

ADELAIDE SOARING CLUB INC

POLICY ON USE OF GAWLER AIRFIELD

Version 5

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INTRODUCTION

Since the mid 1940s the Adelaide Soaring Club Inc (ASC) has had its operational base on the Gawler airfield. The basis of its tenure has changed over time. Differing demands have been made over the years for use of the airfield for activities other than the flying of ASC-owned gliders by ASC members.

Early in the 1970s privately owned gliders and aircraft were also being based at Gawler. As the numbers of such aircraft increased some controversy ensued, which has since disappeared with familiarity and development of procedural guidelines. A similar evolution of attitudes and practice occurred as the issues of operating other powered aircraft at Gawler and building of -private hangars on the airfield arose in turn.

The nature of historical usage issues and the need to address future contemporary use of the Gawler airfield, have given rise to a need for a clearly stated club policy on airfield usage

This document thus sets out ASC policy on the recreational aviation use of Gawler airfield, drawing on and consolidating existing ASC policies, and where necessary adding new elements as required by changing circumstances.

Structures and Infrastructure on the Gawler Airfield are dealt with separately, in the ASC “Policy on the Allocation of Sites, Leases and Building of Structures on the Gawler Aerodrome”.

1. DEFINITIONS

“**ASC**” means Adelaide Soaring Club.

“**the Club**” means Adelaide Soaring Club.

“**the Committee**” means the management COmmittee of the Adelaide Soaring Club.

“**the Manager**” means the Adelaide Soaring Club Inc. as the agent contracted with the Council to manage the aerodrome.

“**Airfield**” means the land, and the buildings and improvements commonly referred to as the Gawler Airfield.

“**Based**” means a glider, powered glider or aircraft which performs more than ten take-offs from the airfield in a twelve-month period.

“**Glider**” means a glider as defined in CAO 95.4 of the Civil Aviation Regulations

of the Commonwealth of Australia.

“LRC or Council” means the Light Regional Council.

“Powered Glider” means a powered sailplane or power–assisted sailplane as defined in CAO 95.4 of the Civil Aviation Regulations of the Commonwealth of Australia.

“Powered aircraft” means a heavier– than–air aircraft capable of moving under its own power, other than a powered glider.

“Private” as applied to gliders, powered gliders, and powered aircraft in this document means that the glider, powered glider, or powered aircraft is not owned by the ASC.

“Visiting Aircraft” means any aircraft not based on the airfield.

“Hand over Agreement” refers to the document transferring ownership of the Gawler Airfield from the Commonwealth to the Local Authority, now the LRC

2. THE CURRENT SITUATION

2.1 The Gawler airfield is owned by the Light Regional Council (LRC), under the terms of a handover agreement with the Commonwealth Government. The ASC has been appointed by the Light Regional Council as the Manager of the airfield via a Head Lease.

The terms of the lease result in the ASC paying an annual lease fee to the LRC and other charges, including those for property insurance, public risk insurance, and rates.

2.2 Under the terms of the Head Lease with the LRC, the ASC is authorized to sub-lease portions of the airfield land in accordance with this and other ASC policies and charge appropriate fees.

2.3 The ASC controls the right to erect and determine placement of structures on the airfield, via “Sub lease” arrangements. Persons or organisations apply to the ASC, in the first instance, for the erecting of a structure on the airfield. Upon receiving written approval from the ASC Committee, applicants need to apply separately to the LRC for planning approval of the proposed structural design. Persons approved by the ASC to erect a building must enter into a sub-lease agreement with the ASC.

2.4 Under the Management Agreement with the LRC, the ASC is the

organisation in which operational control of the airfield is principally vested.

2.5 The Handover Agreement from the commonwealth to the Local Authority (LRC) specifies that the use of the land is to enable the airfield to be used “for gliding and other aviation or associated activities...”

2.6 The ASC’s lease and management agreement states:

“The demised land shall be used for the purpose of an aerodrome and without limiting the generality of the foregoing, for the landing and launching, storing and maintaining of planes and gliders.”

2.7 The constitution of the ASC lists the following as the objectives of the club:

1. *To promote and to carry out as the principal object of the Club the development in Australia of aviation in general and gliding and soaring in particular.*
2. *To give effect to the first stated principal object, but without in any way restricting that object in its scope power and extent to:*
 - I. *Establish, provide and maintain full flying training facilities for its members and members of the public*
 - II. *Establish, provide and maintain for its members and the public the necessary facilities for ground schools and for the ancillary educational and study requirements concomitant with flying training*
 - III. *To establish, provide and maintain for its members and the public full facilities for advanced flying operations, techniques and programs inherent in modern aviation and in sporting and contest flying*
 - IV. *To establish provide and maintain for its members and the public full operational training and educational facilities for the operation of powered tug aircraft for its members and the training of crews*
 - V. *To establish, provide and maintain for its members and the public, full operational training and educational facilities for the training of flying instructors, ground engineers, duty pilots, daily inspection personnel and all other personnel required to operate,*

maintain and administer aviation or gliding activities.

- VI. *To establish and maintain for the use of its members and the public generally such social amenities as are desirable to support the carrying out of the objects of the Club*
 - VII. *To assist in the formation and conduct of new gliding and aviation clubs and organisations in South Australia and elsewhere*
 - VIII. *To provide design and construction facilities for members wishing to design build or maintain their own aircraft or associated ancillary equipment.*
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- 3. *To affiliate with the South Australian Gliding Association Incorporated and/ or the Gliding Federation of Australia, or the successors of those bodies or any like body upon such terms and conditions as the Committee of the Club shall see fit.*
 - 4. *To organise rallies, pageants, displays, competitions and contests for its members and/ or for the public or to join in or participate in any such event.*
 - 5. *To organise and conduct any profit making undertaking or scheme for the purpose of carrying out the Club's objectives or enhancing the Club's funds.*
 - 6. *To acquire and to hold property both real and personal for the purpose of carrying out any of the Club's objects.*
 - 7. *To borrow such funds as are necessary to carry out the Club's objects and to charge or pledge the Club's assets in support of such borrowings (whether borrowed directly by the Club or by any company or entity which is a subsidiary of the Club or which is controlled by the Club) or to give guarantees and to support them by such charges over the Club's assets as may be necessary to support those guarantees.*
 - 8. *To permit a trustee to hold all or any of the Club's assets upon trust for the purpose of better enabling the borrowing and/ or charging position of the Club.*
 - 9. *To invest in or to participate in any company, partnership, association, trust or other entity having like objects or which is*

considered by the Committee of the Club to be a desirable investment or participation in the interests of the Club and to guarantee or to secure or to join in guaranteeing or securing any borrowing by such a company, partnership, association, trust or entity for the purpose of acquiring such an interest.

10. *To amalgamate with or to absorb any other organisation body or association having a like purpose or purposes.*
11. *So far as is not inconsistent with the qualification that the Club is not carried on for the purpose of profit or gain to the individual members of the Club or is not inconsistent with any of the afore stated objects, to carry out any of the objects contained in the Third Schedule of the Companies Act 1962, as amended from time to time."*

3. The policy set out in this document has been written so as to be consistent with the above.

4. SCOPE

This policy deals with use of Gawler airfield

- for operation of private gliders based on the airfield
- for operation of powered gliders based on the airfield
- for operation from the airfield of visiting gliders, powered or unpowered
- for operation of powered aircraft based on the airfield
- for operation of powered aircraft visiting the airfield
- for conducting of businesses on the airfield
- for building of structures on the airfield

It does not deal with operation of any gliders or powered aircraft owned by ASC. Such operations are governed by the ASC's rules and procedures as laid down from time to time.

The policies set out in this document supersede policies on the same topics previously made, and where an apparent conflict exists, this policy shall take precedence.

5. POLICY

5.1 General:

- 5.1.1 It is the policy of the ASC that the primary purpose of the airfield is for recreational aviation, but for gliding and soaring in particular. See also Objects 3, 2-11 of the Club, as described in the ASC Inc. Constitution.
- 5.1.2 All persons wishing to use the airfield for purposes other than flying aircraft owned by the ASC shall apply for approval of their proposal.
- 5.1.3 All proposals received for use of the airfield will be examined to ensure that they do not detract from the amenity or operational safety for ASC members, or unduly inconvenience neighbours of the airfield.
- 5.1.4 All proposals must show that the activity will bear a fair proportion of the total operating costs of the airfield.
- 5.1.5 It is a condition of approval of any proposal that applicants abide by the rules as determined by the ASC
- 5.1.6 Applications, subject to compliance with other parts of this policy, will be assessed on the following guidelines.
- 5.1.7 Aircraft that in general will be viewed favourably to operate from the Gawler Airfield include:
- Sailplanes, including self launching sailplanes
 - Vintage, classic, contemporary older than (40) years as defined by the date of manufacture
 - Reproductions of above aircraft
 - Amateur built, experimental, ultra-light, sailplanes or weight shift aircraft built from kit or plans approved by the relevant governing bodies (eg Gliding Federation of Australia, Sports Aircraft Association of Australia, Recreational Aircraft Association, Hang Gliding Federation of Australia)
 - Own design aircraft with proof of design substantiated by engineering and flight testing data
 - Aircraft owned by one or more individuals for hobby, educational and recreational purposes and not for commercial gain
 - Aircraft designed to carry a pilot and up to 3 passengers
 - Powered aircraft should be powered with 4 stroke engines, except for self launching sailplanes. Aircraft powered by 2

stroke engines will require specific approval from the ASC Committee.

- Aircraft must be fitted with an operational VHF radio
- Aircraft weighing less than 2500kg

5.1.8 Aircraft that in general will not be viewed favourably to operate from the Gawler Airfield include:

- Aircraft that are flown for commercial purposes
- Rotorcraft (autogyros and helicopters)
- Modern General Aviation aircraft

5.1.9 Commercial flying operations (excepting Gawler Microlights and aircraft which the ASC may cross hire), will not be permitted, other than for infrequent and non-regular visits.

5.1.10 Owners of all aircraft based at Gawler must be members of the ASC.

5.1.11 In giving permission for an activity, the club may set charges and/ or impose conditions on which the activity is conditional.

5.1.12 Approval must be obtained from the ASC prior to basing an aircraft on the airfield.

5.2 Factors concerning new proposals:

In considering any application, the ASC Committee will consider, but not be restricted to, considering the following factors:

- Relationship with neighbours. It must be demonstrated that any new proposal will not cause an appreciable negative reaction from persons living in the vicinity of the airfield.
- Noise. Any new activity must not contribute to any significant increase in noise from the airfield.
- Degradation of strips. New proposals must demonstrate that they pose no threat of accelerated degradation of the runways.
- Operational compatibility. Any proposed new activity must be compatible with the operational characteristics of gliders and the operating procedures of the ASC.
- Finance. All users of the airfield must contribute equitably to the costs of operating the airfield.

- Aesthetics of proposed changes to the airfield. Any proposed new buildings on the airfield must conform to the aesthetics as determined by the ASC Committee.
- Legalities- ie, any new proposals must be consistent with the ASC Constitution and the terms and conditions of those Agreements between the ASC and the LRC.
- The Committee of the ASC may reject any application if it wishes to limit the number and type of aircraft operating at the Gawler Airfield
- The Committee of the ASC, as manager of the Gawler airfield, will treat each application on an individual basis and following an evaluation of all the factors involved, may approve or reject an application. The ASC is not obliged to advise the basis of approval or rejection of an application.
- The ASC reserves the right to vary its terms of reference from time to time.

5.3 Policy on the operation from the airfield, by ASC members, of privately owned gliders, powered gliders and powered aircraft

- 5.3.1 Pilots who are flying members of the ASC and who wish to operate a privately owned glider, powered glider or powered aircraft, from Gawler airfield shall apply to the committee. The committee shall not refuse approval without giving reasons and discussing them with the applicant.
- 5.3.2 A glider, powered glider or powered aircraft not **based** at Gawler airfield, but is visiting, is required to abide by the ASC rules for the Gawler airfield and its operations.
- 5.3.3 Pilots who are flying members of the ASC and given approval to operate pursuant to section 5.3, shall pay normal ASC club charges for the use of all club facilities.
- 5.3.4 Notwithstanding anything appearing elsewhere in this document, pilots who were flying members of the ASC on 1 September, 1992 and basing and operating a privately owned glider, powered glider or powered aircraft at the airfield at that time shall be deemed to have received approval from the committee for continued basing and operations.
- 5.3.5 In approving applications under section 5.3 the committee or its delegate may impose conditions.

5.4 Policy on casual flying operations from the Gawler airfield, of gliders, powered gliders and powered aircraft not owned by the ASC, and who are not flying members of the ASC

- 5.4.1 Pilots or organisations who are not flying members of the ASC and who wish to operate a glider, powered glider or powered aircraft not owned by the ASC from the airfield shall apply to the committee, who will consider the application in light of the factors listed in 5.1 and 5.2, and advise the applicant.
- 5.4.2 Where the glider, powered glider or powered aircraft concerned is not based at Gawler airfield but is visiting, the power to approve operation is delegated by the committee to the duty instructor of the day.
- 5.4.3 The committee or its delegate in approving an application under the provision of section 5.4 shall impose such conditions as it considers necessary. As a minimum it shall be a condition of approval that the pilot concerned agrees to operate within the airspace procedures and operational requirements of the ASC.
- 5.4.4 Each take off by a pilot approved under section 5.4 shall be subject to the provisions of 5.3.2 and 5.3.3. along with payment of a take-off and /or airfield use fee, set by the committee from time to time. This fee shall be separate from any other fee paid to the ASC.

5.5 Policy on operation of powered gliders based on the airfield

- 5.5.1 Powered gliders may be launched from Gawler airfield subject to ASC rules.

5.6 Policy on conducting of businesses on the airfield

- 5.6.1 The ASC may consider expressions of interest in the establishment of non flying businesses on the airfield. Persons or organisations wishing to establish businesses on the aerodrome shall apply to the ASC in writing, setting out details of their proposal.
- 5.6.2 Each application will be considered by the ASC committee, who will advise the applicant of the outcome.
- 5.6.3 The following guidelines shall be used by the committee in considering applications:
 - 5.6.3.1 Businesses whose prime focus is the operation of aircraft, will not be approved other than that of the operation of “Gawler Microlights.”

- 5.6.3.2 Businesses in which flying of powered aircraft or gliders is ancillary to the prime functions of the business may be approved; for instance an aircraft maintenance operation.
- 5.6.3.3 Other applications will be treated on their merits at the time. Where applications are received for establishment of businesses which are not aviation-related, the committee will consult with the LRC.
- 5.6.3.4 Where approval is given for establishment of a business on the airfield, the ASC committee may set both conditions and fees.

6. REFERENCES

- 6.1 ASC Constitution.
- 6.2 Handover Agreement from the Commonwealth of Australia of Gawler airfield to Light Regional Council (LRC).
- 6.3 Management agreement between the LRC and the ASC.
- 6.4 Civil Aviation Regulations of the Commonwealth of Australia.
- 6.5 Gawler Airfield Operational Guidelines
- 6.6 Policy on Allocation of Sites, Leases and Building of Structures on Gawler aerodrome– Version 4.

7. APPROVAL HISTORY

This document was initially drawn up and approved as version 1.4 at the ASC Committee meeting of July 1992.

- Version 2 was approved at the ASC Committee meeting of April 2004.
- Version 3 was approved at the ASC Committee meeting on 25th October, 2005.
- Version 4 was approved at the ASC Committee meeting on 24th February 2015.
- Version 5 incorporates the previously separate *Policy on Allocation of Sites, Leases and Building of Structures on Gawler Aerodrome* as an appendix to By-Law 1 Version 4, without other change to the By-Law.
- Version 5 was approved at the ASC Committee meeting on 27th June 2018.

APPENDIX: ALLOCATION OF SITES, LEASES AND BUILDING OF STRUCTURES ON GAWLER AERODROME

1. Introduction

This document sets out ASC policy concerning allocation of sites for erection of hangars and other buildings on Gawler aerodrome.

2. Definitions

“Club” means the Adelaide Soaring Club Inc.

“ASC”, means the Adelaide Soaring Club Inc.

“Council” means the Light Regional Council.

“Manager” means the Adelaide Soaring Club Inc. as the agent contracted with the Council to manage the aerodrome.

“Committee” means the management committee of the Adelaide Soaring Club Inc.

“Lessee” means a person granted a sublease.

“Applicant” means a person or persons making an application for and/or granted a sublease.

“Approved users” means the persons authorised by the Club to use the site allocated to a lessee.

3. Background

3.1 Prior to 2nd September, 1988 the aerodrome was leased to the Club by the Commonwealth Government. Some hangars were built during this time, with locations approved by the Commonwealth. From that date the Club sub-leased the aerodrome from the Council. The process for assigning the hangar sites by the Club under the terms of the sub-lease was ratified by the Council, this decision being notified by letter from the Council to the Club dated 30th March, 1990. The Club subsequently leased the whole of the aerodrome and sub-leased hangar sites to individual members.

3.2 From 1994 the title for the aerodrome was transferred to the Council. The Club leased portions of the aerodrome, and was appointed the Manager of the whole aerodrome effective 31st July

1994. The Club as the Manager of the aerodrome now deals directly with the Council on all matters related to the aerodrome.

- 3.3 Applications for sites have continued to be received and dealt with by the Club and Council. This policy sets out the basis for allocation of sites so that development proceeds in an orderly and efficient way, with continuity as Club and Council officers change.

4. Scope

This policy covers the allocation and leasing of sites for building of structures on the Gawler Aerodrome. These structures include, but are not limited to, hangars for gliders or powered aircraft.

5. Principles

- 5.1 The Club as the Manager of the aerodrome allocates sites to persons wishing to erect structures for purposes which must be specified in the application.
- 5.2 Approval to construct structures with a plan area of less than 144 square metres will not be given.
- 5.3 Site allocation is contingent on the applicant being a Flying Member of the ASC.
- 5.4 If the Committee agrees to allocate a site, it will give approval subject to the payment of an establishment fee, which is recognition of the fact that having a site approved, the lessee is acquiring the use of extensive associated infrastructure such as roads, utility services etc. The fee will be set by the Committee annually.
- 5.5 Applications for the allocation of a hangar site submitted to the Committee must be accompanied by a bond of 10% of the establishment fee. Should the application be rejected, the bond will be re-paid in full.
- 5.6 Building approval is not implied by allocation of a site, and must be separately obtained from the Council. Applicants must comply with any conditions required by the approvals of the Club, and the Council.
- 5.7 If full approval is given for the allocation of a site, the applicant must seek and receive approval of the intended structure design from the ASC and from the Council.

- 5.8 A sub-lease between the ASC and the lessee will formalise the allocation of a site.
- 5.9 The sub-lease will set out conditions regarding charges, which will be set annually by the Committee.
- 5.10 A sub-lease is not directly transferable by the lessee, but may be transferred via negotiation with the ASC.
- 5.11 The Club will allocate sites via a plan taking into account factors including (but not necessarily limited to) orderly and efficient layout of the aerodrome, the purposes for which it is proposed to use the site, compatibility with other users of the aerodrome, harmonious building aesthetics, construction materials and relations with neighbours.
- 5.12 Subject to other principles set out herein, site allocations will be such as to maximise crop area and therefore income to the ASC from agricultural activities.
- 5.13 Post approval of structural design and specifications by both the ASC and the Council, if construction has not commenced within 6 months from the date of full approval by the ASC and the LRC the site lease approval will be rescinded and the bond will be forfeited with the residual of the establishment fee refunded.
- 5.14 Lessees and Approved Users must maintain full Flying Membership of the Club during the period of their sub-lease
- 5.15 All structures shall optimise use of available land and should provide ready access between adjacent buildings to facilitate good “house keeping” practices. A separation of 4 metres between principal building walls would be considered ideal.

6 Implementation

- 6.1 A person wishing to lease a site shall apply in writing to the Secretary of the Club on an application form as set out by the club from time to time, ensuring that all information requested is given and setting out the purpose for which the structure is to be used, and its preferred location.
- 6.2 Persons wishing to lease a hangar site are advised to read ASC By-Law 1 “Policy on the use of the Gawler Airfield” before submitting an application for a hangar site.

- 6.3 Receipt of the application will be acknowledged by the club, and the application will be referred to the ASC Committee for consideration. The Committee may, if it wishes, delegate the whole or part of this function to an officer of the club or a subcommittee.
- 6.4 An Applicant must be a Flying member of the ASC prior to submitting the application.
- 6.5 The Committee shall have the power to approve or reject an application or ask the applicant to enter into negotiations regarding size, proposed usage, operations or any other matter. Final approval is contingent on the applicant agreeing to the conditions set by the Club. The Committee will advise the applicant in writing of its decision and any subsequent procedures to be followed.
- 6.6 Upon approval for a site, the applicant must accept the approved site and associated conditions in writing, and pay the balance of the establishment fee.
- 6.7 Applicants upon meeting the conditions of 6.1 to 6.4 are required to submit a copy of the structure's design and specifications, firstly to the ASC and then subsequently to the Council for formal approval. Note: Hangar designs, sizes, clearances and materials are to be negotiated with the ASC such that materials and the aesthetics of such hangars are consistent with other structures on the airfield.
- 6.8 Responsibility for Council approval rests with the applicant who shall apply for this to the Council.
- 6.9 A copy of the planning approval from the Council must be forwarded to the ASC by the applicant.
- 6.10 Acceptance of relevant approvals from the ASC and the LRC by the lessee will generate a formal sub-lease between the lessee and the ASC.
- 6.11 The annual fees associated with the sub-lease are to be paid by the lessee within a 30 day period of receiving the sub-lease.
- 6.12 Irrespective of ASC Committee application approval, Council approval or sub-lease finalisation, no site construction works may proceed until approved site pegs have been installed via joint negotiation between the applicant/s and the ASC.
- 6.13 Approved construction must be completed within 6 months from the date of formal approval. Should construction not be completed within 6 months from the date of formal approval and renegotiation

not occur with the ASC, the bond (10% of the establishment fee) will be forfeited and the balance of the establishment fee (\$2,000) refunded. The site approval and the sub-lease will also be rescinded.

6.14 It should be noted that where hangar tenants agree to allow other aircraft to be housed in their hangar, either long or short term, such arrangements must be approved by the ASC Committee. Further, owners of all aircraft stored in hangars must become Flying members of the ASC.

6.14 In the event that a lessee wishes to relinquish an approved site, formal advice of intent is to be given in writing to the ASC. If there is a hangar located on the site being relinquished, the lessee may sell the hangar to a prospective buyer via private negotiations. However, the site lease will not automatically be transferred but will need to be applied for by a prospective buyer via the same procedures undertaken by the original lessee.

7. References

See also ASC By-Law 1 – Policy on Use of Gawler Aerodrome

8. Approval Record

- The initial policy was approved at an ASC Committee meeting in July 1990.
- Version 1.2 (without substantive change in content) was approved at an ASC Committee meeting in July 1992.
- Version 2 (substantial update) approved by the ASC Committee meeting of 28th October 2003 and the Light Regional Council meeting on 16th September 2003.
- Version 3 was approved at the ASC Committee meeting of 28th February 2006
- Version 4 was approved at the ASC Committee meeting of 24th February 2015
- This appendix to By-Law 1 was approved at the ASC Committee meeting of 27th June 2018. The wording from the previous Version 4 of *Policy on Allocation of Sites, Leases and Building Structures on Gawler Aerodrome* was simplified by removal of repetitions and historic material which was no longer relevant, and references to specific dollar charges were removed. This policy was then incorporated as an appendix to ASC By-Law 1.