

GOOLWA AIRPARK

PROPOSED ENCUMBRANCES and RESTRICTIONS that SHALL APPLY TO ALL ALLOTMENTS SOLD and LOCATED WITHIN the PROPERTY DESCRIBED AS AIRPARK GOOLWA.

1. **Terms of living within an aerodrome.**

The buyer of any lot, having been given notice that the land adjoining the lot is used for aerodrome activities giving rise to noise and vibration, shall not be entitled to complain about noise and vibration, or any other such activities, or claim compensation or to seek an injunction or other Court order to restrain or prohibit the existing or future normal activities or operations of the aerodrome. This means that prospective owners must want to pursue a lifestyle associated with living within the proximity of an aerodrome.

2. **Encumbrance Approval.**

Any structure which requires council approval (buildings, fences, site works etc.) must first obtain written approval from the Airpark Corporation and/or the Owner of Goolwa Airport and must comply with all of the terms or conditions written into the scheme. Such approval shall be obtained before any application for development approval (or planning or building commences) is lodged with the Alexandrina council.

3. **Land Use.**

All residential lots may have a single detached dwelling and aircraft hangar or large shed (in attached or detached form).

4. **Hangars/Large shed.**

All aircraft hangars or large sheds erected on lots 1 to 16 inclusive should be no more than 220m² and hangars or large sheds erected on lots 17 to 58 no more than 350m².

Notwithstanding all hangars and large sheds must be approved by the Airpark Corporation and Goolwa Airport BEFORE submitting plans to the Alexandrina Council. Only one hangar or large shed on each allotment will be allowed.

5. **Rainwater Tanks and Water Supply.**

All buildings or structures on each lot shall have storm-water connected to storage tanks constructed of low reflective materials and of adequate capacity to collect the yearly run off (a minimum of 330 litres capacity for each square metre of roof) and such connection shall be part of the construction of such buildings or structures and is to provide potable water supply connected to the dwelling on each lot. This water system to be maintained in good condition.

6. **Fencing.**

All registered lot owners shall construct a child and animal proof fence between the residence and any aircraft movement areas. Such fence is to include self-closing gates, fence and gates must comply with the "Australian Standard" [AS 1926.1-1993].

7. **Height Restrictions.**

Height restrictions may be applied to buildings or other structures. All buildings or other structures shall have a maximum height of 8 metres measured from the natural ground level to the top of the building.

8. **Common Property Access.**

All lot owners in the Goolwa Airpark will have an entitlement to unrestricted access to the

taxi-ways and runways at Goolwa airport for aircraft only [subject to payment of fees and signing of an Airport Access Agreement] from the Airpark allotments, and all lot owners and their family and guests shall have access to all common property that is not subject to a lease or other arrangement.

9. Set backs.

All residential lots will be subject to a minimum set back of 8 metres from the front (street facing) for residential buildings and 8 metres from the rear of the block (taxiway facing) for hangars. of 8 metres, in other words the hangar must be on the rear half of the block, and homes must be on the front half of the block. Combined hangar/homes should be centralised within the allotment. While the set back from the rear of an allotment of 8 meters is required for hangars it is recommended that ample area is available to park an aircraft between a hangar and the rear of the allotment. A council requirement is that all homes must face the street.

10. Vehicle Storage.

No plant, machinery or vehicles or any conveyance having a tare weight in excess of 3 tonne shall be parked on any road within the residential Airpark unless prior approval has been given in writing by the Airport manager or the Airpark Corporation.

11. Animal Keeping.

No pigs, goats, roosters, pigeons, horses, livestock, ducks, geese, peacocks or greyhounds or any rural livestock of any kind or any commercial animal breeding (comprising intensive animal keeping) of any kind shall be allowed or kept on any lot except that a lot owner may be entitled to have two domestic dogs and/or two domestic cats provided that they have been de-sexed and restrained within the home on the subject lot. Any animal roaming the Airpark at night will be caught and impounded and any animal of whatever kind found on Aircraft movement areas at any time will be impounded.

12. Fuel and Chemical Storage.

No fuel or chemicals other than normal household amounts (120 litres maximum, to be in containers with a maximum capacity of 60 litres) are to be stored on any residential lot, or in any building on the lot, nor are any vehicles which contain chemicals permitted to remain on any residential lot.

13. Type of Aircraft.

Jet aircraft or helicopter or other aircraft that creates a nuisance to residents shall be permitted to operate from any lot **with prior** approval of the Airpark Corporation and Goolwa Airport and any such approval will include special procedures for movement between the lot and taxiways and runways.

14. No Further Division.

There is no further land division permitted for any of the Residential Airpark lots under the Airpark Community Corporation Inc.

15. Conditions.

- A) The terms and conditions set out herein must be made available to all prospective purchasers and signed by the new owners upon transfer of the land;
- B) Any failure to comply with the terms and conditions set out herein or to comply with any written directions issued within one calendar month of each notice, may be remedied by the Corporation or Goolwa Airport and any such fees required in rectifying such breaches shall

be recovered from the responsible lot owner.

THE NAME OF THE AUTHORITY EMPOWERED TO RELEASE, VARY OR MODIFY THE TERMS OF RESTRICTIONS REFERRED TO IN THE ABOVE IS – AIRPARK GOOLWA COMMUNITY CORPORATION INC. AND GOOLWA AIRPORT WHERE APPLICABLE

Any person that buys or becomes a registered owner of a Airpark Goolwa allotment shall become a member of Airpark Goolwa Community Corporation Incorporated with all rights, privileges and duties thereof and will automatically be subject to the Rules and Regulations as may be applicable. Each lot owner may thereafter be referred to as either a “member” or lot “owner”.

These encumbrances and restrictions may only be amended by a vote in favour by at least 75% of the members of Airpark Goolwa Community Corporation INC. AND the OWNER’S of GOOLWA AIRPORT.

Name. _____

Signature. _____

Name. _____

Signature. _____

Address. _____
