with the layout plan submitted with the development application, except as varied by any conditions listed herein. Any minor modification to the approved subdivision plan will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.

Reason: To ensure that the subdivision is in agreement with that approved in the development consent.

- 16) The original plan of survey and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.

Reason: To ensure that the subdivision is in agreement with the approved plans.

- 17) If the Subdivision Certificate is not issued, for any reason whatsoever, within twelve (12) months of the date of determination, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.

Reason: Because it is in the public interest that the timing of charges coincides with the delivery of services.

- 18) Prior to the issue of a Subdivision Certificate:

- a) all contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or
- b) an agreement be made between the developer and Council;
 - i. as to the security to be given to Council that the works will be completed or the contribution paid, and
 - ii. as to when the work will be completed or the contribution paid.

Reason: Because it is in the public interest that works are completed and fees are paid in accordance with Council's Management Plan in a timely manner.

- 19) The final plan of survey is to include a minimum sixteen (16.0) metre wide road reservation, centred on the existing internal access road, and including the car parking area adjacent the terminal building.

Reason: To provide for continued public and emergency access to the aerodrome, and to provide a reservation suitable for running shared utilities and services

- 20) The provision of minimum three (3.0) metre wide easements with associated Section 88 instruments over any utilities, services or stormwater drainage paths which pass through private property, in favour of the lot or lots which benefit from the utility or service.

Reason: To permit the ongoing operation and maintenance of utility services and infrastructure.

- 21) Proposed Lot B is to be amended so as to provide a minimum clearance of three (3.0) metres around the existing brigade shed and its connected rainwater tanks.

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Reason: To ensure that the external walls of the existing fire brigade station can be maintained, and to ensure a ready supply of water for operational response.

- 22) The subdivision boundary on the north east boundary of proposed Lot A1 is to be amended if necessary such that the design delivery tanker may continue to discharge fuel to the existing underground fuel tank without its swept path crossing the boundary of Lot A1. Scale plans of the turning and manoeuvring areas are to be submitted to Council and approved prior to the lodgement of a plan of survey.

Reason: To provide for the continued operation of the existing underground fuel facility located on the subject land.

- 23) The design and construction of a light-aircraft tie-down facility within proposed Lot C. Engineering plans of the facility are to be submitted to and approved by Council's Director of Infrastructure Services prior to the issue of a Subdivision Certificate.

Reason: To ensure that aircraft tie-down facilities will continue to be available at the aerodrome, as the existing light-aircraft tie-down facility will transfer to Lot B when the subdivision is registered.

- 24) Proposed Lot B must be sited to provided clearances / offsets of at least 3 m around the Reddestone RFS brigade station.

Reason: To provide offsets in accordance with Council's rural building controls.

- 25) The design and upgrading of public roads and intersections such that they comply with the minimum requirements below:

- a) the internal aerodrome access road between Emmaville Road and the public car park adjacent the terminal building to be a two-way bitumen sealed pavement having minimum trafficable width of seven (7.0) metres, and minimum formation width of 8.4 metres;
- b) an Austroads type BAR/BAL intersection at the intersection of Emmaville Road with the internal aerodrome access road;
- c) an Austroads type BAR/BAL intersection at the intersection of Emmaville Road with Bullock Mountain Road;
- d) an Austroads type BAR/BAL intersection at the intersection of Coronation Avenue with Grafton Street in Glen Innes;

All road works are to be located, designed and constructed in accordance with Austroads standards and AUS-Spec #1 as modified by Glen Innes Severn Council, prior to the issue of a Subdivision Certificate.

Reason: To ensure the proposed roads and intersections are designed and constructed to a standard sufficient for the additional volume of traffic likely to be generated by the proposed development.

- 26) All road works are to be located, designed and constructed in accordance with Austroads standards and Aus-Spec #1 as modified by Glen Innes Severn Council, prior to the issue of a Subdivision Certificate.

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Reason: To ensure the proposed roads and intersections are designed and constructed to a standard sufficient for the additional volume of traffic likely to be generated by the proposed development.

- 27) A certificate from an approved electrical contractor indicating that satisfactory arrangements have been made for the provision of an electricity supply to the subdivision;

A Pre-Provisioning Confirmation Document from Telstra indicating that satisfactory arrangements have been made for the provision of telephone services to the subdivision.

Reason: To ensure that utility services are available to serve the subdivision.

- 28) Under the Environmental Planning & Assessment Act, 1979, a Subdivision Certificate is required before the plan of survey can be registered with the Land Titles Office.

Note: Council's fee to issue a Subdivision Certificate is set out in Council's fees and charges.

Reason: Because it is in the public interest that the plan is certified in accordance with the provisions of the Environmental Planning and Assessment Act 1979, as amended.

Dividing Fences Act 1991

- 29) A notation is to be made on the s88B Instrument effectively relieving Council of any obligations that may apply as an adjoining land owner under the Dividing Fences Act 1991.

Reason: Because it is in the public interest.

Conditions to be Complied with prior to Issuing a Construction Certificate Stage 2

Site Remediation

- 30) Prior to the issue of a Construction Certificate for Stage 2 a remediation action plan (RAP) shall be prepared by a suitably qualified environmental consultant. The RAP shall include plans for monitoring well installation, remediation works and subsequent validation sampling.

Reason: To ensure that the land is suitable for the development in accordance with the provisions of State Environmental Planning Policy No. 55 – Remediation of Land.

- 31) Prior to the construction work commencing for Stage 2, the site is to be remediated in accordance with:

- a) The relevant approved Remedial Action Plan, and
- b) State Environmental Planning Policy No. 55 – Remediation of Land and
- c) The guidelines in force under the Contaminated Land Management Act.

Within thirty (30) days after the completion of the remediation works, a notice of completion, including validation and/or monitoring report is to be provided to

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Council. This notice must be consistent with Clause 18 of State Environmental Planning Policy No. 55 – Remediation of Land. Any conditions recorded on the Site Audit Statement are to be complied with.

Reason: To ensure that the land is suitable for the development in accordance with the provisions of State Environmental Planning Policy No. 55 – Remediation of Land.

Noise mitigation

32) Prior to the commencement of Stage 2 of the approved use, the Proponent must conduct a specific and detailed acoustic assessment of operational noise levels at the following receptors (identified by Mitchel Hanlon P/L, Noise Assessment, August 2012):

- Receptor 1 – “Tara”
- Receptor 4 – “Plainview”
- Receptor 5 – “Glenorie”
- Receptor 6 – “Clarevaux”
- Receptor 9 – Lot 1 DP1118911
- Receptor 10 – “Crossmaglen”
- Receptor 11 – “Jingella”
- Receptor 14 - NSW Agricultural Research Station
- Any other sensitive receptor made known to Council or the Consultative Committee being located within 4km from a point at the intersection of runways 10, 28, 14, 32 and considered by Council to be a sensitive receptor. Aircraft noise measurements shall be taken according to the procedures of AS2021:2000.

A report shall be submitted to Council, prepared by a qualified acoustical consultant that clearly identifies operational internal noise levels at the receptor locations listed above.

The report shall also identify any remediation treatment required to each affected dwelling in order to achieve the indoor design sound levels outlined in AS2021:2000 should remediation be required

Remediation works shall then be carried out prior to the occupation of Stage 2 of the development to dwellings where the following indoor design sound levels are exceeded as a result of aircraft activities of the proposed development:

- Sleeping areas, dedicated lounges: 50 dB(A)
- Other habitable spaces: 55dB(A)
- Bathrooms, toilets, laundries: 60 dB(A)

Owners of identified receptors are to be contacted by the proponent, inviting them to have the assessment carried out. At least twenty eight (28) day's notice must be provided in the invitation before the proposed date of testing. Should an invited owner not make the property available on the invited date for noise testing, an additional invitation must be offered over the course of a

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further 28 days from the original testing date (i.e. owners to be given two chances). Should an owner decline to have the dwelling tested after the two invitations, then this condition will be seen to have been satisfied in relation to the said property. All costs incurred in fulfilling this condition are to be met by the Proponent.

Should a remediation solution be identified for any receptor in line with the above testing criteria and the receptor refuses to make the property available for remediation this will not preclude the occupancy of Stage 2 or subsequent stages in the approved development. The proponent will advise Council of the inability to complete any identified works and the Council will advise the identified receptor that unless access is provided to carry out the works in line with the specification detailed by the acoustical consultant within 21 days that the conditions of this Development Approval have been met and the proponent has no further responsibility in this regard.

Reason: To maintain the amenity of surrounding dwellings/receptors.

On –going Conditions of Approval

Hours of operation

- 33) The Australia Asia Flight Training Academy (AAFT) is permitted to conduct flight training seven days per week, 52 weeks a year to a maximum of 360 days per year with no aircraft training movements permitted on Christmas Day, Boxing Day, Good Friday, Easter Sunday and Anzac Day. The permitted hours for flight training circuit operations of the AAFT college at Glen Innes Airport are restricted to 6am to 10pm Mondays to Saturdays.

All other flight training operations are allowable from 6am to 10pm on Sundays with the exception of repetitive circuit training.

No repetitive circuit training flights are to occur between 6am and 10pm Sundays.

Operation of repetitive circuit training flights during non-permissible operational hours (between 6am to 10pm Sunday) are permitted under the following circumstances:

- To compensate for weather disruptions during the 14 day period prior to Sunday; and
- AAFT must advise the Chairperson of the Consultative Committee of the need to carry out circuit training flights during non-permissible hours.

After the first anniversary of the commencement of operations for Stage 3, the proponent, in conjunction with the Consultative Committee may review the operations in non-permissible hours and seek modification from Council to the operating hours for the non-permissible period for circuit training.

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Note: The approved hours of operations for flight training at Glen Innes Airport by AAFT will be:

MONDAY-SATURDAY (excluding Christmas Day, Boxing Day, Good Friday, Easter Sunday and Anzac Day)	6am to 10pm All flight training activities permissible including circuit training.
SUNDAY	6am to 10pm No repetitive circuit training permitted. Circuit training is permitted only where flight hours have been lost due to weather in the preceding 14 days.

Reason: To maintain the amenity of surrounding dwellings/receptors.

Access to Flight Logs

- 34) AAFT are to provide Council with copies of all the flight movement records documenting all training flights undertaken during the operation of the facility specifically documenting the times of take-offs and landings and weather records where weekend (non-permissible hours) flight training is performed. Flight movement records are to be provided to Council on a quarterly basis. In addition, subject to appropriate notification (24 hours) by Council or the Consultative Committee, AAFT must provide access to flight movement records to enable a response to any complaints within a reasonable timeframe.

Reason: To ensure compliance with operational hours.

Floodlights

- 35) Flood lights are required to comply with the specifications in the Civil Aviation Safety Regulations (CASR) and the Air Services Act 1995. To mitigate any impacts on nearby residences, all lighting will be shielded and directed inwards and downwards.

Reason: To ensure amenity of area and public safety.

Loading And Unloading

- 36) All loading and unloading in connection with the premises shall be carried out wholly within the site.

Reason: To provide for safety and convenience of motorists and pedestrians on the public road.

Stormwater management

- 37) To reduce the quantity of stormwater discharged to the surrounding area, each accommodation building, the operations block, teaching block and dining block will be connected to a 5,000 L rainwater collection tank. These tanks will be plumbed in for use in flushing toilets. The water will also be used for watering

gardens and washing aircraft.

Reason: To reduce stormwater run-off and water usage.

Removal of Septic Tanks

- 38)** Any septic tanks connected to the existing dwelling are required to be demolished removed from the site and the site remediated.

The public amenities associated with the aerodrome terminal are to be connected to the sewerage system and the septic tanks (removed / capped off) at the applicant's expense.

Reason: Compliance with the Regulations and provision of services to cater for increased site capacity.

Approved use

- 39)** The AAFT site shall not be used for any commercial or industrial use other than that approved within this consent without the prior written consent of Council.

Reason: To ensure compliance.

Dangerous Goods

- 40)** Compliance with all requirements of the WorkCover Authority of NSW in relation to the storage and handling of dangerous goods associated with the development.

Reason: To ensure compliance with work health and safety regulations, and minimise risks to people arising from the proposed development.

Construction Management Plan

- 41)** Prior to the commencement of construction works a Construction Management Plan is to be submitted to Council for approval that details:

1. Appointment of project liaison officer with 24 hour contact details;
2. Traffic management plan;
3. Acoustic and vibration management plan;
4. Dust controls;
5. Hours and days of operation; and
6. Site security.

Reason: To maintain the amenity and safety of the site during construction.

Aerodrome Operation

- 42)** The maximum elevation of any structures on the subject land, and the mature height of any trees planted on the site, are to be designed and located so as not to protrude above the obstacle limitation surface for Glen Innes Aerodrome.

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Reason: To ensure that the proposed development does not pose a hazard to air traffic.

- 43) All structures are to be designed to minimise the potential for bird nesting areas, and no domestic pets are to be permitted on the site.

Reason: To minimise the risk of aircrafts striking birds or animals at Glen Innes Aerodrome.

- 44) All facilities and works at Glen Innes Aerodrome are to comply with the requirements of the Manual of Standards Part 139 – Aerodromes, made under Part 139 of the Civil Aviation Safety Regulations 1998.

Note: It is a requirement under this Manual to prepare and communicate a Method of Working Plan (MOWP) prior to the commencement of any works.

Reason: To ensure that all facilities meet accepted safety standards, and that works are performed in a safe manner and communicated to pilots and other interested parties.

- 45) No structures are to be erected within a three hundred (300) metre radius of the existing Airservices Australia navigational facility at Glen Innes Aerodrome, without the express consent of Airservices Australia.

Reason: To minimise the risk of any disruption to navigational facilities at Glen Innes Aerodrome.

- 46) The developers shall prepare and implement at their full cost any Transport Security Programs required under the *Aviation Transport Security Act 2004* and the *Aviation Transport Security Regulations 2005*.

Note: This requirement will include any security upgrades such as boundary fencing required as a result of reclassification of Glen Innes Aerodrome as a Security Controlled Aerodrome.

Reason: To ensure that minimum levels of security are provided at Glen Innes Aerodrome commensurate with aerodrome risk and activity.

Type of Aircraft

- 47) Aircraft to be used by AAFT for training circuit purposes are limited to the existing four (4) Cessna C172 and Diamond DA40 or DA42 or aircraft with comparable or lower noise characteristics of the Diamond DA40 or DA42 according to the European Aviation Safety Agency (EASA) 'Type-Certificate Data Sheet for Noise' specifications.

Reason: To ensure that current and future aircraft noise levels are consistent with the modeled noise data used in the Acoustic Assessment by Mitchel Hanlon Consulting Pty Ltd.

Public Access to Amenities

- 48) The lessee of proposed Lot C will provide public access to the public amenities located within the Glen Innes Aerodrome Terminal or will provide public access to alternative public amenities. The method of provision of public access to amenities at the Glen Innes Aerodrome will be agreed upon between the

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lessee and lessor (the Council) and included in the lease agreement.

Reason: To maintain public access to amenities at Glen Innes Aerodrome.

Conditions to Be Complied with During Construction

Builders toilet

- 49)** Toilet facilities are to be provided, 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, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided:

- a) must be a standard flushing toilet, and
- (b) must be connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
 - (i) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

Reason: To ensure that the development, when constructed, will comply with the Environmental Planning and Assessment Act, 1979.

Hours of work

- 50)** Construction, demolition and associated work shall be carried out only between the times stated as follows:-

Mondays to Fridays	7.00a.m. to 6.00p.m.
Saturdays	8.00a.m. to 1.00p.m.
Sundays & Public Holidays	No construction work to take place.

Reason: To ensure that the environmental quality of adjoining land is not adversely affected, such as by the generation of excessive noise levels.

Placement of materials & equipment

- 51)** All building materials, plant and equipment is to be placed on the building site. Building materials, plant and equipment (including water closets), are not to be placed on roadways or public reserves.

Reason: To ensure pedestrian and vehicular access is not restricted in public places.

Development involving bonded asbestos material and friable asbestos material

- 52)** A development that involves demolition work must be issued subject to the following conditions:

- (a) work involving bonded asbestos removal work (of an area of more than 10

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- square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 318 of the *Occupational Health and Safety Regulation 2001*,
- (b) the person having the benefit of the development consent must provide the principal certifying authority with a copy of a signed contract with such a person before any development pursuant to the development consent commences,
 - (c) any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered,
 - (d) if the contract indicates that bonded asbestos material or friable asbestos material will be removed to a specified landfill site, the person having the benefit of the development consent must give the principal certifying authority a copy of a receipt from the operator of the landfill site stating that all the asbestos material referred to in the contract has been received by the operator.

This clause applies only to a development consent issued after the commencement of this clause.

In this clause, bonded asbestos material, bonded asbestos removal work, friable asbestos material and friable asbestos removal work have the same meanings as in clause 317 of the *Occupational Health and Safety Regulation 2001*.

Note 1. Under clause 317 removal work refers to work in which the bonded asbestos material or friable asbestos material is removed, repaired or disturbed.

Note 2. The effect of sub clause (1) (a) is that the development will be a workplace to which the Occupational Health and Safety Regulation 2001 applies while removal work involving bonded asbestos material or friable asbestos material is being undertaken.

Note 3. Information on the removal and disposal of asbestos to landfill sites licensed to accept this waste is available from the Department of Environment, Climate Change and Water

Reason: To comply with the Regulations.

Demolition

- 53)** To ensure the safety of workers and the public, all demolition work shall be carried out in accordance with Australian Standard 2601-1991.

Reason: to comply with Australian Standard 2601-1991.

Water and sewer connection

- 54)** The connection to sewer mains such that there is one separate and distinct reticulated sewer connection located wholly within the boundary of the allotment, in compliance with the *Local Government (General) Regulation 2005*.

Note: Council has provided a separate quotation for these works.

Reason: This utility is necessary to service the proposed construction.

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- 55) The connection to water mains such that there is one separate and distinct reticulated water connection located wholly within the boundary of the allotment, in compliance with the *Local Government (General) Regulation 2005*.

Notes: Council has provided a separate quotation for these works.

Reason: This utility is necessary to service the proposed construction.

Conditions to be Complied with prior to Occupation Stage 1

Fire safety certificate

- 56) Prior to an Interim/Occupation Certificate being issued, the owner of the building shall furnish to the Principal Certifying Authority a final/interim Fire Safety Certificate with respect to each essential fire safety measure specified in the attached Fire Safety Schedule for the building to which the Certificate relates.

The Certificate shall state:

- a. That each essential fire safety measure has been assessed by a properly qualified person.
- b. That each essential fire safety measure was found, when it was assessed, to be capable of performing to a standard not less than that required by the current Fire Safety Schedule for the building to which the certificate is issued.

Reason: To ensure the safety of persons in the event of a fire.

Damage to Council Infrastructure

- 57) Damage caused to Council infrastructure as a result of the building activities shall be rectified by the applicant at their full expense.

Reason: To ensure infrastructure is not damaged as a result of the development

Car Parking

- 58) The provision and maintenance of vehicle parking and manoeuvring areas within proposed Lot A in accordance with AS/NZS 2890: Parking Facilities, and the following:

- The provision of at least **two hundred and seven (207)** car parking spaces on the subject land, including two (2) disabled car parking spaces;
- Each car parking space is to have minimum dimensions of 5.5m x 2.6m, and the disabled car parking space is to comply with the Building Code of Australia and referenced standards;
- Parking and manoeuvring areas are to be line-marked and sealed with a hard standing, all weather material and must be maintained in a satisfactory condition;
- The manoeuvring areas are to be designed for the swept path of the maximum dimension vehicles likely to service the development;
- All vehicles are to enter and exit the site in a forward direction at all

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times.

- Parking areas are to be provided with adequate illumination, designed and installed in compliance with Australian Standards 1158 and 4282.
- An easement is to be created to in favour of Lot A, allowing parking within the proposed car-parking areas within Lot B.
- An easement is to be created to drain concentrated stormwater runoff collected from the proposed car parking areas to a suitable destination.
- A full width easement is to be created over the car park access road in favour of the residue lot (proposed Lot C) containing the aerodrome runways and leased hangar sites.

Reason: To adequately provide for the safe, all-weather loading, unloading, manoeuvring and parking of vehicles associated with the development.

- 59) The provision and maintenance of all-weather vehicle parking and manoeuvring areas adjacent the Reddestone fire brigade station in accordance with AS/NZS 2890: Parking Facilities, to offset any parking spaces which are removed as a result of the proposed fuel delivery parking bay.

Reason: To adequately provide for the continued safe, all-weather loading, unloading, manoeuvring and parking of vehicles associated with the Reddestone fire brigade shed.

- 60) The proposed overflow car parking area is to be constructed as part of the Stage 3 works. Details of the overflow car parking area are to be shown on the Construction Certificate drawings.

Reason: To provide for periods when the formal parking areas are full and to ensure that overflow car parking does not occur in an ad-hoc manner in other areas of the aerodrome.

Emergency Risk Management Plan

- 61) The submission to Council of a comprehensive emergency risk management plan and emergency procedures for the proposed development. This plan shall include detailed procedures for the safety of all people within and outside of the development who may be at risk from development-related facilities and activities.

Reason: To provide for the health and safety of employees, public and emergency service personnel who may respond to an incident at the development site.

Trade Waste

- 62) Obtain a letter of approval from Council together with concurrence from NSW Office of Water to discharge trade waste to Council's sewer system.

Reason: This is a requirement of the NSW Office of Water prior to Council accepting trade waste discharges.

Compliance with approval

- 63) Occupation or use of premises for the purposes approved by this consent shall

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not commence until all conditions of this consent have been complied with and the Occupation Certificate has been issued.

Reason: To ensure compliance with the provisions of the Environmental Planning and Assessment Act, 1979, and Council's terms of consent.

Food

- 64) The construction of the food premise and the manufacture and installation of fixtures, fittings and equipment shall comply with the *Australian and New Zealand Food Standards Code* and the *Food Act 2003*.

Reason: To comply with the Australian and New Zealand Food Standards Code and the Food Act 2003.

Drainage Diagram

- 65) A works as executed sewer diagram, fully dimensioned and to scale, showing location of any septic tanks, pump stations, all sanitary drainage pipes and all inspection openings is to be submitted to Council prior to the issue of the Occupation Certificate.

Reason: To comply with the requirements of Section 68 of the Local Government Act, 1993.

Swimming Pool

- 66) The construction of the swimming pool is to be undertaken in accordance with the requirements of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2008*.

Reason: To comply with the Swimming Pools Act 1992 and Swimming Pools Regulation 2008.

- 67) The operation of the swimming pool is to be undertaken in accordance with the requirements of the *Public health Act 2010* and the *Public Health Regulation 2012*.

Reason: To ensure the protection of health and safety of the public through the Public Health Act 2010 and the Public Health Regulation 2012.

Road Works

- 68) The developer to contribute to Council half (50%) of the cost of designing and upgrading the intersection of Coronation Avenue and Ferguson Street in Glen Innes such that it complies with Austroads Type CHR/BAL intersection standards. Such payment is to be received within sixty (60) days of receiving Council's invoice and the NSW Roads and Maritime Services having approved construction plans for the works.

Reason: To ensure the proposed road intersections are designed and constructed to a standard sufficient for the additional volume of traffic likely to be generated by the proposed development.

- 69) The provision of an all-weather vehicular entrance from Emmaville Road to proposed Lot B. All work is to be constructed at the full cost of the developer,

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in accordance with Council standards.

Reason: Because this work is necessary to enable adequate means of vehicular access to the proposed allotment.

- 70)** No construction is to commence until a Construction Certificate is issued for the proposed road and drainage works. The works are to be constructed in accordance with the plans and specifications referred to in the Construction Certificate.

Reason: So that the design of the proposed work may be assessed in detail before construction commences and because it is in the public interest that the development comply with the appropriate construction standards.

- 71)** The developer is to grant Council unrestricted access to the site at all times to enable inspections or testing of the subdivision works.

Reason: To ensure that the work may be inspected for quality control.

- 72)** The subdivision works are to be inspected by Council to monitor compliance with the consent and the relevant standards of construction, encompassing the following stages of construction:

- Subgrade completion
- Pavement - Subbase completion
- Pavement – Basecourse completion
- Practical Completion
- Defect Liability Period Inspection or Re-inspection

Note: The applicant is to pay the mandatory inspection fees to Council prior to the issue of a Construction Certificate.

Reason: Because it is in the public interest that Council inspect the work at these stages of development, and to recover the costs associated with inspections of the infrastructure works.

- 73)** Following completion of all public infrastructure works, a bond of 5% of the value of such works (not carried out by Council) or a minimum of \$5,000.00, whichever is the greater, shall be lodged with Council. The bond may be provided by way of a monetary deposit with the Council or a bank guarantee to the satisfaction of the Council. If the applicant chooses to provide a bank guarantee, the guarantee must not specify any time limitations on the operation of the guarantee.

Reason: In order to cover the cost of any works requiring repair.

- 74)** The developer is to ensure that all defects in the works which become apparent within six (6) months of Council accepting the works on maintenance, are remedied to Council's satisfaction. If these defects are not satisfactorily remedied, Council may use bond monies to carry out rectification. Any unexpended bond money, less the cost of any outstanding works, will be returned to the developer after the infrastructure has demonstrated satisfactory

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performance for a period of six (6) months.

Reason: To allow for a refund of the developers bond.

- 75) Following completion of the subdivision works, one full set of work-as-executed plans, in electronic Autodesk DWF format or on transparent film suitable for reproduction, is to be submitted to Council. All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate.

Reason: So that Council may ensure that the construction is in accordance with Council's requirements, and so that a permanent record of the design as constructed may be held by Council, to assist in future maintenance, or for the information of the emergency services.

- 76) The design and construction within the fenced airside area of Glen Innes Aerodrome of:

- A sealed or unsealed pavement suitable for the safe standing of all aircraft required for flight training purposes;
- An all-weather sealed taxiway between the two-bay hangar proposed within Lot B and the existing general aviation taxiway;
- Any internal access roads used for the transport of fuels between the fuel storage facility and the aircraft refuelling site;

All works are to be designed and constructed in accordance with Aus-Spec #1, as modified by Glen Innes Severn Council, and the Manual of Standards Part 139 – Aerodrome, prior to occupation or use.

Reason: To adequately provide for the safe, all-weather loading, unloading, manoeuvring and parking of vehicles associated with the development.

- 77) The footway crossings, driveways, loading and unloading areas, manoeuvring areas and parking areas, are to be designed and constructed in accordance with AS2890 – Parking Facilities, such that the Austroads design service vehicle 8.8 metres in length may perform a left turn into the site, turn around, and exit the site in a forward direction, with all turning movements located fully within the subject land and related rights of carriageway.

Reason: So that the means of entrance to and exit from the subject land are adequate and so that adequate provision has been made for the manoeuvring of those types of vehicles likely to serve the development.

- 78) Effective and appropriate sediment and erosion control facilities must be installed during the initial stages of construction and maintained throughout the construction period.

Reason: To ensure the impact of the work on the environment in terms of soil erosion and sedimentation is minimised.

Integrated Terms of Approval

Fire Safety

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- 79)** The development proposal is to comply with the subdivision layout identified on the drawing prepared by ddc architects numbered 1211-DA00 Issue C.
- 80)** The development proposal is to comply with the site layout identified on the drawing prepared by ddc architects numbered 1211-DA02 Issue A dated 10 February 2009.
- 81)** At the commencement of building works, and in perpetuity, the land surrounding the proposed structures on proposed lot A2, to a distance of 50 metres, or to the property boundary (whichever is the lesser), shall be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of *'Planning for Bush Fire Protection 2006'* and the NSW Rural Fire Service's document *'Standards for asset protection zones'*.