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<td>Movement Area of an airport, adjacent terrain and buildings or portions thereof, access to which is controlled</td>
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<td><strong>EPA</strong></td>
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<td><strong>Landside</strong></td>
<td>That portion on an airport not designated as Airside and to which the general public normally has free access</td>
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<td>Permission to commence work issued by the ALC. PERCOW is a non-statutory approval</td>
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VERSION CONTROL

DOCUMENT REVIEW

The Manual will be reviewed on an annual basis, to coincide with the Annual ABC / AEO Conference. If required, additional amendments may be made on an ad-hoc basis. Suggestions for revision of the Manual may originate from the Department, any of the ABCs, or other stakeholders. All changes to the Manual must be authorised by the Department.

The procedure for amending the Manual is as follows:

- Where suggested revisions are identified by an ABC, the ABC is to advise the Department (via email to ABCMailbox@infrastructure.gov.au) and other ABCs as to the proposed change for consideration and comment.
- Where suggested revisions are identified by the Department, the draft updates will be provided to all ABCs for comment;
- the Department reviews comments from other ABCs;
- If the Department agrees to the amendments, the Manual will be updated and posted on the website; ABCs will be advised accordingly.
SUMMARY OF KEY AMENDMENTS

Following is a list of key amendments that have been made to the current version.

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<td>SEPTEMBER 2011</td>
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<tr>
<td>1.1</td>
<td>FEBRUARY 2013</td>
<td>Incorporate recommendations from internal audit of September 2012</td>
<td>Unreleased due to development of Compliance Framework</td>
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<tr>
<td>2.0</td>
<td>JUNE 2013</td>
<td>Full revision and alignment with Compliance Framework</td>
<td>Romy Collier, Section Head, released 16 October 2013.</td>
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1. Introduction

1.1 The Airport Building Control Operations Manual (the Manual) outlines the building activity process at leased federal airports, and provides users with information on procedures, conditions and standards at those airports. It also sets out information on aspects of the legislative requirements of the *Airports Act 1996* (the Act) and the *Airports (Building Control) Regulations 1996* (the Regulations).

1.2 The Department of Infrastructure and Regional Development (the Department) is responsible for administering the Act and the Regulations.

1.3 The Department administers compliance of the building control and on-ground environmental management regulatory regime at leased federal airports using the Compliance Framework, which aims to drive consistent, effective and comprehensive compliance management.

1.4 The Manual will be useful in providing assistance for all Airport Building Controllers (ABCs), Departmental staff, Airport-Lessee Companies (ALCs) and other interested parties as to how they should fulfil their obligations under the Act and Regulations, and will refer to sections of the Compliance Framework to support this role.

1.5 A copy of the Manual is available on the Department’s website at: [www.infrastructure.com.au](http://www.infrastructure.com.au). While the Manual may assist in understanding the scope of legislative and regulatory requirements under the Act and the Regulations, this document is intended as a guide only. All parties subject to legislative obligations under the Act and Regulations should refer to the relevant legislation for further support.

1.6 A copy of the Compliance Framework can be obtained by contacting the Department via email at [ABCMailbox@infrastructure.gov.au](mailto:ABCMailbox@infrastructure.gov.au).
2 Overview of Legislation and Standards

Background

2.1 The Regulations require all building activities to be consistent with the approved Airport Master Plan (incorporating the Airport’s Environmental strategy) and any relevant approved Major Development Plan whilst ensuring that the ALC’s own planning objectives are properly taken into account and adhered to.

2.2 The ABC relies solely on the ALC for a determination of consent for proposed work. The ABC performs its functions under the Regulations in line with the above plans and objectives.

2.3 Under r. 4.01, the ABC must be a suitably qualified professional and must be appointed and authorised by the Secretary of the Department to undertake ABC functions. This includes seeking approval for cadets or trainees working under an authorised ABC.

Building Standards

National Construction Code / Australian Standards

2.4 The Regulations set the level of building standards at the airport and refer to Australian Building Standards.

2.5 The National Construction Code Series (NCC) incorporates all on-site construction requirements into a single code, including the Building Code of Australia (BCA). The BCA adopts and references numerous standards as suitable methods of achieving compliance with nominated parts of the BCA.

2.6 The BCA includes State variations, which include special requirements appropriate to each State. Currently the ABC assesses applications under the BCA, taking into consideration any relevant State variations.

2.7 Any provision of the BCA may be overridden by, or subject to, State or Territory legislation. The BCA must therefore be read in conjunction with that legislation where the BCA lacks adequate coverage. Any queries on such matters should be referred to the State or Territory authority responsible for building regulatory matters.

Other Building Standards

2.8 As the BCA may not cover most works applications, the ABC must determine the standards that are appropriate to the proposed works. The ABC must take these appropriate standards into consideration when assessing applications.
2.9 In some instances, the BCA does not specifically address certain types of buildings, such as aircraft hangars, aircraft boarding concourses etc. In such cases, the ABC must ensure that the applications meet other Australian or international standards, or are certified by an expert.

2.10 The ABC may rely on a report prepared by an appropriate building expert or a certificate issued by a regulatory authority. Refer to Chapter 4 of this Manual for further details.

2.11 Other standards or practices that could be deemed suitable by the ABC are:

- Australian/International Standards (e.g. Australian Standard AS 2601-2001 for demolitions);
- publications by various associations;
- local regulations;
- current airport practices; and
- State regulations.

2.12 Where the BCA does not apply, the ABC is permitted under r. 1.04(4)(a)(ii) to determine the appropriate standards to be applied to the building activity. In doing so, the ABC must have regard to customary standards for the kind of activity being carried out. Any standards adopted must result in a building activity that is fit for occupancy when completed.

State Regulations, Authorities and Referral Bodies

Assessment of Environmental Impact

2.13 As part of the Airport Environment Officer’s (AEO) duty to ensure airport development is in compliance with the *Airports (Environment Protection) Regulations 1997*, environmental impact assessments may be requested for some building applications submitted to the ABC for approval.

2.14 The ABC should refer all proposals to the AEO for assessment where appropriate. Where environmental issues are identified with potential adverse environmental impacts, the AEO shall produce a report and may invite the relevant State EPA to review the report. The AEO may assimilate comments from the State EPA into the final assessment of the proposal which may include conditions. Where there is a conflict between the State EPA legislative requirement and the *Airports (Environment Protection) Regulations 1997*, the Commonwealth Regulations prevail.

Health and Safety

2.15 Section F of the BCA contains the health requirements that the ABCs enforce, including:

- damp and weatherproofing;
- sanitary and other facilities;
• room sizes;
• light and ventilation; and
• sound transmission and insulation.

2.16 Food hygiene health requirements are normally enforced by the state/local government and there may be differences between the State laws in this area. The control and administration may be performed by either the ALC or state/local government, whichever the ABC deems appropriate.

2.17 In issuing any approvals, the ABC must ensure that any health conditions of approval are included in the documentation. Where required, the ABC may refer the application to the relevant local health authority. Examples where this may be required include food premises, hairdressers, skin penetration premises, boarding houses, mortuaries, hospitals etc.

2.18 There is no formal requirement for the ABC to liaise with or inform the State Department that deals with Workplace Health and Safety or related issues. However, under the Commonwealth Places (Application of Laws) Act 1970, the relevant State and Territory laws in respect of WHS will apply to activities at leased federal airports. The Regulations do not affect the operation of State and Territory WHS laws (see r. 1.03).

2.19 At the end of each month, ABCs are to decide whether a list of approvals issued should be sent to the relevant State or Territory authority for information. Similarly, should an unsafe practice be observed in the workplace, this should be referred to the ALC and the relevant State or Territory authority.

Fire Authorities

2.20 If required, the ALC, or a relevant technical expert, may refer applications to Airservices Australia’s Aviation Rescue and Fire Fighting Service (ARFFS), and/or the State fire authority for comment. The ABC may also refer applications to ARFFS and/or State fire authorities based on the criteria in State legislation.

2.21 Where appropriate, the ABC may include recommendations from a fire authority in any building, works and demolition permits.

Civil Aviation Safety Authority (CASA)

2.22 An application under the Airports (Protection of Airspace) Regulations 1996, for the Secretary’s approval must be given to the ALC at least 28 days before the applicant’s intended commencement of the controlled activity.

2.23 In considering the application, the Department must have regard to the effect the controlled activity will have on the efficiency or regularity of the existing or future air transport operations, including amongst other things, the opinion of the ALC and CASA.
2.24 An application must not be approved if:

- the controlled activity would result in a building, structure or thing intruding into the PANS-OPS surface for the airport; or
- CASA has advised the Department that carrying out of the controlled activity would have an unacceptable effect on the safety of existing or future air transport operations in or out of the airport concerned (refer Airports (Protection of Airspace) Regulations 1996).

Other Authorities

2.25 ABCs may advise on referrals to other authorities e.g. Gas, Electricity, Water and Sewerage. ABCs should be aware of local requirements, including variations that may exist between States. At some airports, the ALC is the supply authority for some other services.
3 Roles and Responsibilities

Airports Branch

3.1 The Airports Branch is responsible for the regulation of the leased federal airports on Commonwealth land. The Branch administers the Act, its associated regulations and the airport head leases; to provide ongoing assessment and oversight of all major airport developments.

Airport Infrastructure Regulation Section (AIRS)

3.2 Within the Airports Branch, the AIRS has primary responsibility for managing the airport environment and building control regulations prescribed in the *Airports (Environment Protection) Regulations 1997* and the Regulations. AIRS supports the operations of the AEO and ABC networks.

Airport-Lessee Company (ALC)

3.3 An ALC has the primary responsibility to manage the broad duties and obligations required to maintain and improve the airport precinct, as set out in the Act and the Regulations. Therefore, the overall approach places the principal responsibility for positive outcomes upon the ALC and, to a lesser extent, operators of undertakings and airport users. ALC Building Activity Consent is issued by the ALC and relates to those issues described in Chapter 4 of this Manual.

Airports Environment Officer (AEO)

3.4 As Departmental staff, AEOs sit within the Airport Infrastructure Regulation Section. AEOs are appointed and authorised to oversee ALC compliance with Part 6 (Environmental Management) and Section 83A of Part 5 of the Act and the *Airports (Environment Protection) Regulations 1997*.

3.5 AEOs are the Department's primary source of information about compliance with the environmental regulatory regime. AEOs have the authority and the responsibility to make decisions regarding compliance with regulations and standards and, where necessary, take compliance action against parties found to be in breach of their obligations under the regulatory framework.

3.6 The role of the AEO is to support the achievement of compliance with on-ground environmental standards at airports, not simply to identify and prosecute breaches. The intent is to promote awareness of environmental issues and to ensure that management systems are in place to deal with the pollution, noise and other environmental impacts that are produced by, and on, airports, with a view to reducing those environmental impacts and
increasing public amenity over time. AEOs are also responsible for promoting continual improvement in on-ground environmental management.

**Airport Building Controller (ABC)**

3.7 The ABC is the Commonwealth body responsible for administering and facilitating building control under the Regulations at each airport site. The ABC is an individual, body or corporation who is appointed and authorised by the Secretary of the Department under the Regulations. ABCs appointed and authorised by the Secretary must have and maintain all the licences necessary to perform the services as an ABC.

3.8 The fundamental objective of the ABC is to administer Part 5 Division 5 of the Act and the Regulations. Each ABC administers and advises airport operators on building control issues outlined in the Regulations, and implements the building approval system that regulates ongoing building activity at the airport. This advice from the ABC does not extend to design advice on any building activity. The ABC must also ensure that an appropriate standard of building work is achieved at the airport.

3.9 The ABC consults with, and advises, ALCs and other operators of undertakings at leased federal airports, about their activities and regulatory obligations in the context of the Act, the Regulations, the Airport Master Plan and the Major Development Plans (being) produced by the ALC.

3.10 The ABC also consults with, and advises, the Secretary on applications for building approvals and variations, and applications for certificates of compliance.

3.11 ABCs must be on call for all emergency and other building control matters in relation to the airport, 24 hours per day, 365 days of the year, for the term of the Service Agreement (the Agreement) between the Commonwealth of Australia (acting through the Department) and the ABC, including the Schedules to the Agreement.

3.12 The ABC’s role has two aspects: the technical aspect and the compliance-monitoring aspect.

3.13 As part of the technical aspect of an ABC’s role, the ABC must:
   - assess applications against the BCA; and/or other technical requirements as determined by the ABC;
   - inspect building works;
   - impose conditions;
   - certify works as meeting appropriate standards;
   - collect relevant fees;
   - maintain records;
   - provide information to the ALC;
• process exemption applications;
• monitor compliance; and
• where necessary, initiate enforcement action.

3.14 As part of the compliance-monitoring aspect of an ABC’s role, the ABC must:
• monitor and enforce compliance with land use, planning, building control and environmental management elements of the Act;
• assess applications for compliance with the Master Plan (including the Airport Environment Strategy) and applicable Major Development Plans;
• liaise with the AEO on environmental issues and may provide approval to building and works subject to the appropriate environmental conditions being met.

3.15 Some of the activities which the ABC must undertake to discharge its role include the following:
• advice to airport operators and the ALC as to the building approval processes;
• advice and assistance to the airport operators so as to achieve regulatory compliance for any proposed building activity. ABCs do not provide design advice;
• an easily accessible process for the receipt of applications for the following types of applications and variations:
  ▪ building permits,
  ▪ works permits,
  ▪ demolition authorisations;
• an efficient and transparent assessment process for applications and variations, ensuring that:
  ▪ all required information specified in the regulations has been provided,
  ▪ ALC building activity consent has been obtained and any consent requirements of the ALC,
  ▪ the criteria listed in regulations that the ABC must have regard to are addressed,
  ▪ the applicant is notified of a decision within the prescribed time frame and that documents issued as approvals or certificates contain all required information referred to in the regulations, and
  ▪ any conditions of approval are clearly communicated.
• inspection of building activities, and consultation with appropriately qualified persons, to ensure that:
  ▪ public protection and access issues are adhered to during building activities and demolition,
  ▪ building activities are carried out in accordance with the approved documentation, such works are supervised by appropriately qualified persons, all necessary safety precautions are taken and that sites are cleaned up on completion of the building activity, and
suitable conditions are imposed on approvals and certificates;

• issue Certificates of Compliance for both buildings (ie. Certificate for Occupancy) and works (ie Certificate for Use);

• determine whether there is a need for a Remedial Direction Stop Work Order or to revoke an approval where there is concern that the performance of a building activity is inconsistent with the original approval;

• update and maintain a Register of Applications for buildings and works approvals and Certificates of Compliance;

• collect and account for fees and levies in respect of applications submitted to the ABC;

• consult with and advise the Secretary, or an authorised person from the Department, on applications for building approvals and variations, and applications for certificates of compliance;

• consult as required, with relevant authorities and the community regarding building and planning activities at, or adjacent to the airport; and

• report to the Department on the ABC’s workload as required under contract, including advice on how the position could evolve and develop.
4 Building Control Approval Process

The process map below shows the Building Control Approval Process, which is in line with the Compliance Framework. This chapter of the Manual elaborates on the process depicted below. Figures 4.1 to 4.12 in this chapter are excerpts from this process map, and guide the user through the different stages of the Building Control Approval Process.

ABC Approval Process for Building Permits / Work Permits / Demolition Authorisation
ALC Consent to Building Activity

Process

4.1 An application for building activity on an airport site must be lodged to the ALC and ABC for assessment\(^1\). The ABC may not approve an application unless the ALC has consented to the building activity (r. 2.12(1)(a)).

4.2 The ABC may ‘stop the clock’ to gather further information relevant to the application (r. 2.11(6)(b)).

4.3 Details of the application must be published by the ALC on the airport’s website within five days of the receipt (r. 2.04A(3)).

4.4 The applicant also has a duty to advise the ABC and the ALC on any submissions.

4.5 When an application is lodged with either the ALC or ABC, they are to advise the other party of the received application. If one party does not have the application, then the party with the application should advise the applicant accordingly and make a file note of the action taken.

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\(^1\) See Attachment A to Appendix A
4.6 The ALC, together with the ABC, will encourage and facilitate preliminary discussions with potential applicants in order to ensure that no major difficulties occur at later stages in the consent process and the application can be dealt with expeditiously.

4.7 The ALC must give written notice of its decision to the applicant and to the ABC within 28 days of receiving and reviewing the application. The applicant can agree to a longer period (r. 2.03(4)).

4.8 By the end of the 28 days, or the longer agreed period, the ALC must:
   - grant consent; or
   - grant consent subject to any condition that it considers appropriate; or
   - refuse consent.

4.9 In granting consent, it is standard practice to issue stamped and signed consent documentation. If at the end of 28 days (or agreed longer period), the ALC has not given written notice to the applicant and the ABC, consent is taken to have been refused (r. 2.03(5)).

4.10 If consent is refused, or is granted subject to a condition, the notice must set out the reasons for the decision.
4.11 The ALC must review all applications to ensure that a proposed building activity will be consistent with the following:

- the Final Master Plan\(^2\) (incorporating the Environment Strategy\(^3\)) for the airport (when in place);
- an Approved Major Development Plan for a major project or suite of projects (when in place); and
- the ALC’s planning objectives for the airport.

4.12 In determining whether to refuse or consent, the ALC must consider the significance of any inconsistencies. An ALC must not refuse consent if doing so is inconsistent with an obligation of the company as a lessor under a sublease, or under an interest to which the Act applies (r. 2.04(2)).

4.13 Other issues which the ALC must consider in determining whether to grant or refuse consent are:

- the type, location, shape, size, height, density, design and external appearance of the development that will result from the proposed building activity;
- if a building is intended to be constructed, the siting of the building in relation to the size and shape of the site it will occupy;
- the relationship the results of the activity will have to existing buildings and other structures on adjoining land or to other approved development on adjoining land at the airport;
- if appropriate, the proposed means of entrance to, and exit from, the resulting development and in particular, whether adequate provision has been made for loading, unloading, manoeuvring and parking of vehicles;
- if appropriate, the management of vehicles and pedestrians travelling to and from the resulting development; and
- the impact the building activity, or resulting development, is likely to have on the environment and if an adverse impact is likely, whether it is reasonably possible to protect the environment.

4.14 Additionally, the ALC will consider airport specific issues such as the use of cranes, airport security, and the effect of building work on airport operations and public safety. The ALC will also assess and determine the effect on existing and proposed underground and overhead services such as electricity, gas, fuel, etc.

4.15 To ensure that the identity, amenity, operation, safety and security of the airport are not compromised, the ALC has the power to impose conditions prescribing how the building

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\(^2\) The Airports Act 1996 requires a Master Plan to be developed to reflect government and public expectations, as well as protecting airspace around leased federal airports.

\(^3\) As a result of amendments to Paragraph 71(2)(h) of the Airports Act 1996 in December 2010, a draft or final Airport Master Plan must include an Environment Strategy. As each Airport’s final Master Plan is updated, it must include an Environment Strategy in accordance with Paragraph 71(2)(h).
activity is to be carried out (r. 2.04(5)). Any such conditions considered appropriate by the ABC may also be included to form part of the approval issued by the ABC.

4.16 The ALC may continue to issue a subsequent non-statutory approval (PERCOW – permission to commence works) after submission of working drawings.

4.17 If a proposed building activity is refused consent due to inconsistency with planning objectives for the airport, the ALC must consider the significance of the inconsistency. In particular, attention should be paid to the type, location, shape, size, height, density, design and external appearance of the development that will result from the proposed building activity. (r. 2.04(4)(a)).

4.18 Guidelines for obtaining building activity consent provisions are available from the ALC. These provide potential or existing airport operators, architects and developers with general information on the site, services and the standard of development required for all facilities constructed on the airport.

4.19 If there is a Final Master Plan or Approved Major Development Plan for the airport, the ALC, as part of its approval, must issue a declaration to the effect that the proposal is consistent with the Plan(s) (rr. 2.05(2)-(3)).

4.20 If approval is necessary pursuant to the Airports (Protection of Airspace) Regulations, the ALC or the Secretary must grant approval prior to any approval by the ABC (r. 2.12(1)(b)).

![Diagram of ALC Consent to Building Activity]

**Figure 4.3: ALC Consent to Building Activity**

4.21 Once the ALC provides consent for building activity, a documented list of ALC consent plans and drawings must be provided to the ABC.
4.22 If the ALC provides consent for a building activity that is not exempt under r. 2.24, the applicant must submit an application to the ABC for building activity approval.

4.23 Regulation 2.11(5) states that the decision of the ABC on an application must be given in writing to the applicant and the ALC, specifying the inspection stages required to be made by an appropriate expert or regulatory authority. If the decision is conditional, reasons for the decision must be given.

4.24 Regulation 2.16(4) imposes similar requirements to advise the ALC of approvals issued to vary building activity consent as those contained in r. 2.1(5).

Notes for the applicant

4.25 When applying for consent from the ALC, the applicant must provide the following information (r. 2.03(1)):

- a description of the proposed building activity and its location on the airport site;
- when the Final Master Plan (incorporating the Environment Strategy) for the airport is in place, a statement describing how the proposed building activity is consistent with the plan;
- two copies of the site plan for the proposed building activity, that may include building footprints, setbacks, site dimensions, site coverage, existing vegetation, proposed
landscape areas, location of access and parking, security, a depiction of the proposed development resulting from the building activity;

- copies of architectural documentation including floor plans and building elevations; and
- if the proposed building activity is, or compromises part of, a major airport development (within the meaning of Section 89 of the Act), a statement describing how the proposed building activity is consistent with:
  - the Approved Major Development Plan for the airport; or
  - any exemption declared by regulations made under Paragraph 90(1) of the Act.

4.26 It must be noted that the type, scale and intensity of the proposal will dictate the degree of detail and type of supporting information required.

ABC Building Activity Approval

Types of Building Activity

4.27 Building activities on an airport site require building approval from the ABC, unless exempted under r. 2.24. However, the ABC must still be notified in writing of any building activity exempt from Subdivision C of Division 5 of Part 5 of the Act.

4.28 The person carrying out the exempt work must retain records of all plans for the building activity and may be required to provide the ABC with a certificate attesting to the structural safety of a repaired or altered building (r. 2.24(3)-(5)).

4.29 Activities which require building approval fall into three categories as follows:

i. Building permit:
   - the construction or alteration of a building or other structures, including the alteration or installation of services.

ii. Works permit:
   - the construction or alteration of works including civil works such as roads, pavements, footpaths, services such as electrical, water, sewerage, gas, telecommunications which may or may not be directly associated with a building.

iii. Demolition authorisation:
   - the demolition, destruction, dismantling or removal of a building or works.

4.30 Refer to r. 2.24 for the list of exempt building activities.

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4 See attachment K, Appendix A for template
5 See attachment L, Appendix A for template
6 See attachment M, Appendix A for template
4.31 “Land clearing” is not defined in the Act and guidelines for the AEO, ABC and the ALC have been developed to guide this process. A copy of the Land Clearing – leased federal airports Guidelines for ABCs and AEOs can be obtained from the AEO or via email at ABCMailbox@infrastructure.gov.au.

4.32 Generally, routine garden maintenance, clearing vegetation for firebreaks, security, obstacle limitation surfaces and similar will be considered exempt under the Airports (Building Control) Regulations 1996.

Process

![Flowchart](image)

4.33 Once ALC consent to building activity has been obtained, the applicant must submit an application to the ABC for building activity approval.
4.34 An application fee\(^7\) is required to be submitted with the application, and the application will be lodged only when the fee has been paid (r. 2.02). The application is incomplete and will remain on hold until the fee has been paid\(^8\).

4.35 At any time before the ABC has made a decision on an application for building approval, the applicant may vary or withdraw the application, subject to the relevant fees (r. 2.10).

4.36 Applications may not be varied in a way that would significantly alter the character, size or impact on the building activity, or the resulting development (r. 2.10(2)).

4.37 If the estimated cost of amended works is greater than that of the original works, then a corresponding increase in the application fee is payable as well as the $250 variation fee (rr. 2.10 and 2.16).

4.38 In the case of withdrawal of an application, if the ABC has not yet made a decision on the application, the original fee must be refunded in full once the withdrawal fee of $250 has been paid by the applicant.

4.39 The ABC does not have access to Commonwealth funds and must refer any refunds to the Department for payment (refer to Chapter 6 for information on refunds).

4.40 Regulation 2.05(1)(d) requires an applicant for a building activity approval to give the ABC a statement describing how the proposed building activity is consistent with the Airport Environment Strategy, as incorporated in the Final Master Plan for the airport and if it is not consistent, whether it is reasonably possible to protect the environment.

4.41 Where there is no Final Master Plan or Environment Strategy in place at the time of application, all proposals will be referred by the ABC to the AEO for comment. The AEO may seek informal comment from relevant state regulatory bodies, e.g. the State Environment Protection Authority (see Chapter 3). The requirement that the application be determined within 28 days is not extended by this process (r. 2.11(6)).

4.42 Where a Final Master Plan (incorporating the Environment Strategy) is in place, the ABC should liaise with the AEO on all proposals that are considered in any way likely to have environmental implications. Any concerns raised by the AEO must be dealt with either by recommending appropriate actions to the ABC to consider for inclusion on the permit, or requiring certification from an appropriate expert\(^9\). In making a decision, the ABC can consider recommendations provided by an expert, however, the ABC is not obliged to accept the recommendation or to act in accordance with such advice.

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\(^7\) For the full list of fees payable for building applications, refer to Schedule 1 of the Regulations. Note that there is a separate table of fees for each airport.

\(^8\) For details on acceptable methods of payment, please refer to Chapter 6 Administration and Governance.

\(^9\) See attachment Q to Appendix A for template.
4.43 Demolition applications may also involve environmental issues - for example in the case of buildings that contain asbestos or toxic substances. These proposals must be referred to the AEO for review.

![Diagram of ABC Building Activity Approval]

4.44 The ABC will assess the application for compliance with the Regulations. Typically, an assessment for a building permit will involve reviewing the proposal for compliance with the relevant provisions of the BCA.

4.45 Applications for a building activity approval may include certificates being submitted for:

- **Building Permit** – r. 2.07(1)(c)(d):
  - all certificates required, under any applicable law, approving arrangements for health and comfort of persons (including heating, insulation, cooling, sanitation, disposal of refuse, sewerage, drainage, lighting and ventilation), fire resistance, fire protection, telecommunications services,
  - any certificate given by an appropriate building expert, approving the structural elements of the building plan,
  - any certificate or report as required for performance based designs under the Building Code of Australia (BCA) or other building standards;

- **Works Permit** – r. 2.08(c)(d):
• all certificates required, under any applicable law, approving arrangements for sewerage, drainage, lighting, ventilation, fire resistance and fire protection,
• any certificate given by an appropriate works expert, approving any structural elements of the works;
  • Demolition Authorisation – r. 2.09(c):
    • any certificate given by an expert in demolition procedures, approving any structural elements of the demolition plan.

4.46 Therefore, before accepting any plan, specification, certificate or other document signed by a professional engineer, or an appropriately qualified person, it is essential that the ABC is satisfied that the signatory has appropriate qualifications, skills and experience to an acceptable level in the relevant field of work.

4.47 Generally, the person signing such documentation assumes liability for the work, therefore the ABC may require:
  • evidence of registration or license to practice in the relevant discipline or field in the state; and / or
  • proof of experience in similar projects; and / or
  • certificates of currency of insurance for professional indemnity and public liability.

4.48 In each case, the ABC will determine an application on its merit and if doubt should arise, further detailed checking or other independent certification may be considered necessary.

4.49 For a works permit, the ABC will ensure that the proposal satisfies the requirements of the applicable Australian or international standards as determined by the ABC.

4.50 In order to streamline the building approval process the ABC should be involved in the early stages of the project to assist the building designers in resolving regulatory issues. This may take the form of pre-application meetings.

4.51 The ABC must also consider public safety and amenity of buildings and services during building construction (rr. 2.13(4), 2.14(4) and 2.15(3)).

4.52 The ABC will endeavour to review applications and advise the applicant as soon as is reasonably practicable of any non compliances/regulatory issues.

4.53 Applicants can facilitate the assessment process by ensuring that:
  • the ABC is involved at the early design documentation phase to provide advice on regulatory requirements; and
  • the application includes all the relevant documents, correct numbers of drawings etc.
4.54 Regulation 2.11 outlines the ABC’s decisions on applications. Subject to rr. 2.11 (1A) and (1B) (which refer to building activities that impact on Major Development Plans), the ABC must deal with an application for approval of a building activity by:

- approving the building activity; or
- approving the building activity subject to any condition the ABC determines to be appropriate; or
- undertaking to the applicant that the building activity will be approved if the applicant complies with a direction in the undertaking; or
- refusing to approve the building activity.

4.55 Refer also to rr. 2.11(1), and 2.11(4) (in the case of undertakings); to 2.12(2) (in the case of imposing conditions); and to 2.18(1) (in the case of imposing further conditions).

4.56 The Regulations set out the criteria against which an ABC assesses each of the applications for approval of a building activity. Refer to rr. 2.13 (in the case of building permits), 2.14 (in the case of works permits) and 2.15 (in the case of demolition authorisations).

4.57 For information on approving building activity linked to Major Development Plans, refer to r. 2.11, in particular, rr. 2.11(1A), 2.11(1B), 2.11(1C), 2.11(2A), 2.11(7) and 2.11(8).

4.58 If the ABC requires further information to make a decision on an application, the ABC may request, in writing:

- the applicant, to give the information; or
- if the ALC has the information, that company, to provide the information.

4.59 Refer to rr. 2.11(2) (about an ABC’s request for information) and 2.11(3) (about the timing of the ABC’s decision on an application while the requested information is pending).

4.60 If work on a building activity is stopped until an airport building controller has made an inspection, the airport building controller must make the inspection as soon as is reasonably practicable (r. 2.23).

4.61 In conjunction with the assessment methods described in Part AO.9 of BCA 2010, the ABC should ensure that the following procedure is adhered to in determining regulatory non-compliance:

- Preliminary discussion/consultation between the applicant and ABC to determine the extent of non-compliance. The ABC may advise that a report from a building expert or certificate from a regulatory authority be obtained;
- A formal application is to be submitted to the ABC clearly outlining the non-compliance. The application should provide a written explanation of the inappropriateness of compliance with the applicable building standards.
• Copies of reports/certificates are to be provided with one set of the relevant drawings (if applicable) highlighting the non-compliances.

• The ABC in considering the application must have regard to the safety, health, satisfactory maintenance and clean-up of airport buildings and services during building activity. As well as the proposed linkages for the building activity, outside the airport.

• The ABC must give written notice of its decision to the applicant and, if necessary the ALC within 28 days. If the decision is not an unconditional approval\(^\text{10}\), then a statement of the reasons for the decision must be given. The ABC is taken to have refused the application if it has not given the applicant notice of its decision before the end of 28 days.

4.62 File records are to be kept of reasons in support of approving the regulatory non-compliance

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\(^{10}\) See Attachment Q to Appendix A for template
4.63 Regulation 2.11(6) provides that if a building activity is not, or does not comprise part of, a major airport development, and the ABC has not conveyed a decision to the applicant before the end of 28 days after receiving the application, approval is deemed to have been refused, unless the ABC requested further information. Where the ABC has requested further information, then approval is deemed to have been refused if the ABC has not conveyed a decision before the end of 28 days after receiving that further information.

4.64 Duration of Approval (r. 2.19), unless revoked at any stage:

- a building approval granted by the ABC lasts for 3 years or some shorter period specified in the approval.
- an ABC may extend the approval for an additional year. This is subject to the application for an extension being made before the approval lapses. No more than 2 extensions can be granted.

4.65 Building activity must be carried out whilst the approval has effect. It is an offence to start building after the approval expires or is revoked. Refer to r. 2.19 for further information on the duration of building approvals and circumstances in which an approval can be extended.

4.66 An applicant may apply to vary a building approval under r. 2.16.

4.67 The application process is outlined at the beginning of Chapter 4 of this Manual.

4.68 Once an ABC approves an application for building approval, the person carrying out the building activity is subject to a number of duties (unless the ABC has determined otherwise). The duties imposed by the building approval, and to which a person must comply when carrying out building activity under that approval, are specified in r. 2.17.

4.69 An ABC may revoke a building approval in defined circumstances. The relevant circumstances are set out in r. 2.20.
4.70 Regulation 2.11(5) states that the decision of the ABC on an application must be given in writing to the applicant and the ALC, specifying the inspection stages required to be made by an appropriate expert or regulatory authority. If the decision is conditional, reasons for the decision must be given.

4.71 Regulation 2.16(4) imposes similar requirements to advise the ALC of approvals issued to vary building activity consent as those contained in r. 2.11(5).

**Staged Building Approval**

4.72 A Building or Works Permit may be issued for a part or stage of the building or works, subject to the ABCAirport Building Controller being satisfied that the entire building or works will comply with the Regulations.
Notes for the Applicant

4.73 Applications for approval of a building activity should typically include the following details. (rr. 2.03, 2.05, 2.06, 2.07, 2.08 and 2.09). These details are also covered within the Applicant Pack at Appendix A.

4.74 Information/documentation that may be required to be provided for any type of application:

- ALC Consent, where the applicant is not the ALC;
- application form\(^{11}\);
- description/location of proposed activity;
- a statement by the applicant describing how the proposed building activity is consistent with the:
  - Major Development Plan for airport (if any), and
  - Final Master Plan (incorporating the Airport Environment Strategy) (if any);
- a declaration from the ALC to the effect that the proposed building activity is consistent with these plans (if any);
- a statement by the applicant that the proposed building activity is/is part of, a draft Major Development Plan, if that is the case;
- a statement by the applicant that the proposed building activity is not/is not part of, a major airport development, if that is the case;
- two copies of the site plan, including a depiction of the proposed development;
- estimate of cost of works;
- payment of the Building Application Fee;
- duration of the works;
- details of public protection and statements of precautions;
- statement of clean up provisions; and
- any further information the ABC may require.

4.75 Additional information to be provided for Building Permit applications (r. 2.07):

- two copies of architectural, structural, and building services plans and specifications for the proposed building activity (check with the relevant ABC as extra copies may be required);
- certification of the building work, if required. (Refer to “Certification” in Chapter 6)\(^{12}\);
- outline of inspections to be undertaken;
- details of the construction materials proposed to be used for the works; and
- approval under the *Airports (Protection of Airspace) Regulations 1996* if applicable.

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\(^{11}\) See attachments A, B & C of Appendix A for templates

\(^{12}\) See attachments E, F, G & H of Appendix A for templates
4.76 Refer to Regulations 2.07(2)-(4) for Building Plan requirements.

4.77 Where the design of the proposed building departs from applicable Australian building standards, an application for a Building Permit will also need to provide written explanation justifying the departure (r. 2.13(2)(b)).

4.78 Additional information to be provided for Works Permit applications (r. 2.08):
- two copies of the works plans and specifications (check with relevant ABC as extra copies may be required);
- certification of the works, if obtained;
- outline of the inspections to be undertaken; and
- details of the construction materials proposed to be used for the works.

4.79 Where the design of the proposed building departs from applicable Australian building standards, an application for a Works Permit will also need to provide written explanation justifying the departure (r. 2.14(2)(b)).

4.80 Additional information to be provided for Demolition Authorisation applications (r. 2.09):
- two copies of the demolition plans and specifications including a description of the method of demolition;
- outline of the Australian Building Standards to which the work is proposed to comply;
- certification of the works, if obtained;
- outline of the inspections to be undertaken; and
- protection and precautionary details.

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13 ABCs should refer to Attachment S of Appendix A for the criteria for building permits that are non compliant with Australian Building Standards
4.81 Once building activity work has commenced in accordance with the approval issued by the ABC, the ABC must undertake monitoring of the approved building activity and any issues that have been identified.

4.82 If no issues are identified by the ABC, an application for certification of compliance is to be made to the ABC by the person carrying out the building activity.

4.83 If the ABC identifies non-compliance that does not threaten health of safety, they may issue a Certificate of Compliance that includes conditions identifying issues that must be resolved.

4.84 In the event of a conditional Certificate of Compliance being issued, the ABC should follow up with the ALC or proponent and issue an unconditional Certificate of Compliance once the issues have been satisfactorily addressed.

4.85 If the building activity requires approval and is carried out without ABC and/or ALC authorisation, or if a condition of approval is contravened, the ABC must undertake discussions and negotiations to resolve the issue.

4.86 If the discussions and negotiations are successful, the person carrying out the building activity may continue with the building activity and commence the process for certification of compliance.
4.87 The ABC must notify the Department of any intention to undertake a Remedial Directions\textsuperscript{14} Stop Work Notice\textsuperscript{15}.

4.88 While in discussion and negotiation with the applicant, the ABC may issue the following:

- Remedial Direction Stop Work Notice to demolish, dismantle or remove the building, structure or works;
- Remedial Direction Stop Work Notice to cease to occupy or use (the building or structure);
- Remedial Direction Stop Work Notice to carry out remedial work (to the building or structure)
  \begin{itemize}
  \item in the above instances, the person carrying out building activity must undertake remedial action to the building or structure until such a time when the ABC is satisfied that the matter has been appropriately resolved.
  \item Remedial Direction Stop Work Notice to stop work (to the building or structure)
  \begin{itemize}
  \item In this instance, the person carrying out building activity must cease any building activity being undertaken.
  \end{itemize}
\end{itemize}

\textbf{Figure 4.11: ABC Building Activity Completion}

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\textsuperscript{14} See attachment R to Appendix A for template
\textsuperscript{15} See attachments T to Appendix A for template
4.89 An application for a Certificate of Compliance\textsuperscript{16} is to be made in writing to the ABC\textsuperscript{17} by:

- the Airport Lessee Company; or
- the person carrying out the building activity; or
- a person whose interest in the building, or works, or land on which the building, or works, is located, entitles them to carry out the building activity that has resulted in the building or works (eg. sub-lessee).

4.90 An applicant may apply to vary or withdraw the application for a Certificate of Compliance (see r. 3.10).

4.91 An applicant may apply in writing to vary a Certificate of Compliance. In considering whether to vary, the ABC must take into account the same matters as for issuing a Certificate of Compliance (see r. 3.10) and whether the variation is in the public interest so that the building or works is safe for occupancy or use (see rr. 3.10(1)(b) and 3.10(2)).

4.92 If an application for a Certificate of Compliance is in relation to a building approval not given by the ABC, then the ABC will review the application for compliance and advise the applicant accordingly. A fee will be incurred for this type of application pursuant to rr. 3.02 and 3.10 (refer to Chapter 7 of this Manual).

4.93 In preparing an application for a Certificate of Compliance, the applicant will need to obtain all relevant certificates and documents as specified in the building approval and as deemed necessary by the ABC.

4.94 To streamline this process, a pre-final site inspection with the ABC is encouraged, to highlight any outstanding matters required to be resolved prior to the nominated completion date.

4.95 The ABC must not issue a Certificate of Compliance unless satisfied that the building activity was carried out, and completed satisfactorily, and in accordance with the approved documentation, specifications, and any conditions of approval contained in the relevant permit.

4.96 Matters taken into account in assessing the application and determining suitability include:

- any inspections specified on the approval to be performed by the ABC are to have been satisfactorily carried out;
- submission of certificates from certifiers, contractors, relevant authorities, experts etc. as requested by the ABC for justifying the adequacy and commissioning of structures / works and services respectively, ensuring compliance with relevant standards (refer to Attachment M of Appendix A for a general list of certificates which may be requested by the ABC);

\textsuperscript{16} See attachments N,O & P of Appendix A for template
\textsuperscript{17} See attachment L of Appendix A for template
• the qualifications of the certifiers are suitable for the work concerned;
• the purpose or use of the building activity is consistent with the approval given under r. 2.11;
• the provisions for health, safety and comfort of occupants or users are not compromised; and
• the duties specified and the content of all certificates, are to the ABC’s satisfaction.

Additional criteria are set out in r. 3.05.

4.97 The ABC shall either issue the Certificate of Compliance, issue it subject to conditions or refuse to issue the certificate and the applicant is to be advised in writing of the decision.

4.98 If an ABC does not convey a decision to the applicant before the end of 14 days after receiving the application, the Certificate of Compliance is deemed to have been refused (r. 3.04(8)). The same timeframe applies for notifications of an ABC’s decision relating to applications to vary Certificates of Compliance (r. 3.10(3)).

4.99 Generally, one certificate is issued for a building with individual classification of separate parts. Similarly, one certificate is issued for works. Different certificates for different parts of a building or works may be issued progressively as they are completed, subject to the approval of the ABC.

4.100 A Certificate of Compliance may be issued for use of a partially completed building or works, subject to:
• the partially completed building or works complying with r. 3.04 of the Regulations, and;
• there is no hazard to the health or safety of the occupants of the building, or persons in the vicinity of the partially completed building or works.

4.101 Unless revoked earlier, a Certificate of Compliance generally has effect until the building, or works, ceases to exist, or undergoes alteration not accommodated by the information on which the certificate is based (rr. 3.11(1) and 3.11(2)).

4.102 The ABC can revoke a Certificate of Compliance for a building, or works, on the airport, if:
• the building or works ceases to be suitable for the purpose mentioned in the certificate;
• the ABC is satisfied that the application or a document or statement supplied in support of the application, for the certificate, was false or misleading in a significant way;
• the holder of the certificate fails to comply with an applicable duty under r. 3.07.

4.103 A Certificate of Compliance under the regulations for a building, or works is taken to be revoked if another Certificate of Compliance is issued for the same location of the building or works (r. 3.12 (2)).
4.104 Certified copies of the Certificate of Compliance can be issued by the ABC in the circumstances provided in accordance with r. 3.14 (e.g. lost or destroyed certificates).

4.105 There are certain duties attached to a Certificate of Compliance that the holder of the certificate must follow:

4.105.1 For occupancy:
- the building must be used for a purpose that is consistent with the classification of the building under the BCA;
- the building must be maintained in a condition that is consistent with its classification; and
- the essential services associated with the building must be maintained in accordance with the relevant requirements of the BCA and standards (refer to Attachment P of Appendix A for general list).

4.105.2 For use:
- the works must not be used for a purpose that is inconsistent with the standards to which it was constructed; and
- the works must be maintained in a condition that is consistent with its use.

4.106 Note: Penalties for offences against and remedial directions pursuant to the Act shall be taken by the ABC for any occupation or use contrary to the duties mentioned above or any occupation or use prior to a Certificate of Compliance being issued (see Section 12 of this Manual).

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**Figure 4.12: ABC Building Activity Completion**
4.107 There may be times where a private certifier is required to assess a building or works to ensure compliance with a relevant technical standard. A private certifier is a person that certifies an aspect of the building or works e.g. structural/ civil/ services engineer, electrical contractor, plumbing contractor, builder etc.

4.108 Inspections to be performed by certifiers must be performed during certain critical stages of construction or works to ensure that the work when completed will comply with relevant legislation and the general law relating to standards of safety.

4.109 The ABC must ensure, as far as practicable, that the private certifier inspects those areas of work that in the event of failure would constitute a risk to health and safety or may cause damage to property.

4.110 It must be noted that inspections by private certifiers are not to be taken in any way as relieving the builder of any legal responsibility. Accordingly, and despite the duty on persons carrying out the building activity at r. 2.17 (1)(e) and (f), the ABC should ensure that works are carried out only by licensed and registered contractors / practitioners who have experience in the type of work being performed.

4.111 In regard to building materials, the BCA stipulates the extent of documentary evidence necessary to support a claim that a particular material, design or form of construction will gain compliance.

4.112 The responsibility for accepting or rejecting this evidence lies with the ABC who, among other things, has discretionary power to require any further information.

4.113 N.B. The relevant ALC may have preferences, conditions and practices for certain types of materials to be used for works and construction, however, these still need to meet the necessary regulatory requirements.

4.114 In the process of approving building activities (r. 2.13) and issuing Certificates of Compliance (r. 3.04), the ABC may rely on a relevant certificate issued, or report prepared by a building expert (r. 1.04) or a regulatory authority, to certify designs, inspections, materials and methods of construction as evidence of suitability.

4.115 While various Acts, Regulations and Codes may provide parameters for the ABC to make judgement, it is difficult to achieve consistency in decisions due to the variation in State / Territory regulatory requirements. Although the methodology and forms used for certification between states may vary, identifying suitable certifiers should remain consistent within each jurisdiction.

4.116 Regulation 3.02 gives power to charge a fee for the issue of Certificates of Compliance in cases where the building or works are not the subject of a building approval issued by the ABC. Before the ABC begins to investigate whether or not the building or works comply with the Regulations, an estimate of cost based on an hourly rate of $125 (taking any
fraction of an hour as 1 hour) must be conveyed to, and paid by the applicant. The ABC must invite the applicant to comment on the investigation and the time likely to be required to carry out the investigation and, if comments are received, the ABC must take them into account.

4.117 Regulation 3.10 contains similar provisions in regard to applications for variations to Certificates of Compliance. Regulation 3.10 (1A) provides for a fee based on an hourly rate of $125 (taking any fraction of an hour as 1 hour).

4.118 ABCs must not issue a Certificate of Compliance until the appropriate expert is satisfied and has produced acceptable certification.

4.119 Any permit issued for a building activity on the airport site requires on completion, or a designated part of construction, a Certificate of Compliance from the ABC, with the exception of some works as described in r. 3.16 which do not require a Certificate. Certificates of Compliance are referred to in Part 3 of the Regulations.

4.120 There are two types of Certificate of Compliance:

- if the building activity approval was in the form of a Building Permit – Certificate for Occupancy (Refer to Attachment N of Appendix A); and
- if building activity approval was in the form of a Works Permit – Certificate for Use (Refer to Attachment O of Appendix A).

4.121 Issuing of the Certificate of Compliance is evidence that the building activity has been completed satisfactorily and is fit for either occupancy or use. However, it is not evidence that the ABC has authorised the building to be used for a particular purpose. Holders of a certificate are under a duty only to use the building for the use or purposes approved.

4.122 Unless an appropriate certificate for occupancy/use is issued, then that building or part of the building must not be occupied or allowed to be occupied.

4.123 Often building designs may not fully satisfy the building regulations. It may be impractical to comply, or a specific regulatory requirement may be inappropriate for a particular building.

4.124 To cater for such instances, rr. 2.13(2) and 2.14(2) allow the ABC to approve aspects of the design that do not comply with particular standards. Such instances must be supported by a written explanation from the applicant of the proposed works.

4.125 In making a determination, the ABC may rely on reports prepared by appropriate building experts or a certificate issued by a regulatory authority. It is envisaged that the ABC would also consider reports from referral bodies within the airport such as Air Services Australia, or the relevant fire authority, for fire safety matters and the ALC (refer to Chapter 3 of this Manual for further details).
5 Appeals, Enforcement and Penalties

Administrative Appeals Tribunal

Jurisdiction

5.1 A person who disagrees with a decision made by the ABC should first seek to resolve the matter informally with the ABC.

5.2 If an informal resolution with the ABC cannot be achieved, there are various avenues of redress available to persons who are aggrieved by a decision or action of a Commonwealth official including applying to the Administrative Appeal Tribunal (AAT) for a review of the decision.

5.3 The AAT was established by the Administrative Appeals Tribunal Act 1975 (the AAT Act) as a general review body.

5.4 The AAT has jurisdiction where specifically provided for in legislation. These provisions include:
   - all decisions of the ABC and the ALC that are subject to review are described in Column 2 of the table, and the person who may apply for review are listed in Column 3 (r. 6.01); and

Application Process

5.5 An applicant for review by the AAT must lodge an application with the AAT and pay the appropriate filing fee.

5.6 The AAT will forward a request to the relevant decision-maker who is the respondent to the proceedings.

5.7 The respondent has 28 days in which to provide all relevant documents to the AAT.

5.8 Requests received by the ABC as a result of application for review to the AAT will be referred to the Department.

Administrative Records

5.9 The ABC will prepare and retain records of decisions or determinations as to applications for building activity approvals. Documents required for response to appeals shall be provided complete with index.
Decisions

5.10 The ABC or ALC must comply with a direction of the AAT who may:

- affirm the decision under review;
- vary the decision under review;
- set aside the decision under review, and
- substitute a new decision; or
- refer a decision back to the primary decision maker for reconsideration.

Enforcement

Director of Public Prosecutions

5.11 The Commonwealth Director of Public Prosecutions may institute prosecutions in matters where the Department recommends this as the appropriate response.

5.12 ABCs will liaise closely with the Department when a situation appears to be heading towards litigation. It should be remembered that prosecution may be a last resort.

5.13 Offences against the regulations governing building operations on airports are offences against Commonwealth law, and in appropriate cases will be prosecuted.

5.14 Detailed evidence must be documented at the time the alleged offence is identified by the ABC. If it cannot be documented immediately, it should be documented as soon as possible thereafter.

Notices and Orders

5.15 If a building activity that requires approval is carried out without that approval or a condition of approval is contravened, s. 103 of the Act provides that the ABC may give a written direction to:

- stop work; or
- carry out remedial work; or
- demolish, dismantle or remove the building, structure or works.

5.16 The notice must be served on either:

- the ALC;
- the person who carried out the building activity; or
- the person who arranged for the carrying out of the building activity.
5.17 The ABC will first endeavour to resolve the issue by discussion and negotiation. It may then be necessary to request in writing that cause be shown why a Remedial Direction Stop Work notice should not be issued. As a last resort a Remedial Direction Stop Work Notice will be issued.

5.18 S. 109 of the Act provides for “Remedial Directions” where a building, structure or work is occupied or used without a Certificate of Compliance or in contravention of a condition of the Certificate of Compliance.

5.19 In such a case the ABC may give a written direction requiring the other person to:
- cease to occupy or use; or
- carry out remedial work; or
- demolish, dismantle or remove the building, structure or works.

5.20 The Direction must be served on:
- the ALC or,
- the person who is occupying or using, or proposing to use the building structure or works or,
- a person who has caused or permitted, or is proposing to cause or permit the building, structure or works to be occupied or used.

Penalties

5.21 Penalties are expressed in penalty units. As at December 2012, one penalty unit is $170.00.

5.22 Penalties specified in the Act are as follows:
5.22.1 Carrying out building work without approval (s. 99)
- 250 penalty units for a company
- 50 penalty units for a person

5.22.2 Contravening a condition of approval (s. 102)
- 50 penalty units

5.22.3 Contravening a stop work/remedial/demolition notice (s. 103)
- 50 penalty units

5.22.4 Occupation or use without a Certificate of Compliance (s. 106)
- 250 penalty units for a company
- 50 penalty units for a person

5.22.5 Contravention of a condition of a Certificate of Compliance (s. 108)
- 50 penalty units

5.22.6 Failing to cease to occupy a building or use works after the issue of a Remedial Direction (s. 109)
- 50 penalty units

5.22.7 Making a false or misleading statement to a Regulatory Official (s. 227)
- imprisonment not exceeding 6 months.

INFRINGEMENT NOTICES

5.23 Part 5 of the Regulations sets up an infringement notice penalty regime for all building activities at leased federal airports. This system is intended to act as an incentive for sound building control practices where it is apparent that such practices are not being followed.

5.24 The infringement regime allows the ABC to issue infringement notices against persons who the ABC believes has committed an offence against Part 5 of the Act as an alternative to prosecution.

5.25 Examples of offences include undertaking building activities at leased federal airports without approval and occupying or using buildings or works that have not been certified as compliant.

5.26 An ABC may serve, or cause to be served, an infringement notice on the relevant party (r. 5.03).

5.27 The infringement notice specifies, amongst other things, details of the alleged offence and how and when the penalty can be paid. The penalties for infringement notices are set as one-fifth of the maximum fine that may be imposed for an offence by a court, which are set out above in Paragraph 5.27.

5.28 Under the Regulations, the ABC, or the Secretary, may extend the period for payment of the infringement notice penalty and may allow payment by instalments (rr. 5.04-5.05).

5.29 If the Secretary decides to withdraw an infringement notice which has already been paid, the ABC will arrange to refund the person who paid the penalty (r. 5.11).
6 Administration, Information and Governance

ABC Building Approval Application Fees

6.1 All fees must be paid on submission of the application, and may be paid by cheque or electronic funds transfer (EFT); details of which may be obtained from the ABC.

6.2 For EFT transactions, the RAPS number for each airport is to be referenced. The RAPS number can be obtained from the ABC office at each airport.

6.3 Cheques must be made payable to “CPM Department of Infrastructure and Regional Development” and crossed not negotiable.

6.4 If requested by the applicant, an acknowledgement of payment or invoice is to be provided to the payee.

6.5 The remittance advice is to be sent to the CPM via email, a copy sent to ABCMailbox@infrastructure.gov.au using the attached template at Appendix B.

6.6 At any time before the ABC has made a decision on an application for a building approval, the applicant may withdraw the application by giving the ABC written notice of the withdrawal and paying a fee of $250.

6.7 To assist with processing a refund, the Department requires the following information via email to ABCMailbox@infrastructure.gov.au:

- Description of the building application
- Departmental file number
- Bank details, including BSB and payee name
- Amount
- Date of EFT or cheque

Insurance

6.8 Certifiers and contractors have certain obligations when practising in their professions and having the appropriate professional indemnity policy and public liability policy is the business or company’s responsibility.

6.9 Nothing in the Regulations affects the operation of State or Territory laws relating to builder insurance (r. 1.03(b)).
6.10 Currently in each State or Territory there are differing methods and requirements for insuring against professional indemnity and public liability. In determining acceptable criteria, the ABC should adopt the current practice used in the State or Territory to qualify the status of registration or licensing of the particular professional, certifier, builder or contractor.

6.11 The ABC may request evidence of such insurance from the certifier or contractor in order to qualify its suitability, if deemed necessary.

6.12 Additionally, the ALC will generally not issue a Permit to Commence Work (PERCOW) until satisfied that companies and their officers, servants and agents are indemnified at all times against damage, suits, claims for personal injuries and property damage by the construction contractor.

**Reporting Requirements**

6.13 ABCs are required to compile a register of the number and nature of:
- reports or suspicions of breaches of building standards; and
- all applications for authorisation.

6.14 Within 10 business days after the end of each quarter specified below, the ABC must submit to the Department a separate quarterly report for the airport, using the Quarterly Report Template at Appendix C:

<table>
<thead>
<tr>
<th>Quarter</th>
<th>For Financial Year during the term of the Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 July – 30 September</td>
<td>1 October – 31 December</td>
</tr>
<tr>
<td>1 January – 31 March</td>
<td>1 April – 30 June</td>
</tr>
</tbody>
</table>

6.15 Quarterly reports must include, for the relevant quarter:
- the number and nature of applications made to the ABC;
- the respective numbers of ALC endorsements and the ABC’s decisions, broken down into:
  - approvals;
  - conditional approvals;
  - rejections; and
  - requests for further information.
• a report against the minimum hours expended pursuant to the reporting requirements outlined in the Services Agreement, including:
  • the number of hours worked by Specified Personnel and/or subcontractors; and
  • a summary of the tasks and activities undertaken by Specified Personnel and/or subcontractors;
• the day-to-day activity in monitoring and overseeing the building activities, and outcomes in terms of approved activities having been completed or still underway, with the latter group also detailed in terms of whether they have been the subject of variations, further conditions, extensions or other developments, e.g. stop work orders;
• the range and nature of ongoing consultations with the ALC, other operators of undertakings at the airport, local authorities and the community;
• networking with AEOs at the Airports in the Airport Groups, and with ABCs at other leased airports;
• any emerging issues or trends which may warrant some sort of meeting, to publicise and advance or resolve these as appropriate;
• the ABC’s perceptions of progress and prospects, and any problems, with the regulatory regime;
• the ABC’s plans for the coming quarter in terms of monitoring and other initiatives (such as of a training nature) in dealing with ongoing issues and developments;
• any enforcement action taken;
• fees collected and results of trust and account reconciliation/audits conducted.

6.16 On an annual basis, ABCs are to sample the local government bodies and private certifiers from each area surrounding the airport to identify the range of tasks and activities which attract a fee, and the level of those fees; determine the range of certification, approval, variation and other like activities they undertake off-airport in the ordinary course of building and development approvals; compare the range of ABC tasks to the range of external and local government approval and compliance tasks; and recommend to the Department a range of tasks and fees for the airport. The ABC must include this recommendation in the quarterly report which covers the period 1 April – 30 June of each financial year.

Freedom of Information

6.17 Reforms to the Freedom of Information Act 1982 (the FOI Act) promote a pro disclosure culture across government agencies and build a stronger foundation for greater openness and transparency in government.

6.18 A significant change is the introduction of a new information publication scheme for Australian Government agencies. The scheme aims to transform the freedom of information framework from one that responds to individual requests for access to documents to one
that requires agencies to take a proactive approach to publishing information. The scheme commenced on 1 May 2011.

6.19 The information publication scheme:

• requires Australian Government agencies to publish information publication plans;
• specifies categories of information that must be published; and
• provides a means for agencies to proactively publish other government information.

6.20 The FOI Act expressly recognises that information held by the Australian Government is a national resource and is to be managed for public purposes. The intention of the scheme is that agencies will publish freely accessible information on their websites.

6.21 If an ABC receives a request for information they should contact the Airport Infrastructure Regulation Section so that the Department’s Freedom of Information Officer can be promptly notified and coordinate the request. No information held by or under the control of the ABC is to be released to any person who does not have the appropriate authority.

Records, Audit and Access

Evidentiary Standards

6.22 The requirement to keep records and to have evidence to support decision making is a critical part of the administration of the regulator regime. Evidence should be:

• Documented – including conversations, meetings or other non-text based communications;
• Fact-based – free of value judgement;
• Relevant – related to the compliance matter; and
• Defensible – able to withstand external scrutiny.

6.23 The dealings between ABCs, AEOs, ALCs and other stakeholders are subject of FOI laws and must therefore be recorded formally with due regard for the public trust invested in their role.

6.24 There are varying levels of compliance action that can be taken by compliance officers. Because these actions vary in complexity and severity, compliance officers should ensure that they retain enough evidence to substantiate their assessment and validate the course of action they have taken.

6.25 Where matters progress to a prosecution, the standard of evidence required is articulated within the regulations Evidence for hearing in s. 5.12.
Recordkeeping

6.26 All relevant information relating to building control activities must be captured or registered in the Department’s recordkeeping paper file system.

6.27 Records for each building control activity must contain copies of applications (and plans/drawings), requests for withdrawal of an application, building approvals, including building and works permits, demolition authorisations, approval variations, certificates of compliance, exemptions, file notes and all other relevant information that reflects key events and supports the decision-making process by the ABC for each building control activity.

6.28 There is a requirement to document decisions and outcomes that may not be captured through paper or text-based communication. Conversations and decisions that are reached in face-to-face meetings or by telephone, should also be registered in the Department’s paper file system.

6.29 When creating records, a simple rule of thumb is to ask the question: “Is it required by law, or of value to the Department?” If it is, then it should be created, captured and then placed and kept in the Department’s recordkeeping system, regardless of format. As a guiding principle, the more important the occurrence, event or issue, the greater the requirement to create a record and the more comprehensive that record needs to be.

6.30 The printed versions of electronic documents (e.g. emails) are to be placed on an official registered paper based file.

6.31 As a general rule, original papers should be attached to a file, particularly where papers carry authorising signatures.

6.32 Once a building activity is complete and all relevant records have been filed, files are to be returned to the Records Management Unit (RMU).

6.33 For guidance on how to create, maintain and return a Departmental file, refer to the Records Management Manual or contact the Department’s RMU Helpdesk at RMU2@infrastructure.gov.au.

6.34 In addition to the recordkeeping requirements outlined above, ABCs and any of their subcontractors are required to:

- keep a register of applications made to it for approval of building activity (r. 2.21), showing:
  - the result of each application; and
  - for an approved application, any conditions attached to the approval;
- keep adequate books and records, in accordance with Australian accounting standard, in sufficient detail to enable payments by the Department to be determined; and
• retain for a period of seven years after termination of the contract, all books and records relating to the services provided. Where the appointment of an ABC ceases, the ABC must pass the register to the Secretary, or the proposed succeeding ABC (r. 2.21(2)).

Audit and Access

6.35 The Regulations empower the Secretary to request documents or inspect registers maintained by the ABC, including:
• if an ABC has been given reasonable notice, the Secretary may inspect or copy the building activity register of applications (r. 2.21(3)); and
• if required by the Secretary or another authorised person, ABCs must also provide documents relating to building activities. Regulation 2.22 empowers the Secretary or authorised person to request certain categories of documents specified in rr. 2.22(1)-(2) so that the Department can monitor an ABC’s approval of building activities.

6.36 ABCs may be subject to the Department’s Internal Audit process, which includes desktop reviews of documents and records.

Departmental Policies and Procedures

6.37 ABCs must comply with Departmental policies and procedures at all times while undertaking work for the Department. In particular, ABCs are accorded the same duty of care as other Department employees in respect to:
• Workplace Health and Safety;
• Security; and
• Confidentiality and Privacy.

Workplace Health and Safety

6.38 When using the Department’s premises or facilities, ABCs (and their personnel) must comply with all Departmental policies and procedures in effect at those premises or in regard to those facilities. These may relate to:
• workplace harassment;
• occupational health (including the smoke free workplace policy);
• the Australian Public Service and the Department Codes of Conduct; and
• safety and security, including the Department’s Internet access and usage guidelines.

Security

6.39 An Australian Security Identification Card (ASIC) is required to obtain unescorted access to the secure areas of security controlled airports that have regular public transport services.
ABCs can apply for an ASIC through the ALC (refer Aviation Transport Security Regulations 2005, Subdivision 6.5.2). The ALC will then arrange the necessary security clearance(s) that are required before an ASIC can be issued.

6.40 While using the Department’s premises, ABCs (and their personnel) must clearly display their Departmental Access Pass at all times. ABCs must comply with all relevant security requirements specified in the Protective Security Policy Framework.

6.41 Where work is to be undertaken at the Department’s premises, ABCs and their personnel must protect and secure departmental assets and information including information technology systems under their control, in accordance with the Protective Security Policy Framework, the Department’s Protective Security Manual, Protective Security Policy, Secure IT Information Technology and Electronic Information Security Policy.

Confidentiality and Privacy

6.42 ABCs must not disclose any information obtained in the performance of its power or function under the Regulations, to any person who does not have a lawful, and proper, need to see the information.

6.43 In relation to Protection of Personal Information, the ABCs must:

- only use or disclose Personal Information obtained during the course of providing the ABC service, in accordance with their contractual obligations;
- not engage in any practice that would breach an Information Privacy Principle (IPP) contained in section 14 of the Privacy Act;
- comply, as far as possible, with any policy guidelines laid down by the Department or issued by the Privacy Commissioner; and
- to ensure that any sub-contractors who are required to deal with Personal Information, are made aware of their obligations in relation to the Protection of Personal Information.
Appendices A to D
Appendix A – Commonly Used Forms and Templates

The following attachments have been separated into ‘packs’ for both the applicant and the ABC.

<table>
<thead>
<tr>
<th>Applicant Pack</th>
<th>Name</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attachment A</td>
<td></td>
<td>Application for a Building Permit</td>
</tr>
<tr>
<td>Attachment B</td>
<td></td>
<td>Application for Works Permit</td>
</tr>
<tr>
<td>Attachment C</td>
<td></td>
<td>Application for a Demolition Authorisation</td>
</tr>
<tr>
<td>Attachment D</td>
<td></td>
<td>Additional Attachments for Building Approvals</td>
</tr>
<tr>
<td>Attachment E</td>
<td></td>
<td>Certification – Design</td>
</tr>
<tr>
<td>Attachment F</td>
<td></td>
<td>Certification – Checking of Design</td>
</tr>
<tr>
<td>Attachment G</td>
<td></td>
<td>Certification – Intention to Inspect</td>
</tr>
<tr>
<td>Attachment H</td>
<td></td>
<td>Certification – Inspection on Completion</td>
</tr>
<tr>
<td>Attachment I</td>
<td></td>
<td>Application for a Certificate of Compliance – Occupancy / Use</td>
</tr>
<tr>
<td>Attachment J</td>
<td></td>
<td>Certificate of Compliance Requirements</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ABC Pack</th>
<th>Name</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attachment K</td>
<td></td>
<td>Building Permit</td>
</tr>
<tr>
<td>Attachment L</td>
<td></td>
<td>Works Permit</td>
</tr>
<tr>
<td>Attachment M</td>
<td></td>
<td>Demolition Authorisation</td>
</tr>
<tr>
<td>Attachment N</td>
<td></td>
<td>Certification of Compliance for Occupancy</td>
</tr>
<tr>
<td>Attachment O</td>
<td></td>
<td>Certificate of Compliance for Use</td>
</tr>
<tr>
<td>Attachment P</td>
<td></td>
<td>Certificate of Compliance and Duties</td>
</tr>
<tr>
<td>Attachment Q</td>
<td></td>
<td>Notice of Additional Conditions</td>
</tr>
<tr>
<td>Attachment R</td>
<td></td>
<td>Stop Work Order</td>
</tr>
<tr>
<td>Attachment S</td>
<td></td>
<td>Criteria for Building Permit – Approval of Non-Compliance with Australian Building Standards</td>
</tr>
<tr>
<td>Attachment T</td>
<td></td>
<td>Remedial Direction Notice</td>
</tr>
</tbody>
</table>
Applicant Pack: Attachments A – J
Attachment A to Appendix A

Example of “Application for a Building Permit”
Pursuant to Regulation 2.02
APPLICATION FOR A BUILDING PERMIT

To: .................................................. Airport Building Controller

Applicant:  Owner or Agent (delete as applicable)

Name ........................................................................................................

Postal Address ...........................................................................................

........................................................................................................ Postcode  ...............  

Contact Person ..............................................................................................

Telephone .....................................................................................................

Fax. ............................................................................................................... 

Email .............................................................................................................

Lessee Details:

Name ........................................................................................................

Postal Address ..............................................................................................

........................................................................................................ Postcode  ...............  

Location of Building Works:

Address .........................................................................................................

..................................................................................................................

Building Experts
to be engaged in the building work:

<table>
<thead>
<tr>
<th>Name</th>
<th>Cat./ Class</th>
<th>Reg. No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Architect</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Eng/Civil</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Eng/Mechanical</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Eng/Electrical</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td>Quantity Surveyor</td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td>Builder</td>
</tr>
</tbody>
</table>

**Building Contractor:**

Name ................................................................. Reg.No. .................
Address ........................................................................
................................. Postcode: .................
Telephone ................................................................. Fax. .................
Contact Person ................................................................
Telephone ................................................................. Fax: .................

**Description of Building Activity**

.................................................................................................
.................................................................................................

Does the existing building involve a fire engineered solution? Yes / No.................................................................................................

If yes, a statement from an appropriately qualified fire engineer stating that the proposed building activity is consistent with the fire engineered solution will be required prior to the issue of a Building Permit.

Duration of Building Activity .................................................................................................

Estimated Value of Building Activity $.................................................................................................

Does the proposed building activity being the subject of this application comprise part of a major airport development or part of, a draft major development plan within the meaning of the Airports Act 1996 and Airports Building Control Regulations 1996? Yes / No

Is the proposed building activity consistent with the final master plan of the airport, which includes compliance to the environmental strategy? Yes / No / Not Applicable

Signature of owner or agent ................................................................ Date: .................

Please Print Name.........................................................................................
Capacity of Signatory ………………………………………………………………………………………………………..………

Additional Attachments:
For the required information/documents to be included in an application for a building permit, refer to the Airport (Building Control) Regulations 1996 2.05, 2.06 and 2.07 and consult with the Airport Building Controller;
Required information for attached building plan: refer to regulation 2.07(2);
Required information for attached specification: refer to regulation 2.07(4).

Note 1 Application fee
In accordance with regulation 2.02(1), an application fee is required to be paid to the CPM Department of Infrastructure and Transport (to be collected by the Airport Building Controller) prior to the issue of the building permit. The basis for calculation of that fee is set out in regulation 2.02.

Note 2 AAT Review
Under regulation 5.02, the applicant for the approval may make application to the Administrative Appeals Tribunal to have the decision of the Airport Building Controller to refuse or fail to approve a building activity reviewed.

Note 3 Publication of Information Regarding this Application
The Applicant should note that information provided on this Application Form may be published or declared.
Attachment B to Appendix A

Example of “Application for a Works Permit”

Pursuant to Regulation 2.02
APPLICATION FOR A WORKS PERMIT

To: ........................................... Airport Building Controller

Applicant: Owner or Agent (delete as applicable)

Name ........................................................................

Postal Address ................................................................

........................................................................ Postcode .................

Contact Person ................................................................

Telephone ..................................................................... Fax: ......................

Email: ........................................................................

Lessee Details:

Name ........................................................................

Postal Address ................................................................

........................................................................ Postcode .................

Location of Works:

Address ........................................................................

........................................................................

Works Experts
to be engaged in the construction or alteration of works:

<table>
<thead>
<tr>
<th>Name</th>
<th>Cat./ Class</th>
<th>Reg. No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Architect</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Eng/Civil</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Eng/Mechanical</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Eng/Electrical</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Quantity Surveyor</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>-------------------</td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td>Builder</td>
</tr>
</tbody>
</table>

**Works Contractor:**

<table>
<thead>
<tr>
<th>Name</th>
<th>Reg.No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Postcode</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Telephone</th>
<th>Fax.</th>
</tr>
</thead>
</table>

| Contact Person                           |             |

| Telephone                                | Fax.       |

| Email:                                   |            |

<table>
<thead>
<tr>
<th>Description of Works</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Duration of Works</th>
<th></th>
</tr>
</thead>
</table>

| Estimated Value of the Works $          |            |

Does the proposed building activity being the subject of this application comprise part of a major airport development or part of a draft major development plan within the meaning of the Airports Act 1996 and Airports (Building Control) Regulations 1996? **Yes / No**

Is the proposed building activity consistent with the final master plan of the airport, which includes compliance to the environmental strategy? **Yes / No / Not Applicable**

Signature of owner or agent: ........................................... Date: ...........................

Print: .............................................................................

Capacity of Signatory: .................................................
Additional Attachments:
For the required information/documents to be included in an application for a works permit, refer to the Airport (Building Control) Regulations 1996 clauses 2.05, 2.06 and 2.08 and consult with the Airport Building Controller.

Note 1  Application fee
In accordance with regulation 2.02(1), an application fee is required to be paid to the CPM Department of Infrastructure and Transport (to be collected by the Airport Building Controller) prior to the issue of the works permit. The basis for calculation of that fee is set out in regulation 2.02.

Note 2  AAT Review
Under regulation 5.02 the applicant for the approval may make application to the Administrative Appeals Tribunal to have the decision of the Airport Building Controller to refuse or fail to approve a building activity reviewed.

Note 3  Publication of Information Regarding this Application
The Applicant should note that information provided on this Application Form may be published or declared.
Attachment C to Appendix A

Example of “Application for a Demolition Authorisation”
Pursuant to Regulation 2.02
APPLICATION FOR A DEMOLITION AUTHORISATION

Airports Act 1996

Airports (Building Control) Regulations 1996

Regulation 2.02

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>To</td>
<td></td>
</tr>
<tr>
<td>Applicant</td>
<td>Owner or Agent (delete as applicable)</td>
</tr>
<tr>
<td>Name</td>
<td></td>
</tr>
<tr>
<td>Postal Address</td>
<td></td>
</tr>
<tr>
<td>Contact Person</td>
<td></td>
</tr>
<tr>
<td>Telephone</td>
<td></td>
</tr>
<tr>
<td>Fax:</td>
<td></td>
</tr>
<tr>
<td>Email</td>
<td></td>
</tr>
<tr>
<td>Lessee Details:</td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td></td>
</tr>
<tr>
<td>Postal Address</td>
<td></td>
</tr>
<tr>
<td>Location of Demolition Works:</td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Demolition Contractor:</td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td></td>
</tr>
<tr>
<td>Reg.No.</td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Telephone</td>
<td></td>
</tr>
<tr>
<td>Fax.</td>
<td></td>
</tr>
<tr>
<td>Email</td>
<td></td>
</tr>
</tbody>
</table>
Contact Person

Telephone

Fax.

Email:

Description of Demolition Works

Duration of Works

Estimated Value of the Works $

Does the proposed building activity being the subject of this application comprise part of a major airport development or part of, a draft major development plan within the meaning of the Airports Act 1996 and Airports Building Control Regulations 1996? Yes / No

Is the proposed building activity consistent with the final master plan of the airport, which includes compliance to the environmental strategy? Yes / No / Not Applicable

Signature of owner or agent Date:

Please Print

Capacity of Signatory

Additional Attachments:

For the required information/documents to be included in an application for a demolition authorisation, refer to the Airport (Building Control) Regulations 2.05, 2.06 and 2.09 and consult with the Airport Building Controller.

Note 1 Application fee

In accordance with regulation 2.02(1), an application fee is required to be paid to the CPM Department of Infrastructure and Transport (to be collected by the Airport Building Controller) prior to the issue of the demolition permit. The basis for calculation of that fee is set out in regulation 2.02.

Note 2 AAT Review

Under regulation 5.02 the applicant for the approval may make application to the Administrative Appeals Tribunal to have the decision of the Airport Building Controller to refuse or fail to approve a building activity reviewed.

Note 3 Publication of Information Regarding this Application

The Applicant should note that information provided on this Application Form may be published or declared.

Airport Building Controllers (ABCs) are appointed by the Secretary of the Department of Infrastructure and Regional Development (the Department) under the Airports (Building Control) Regulations 1996 (the Regulations) to exercise the powers and functions which the Regulations vest in the ABCs, in relation to building control at leased federal airports. ABCs are also appointed as authorised officers by the Secretary under the Airports Act 1996 to exercise certain powers under this Act, in relation to leased federal airports.

ABCs are contracted private companies, or employees or officers of such companies, and act independently of the Department. However, ABCs consult with the Department as necessary on certain matters, such as the interpretation of the regulations.
Attachment D to Appendix A

Example of “Additional Attachments for Building Approvals”
The Airports (Building Control) Regulations 1996 (the Regulations) specify information that must be included in an application to the Airport Building Controller for a building approval. Below is a summary of that information so as to guide the applicant as to what the Regulations require for all building approval applications, and those requirements specific to building permits, works permits and demolition authorisations.

### ATTACHMENTS REQUIRED FOR ALL BUILDING APPROVALS
*(BUILDING PERMITS, WORKS PERMITS, DEMOLITION AUTHORISATIONS)*

<table>
<thead>
<tr>
<th>Documentation</th>
<th>Required</th>
<th>Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. If there is a final master plan (incorporating the Environment Strategy¹⁸) for the airport, a statement describing how the proposed building activity is consistent with the plan.</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>2. If the proposed activity is part of a major airport development (within the meaning of section 89 of the Airports Act 1996), a statement describing how the proposed building activity is consistent with the approved major development plan for the airport, or any exemption declared under paragraph 90(1)(d) of the Act.</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>3. Consent issued by the airport lessee company declaring that the proposed building activity is consistent with the final master plan (incorporating the Environment Strategy) or approved major development plan for the airport.</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

¹⁸ As a result of amendments to Paragraph 71(2)(h) of the Airports Act 1996 in December 2010, a draft or final Airport Master Plan must include an Environment Strategy. As each Airport’s final Master Plan is updated, it must include an Environment Strategy in accordance with Paragraph 71(2)(h).
4. If any environmental conditions have been imposed by the airport-lessee company either in the contract specifications, or as part of the development application, or in any other format, a copy of these must be included.

5. Any environmental conditions considered by the proponent to be relevant to the proposal should be included.

6. 2 Copies of the site plan for the proposed building activity, including a description of the proposed development resulting from the building activity.

7. A copy of any other information about the proposed building activity required by a regulatory authority or other body having a regulatory function in relation to the resulting building.

8. A statement setting out the precautions to be taken to protect persons using the airport while the proposed building activity is going on, from injury arising from the building activity.

9. A statement setting out the precautions to be taken to protect property at the airport arising from the building activity.

10. A statement setting out the proposed arrangements for clean-up and rehabilitation of the site of the proposed building activity.

11. Construction Environmental Management Plan for construction works involving new buildings or additions to existing buildings; civil works; works that result in ground disturbance; works that involve a risk of water, air or noise pollution; demolition works; works involving removal of hazardous materials.

ATTACHMENTS REQUIRED FOR BUILDING PERMITS ONLY

<table>
<thead>
<tr>
<th>Documentation</th>
<th>Required</th>
<th>Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 copies of the building plan.</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>The building plan must:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
- identify the class or classes, under the Building Code, of the building proposed to be built
- describe, in accordance with Part C1 of the Code the proposed type of construction of the building
- show the dimensions of all parts of the building including the footings
- include a section plan of the building at the level of each floor, at an appropriate and legible scale
- depict each elevation of the building at an appropriate and legible scale
- give details of the construction materials proposed to be used for the building
- provide for periodic inspections (under regulation 2.17(1)(h), by setting out each “design and construct” stage for the project, or by otherwise specifying the progress stages that is proposed will be the inspection stages
- if the proposed building activity is the alteration or repair of an existing building, the building plan must be marked in such a way as to distinguish the proposed alteration or repair from the existing building

13. 2 copies of the specification for the proposed building activity.

The specification must:

- describe in detail the type of construction and construction materials for the proposed building
- describe in detail the proposed methods of drainage, sewerage, water supply and gas supply (if any)
- state whether it is intended to use in the building any second-hand material that could adversely affect the structural integrity of the building or have any other adverse safety consequence

14. Design certification to certify provisions for the health, safety or amenity of persons, for example fire resistance, fire protection, lighting and ventilation, air conditioning, disposal of refuse, sewerage and drainage, telecommunications services. The certification must nominate the relevant standards to which the works will comply.
15. Structural certification for the structural elements of the building.

16. A statement from the airport lessee company that the proposed construction has received approval under the Airports (Protection of Airspace) Regulations 1996.

**ATTACHMENTS REQUIRED FOR WORKS PERMITS ONLY**

<table>
<thead>
<tr>
<th>Documentation</th>
<th>Required</th>
<th>Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>17. 2 copies of the works plan.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18. 2 copies of the specification for the proposed works.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19. Design certification to certify provisions for the health, safety or amenity of persons, for example civil works, lighting, electrical services, sewerage and drainage, telecommunications services. The certification must nominate the relevant standards to which the works will comply.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20. Certification for the structural elements of the works plan.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21. Details of the progress stages that it is proposed will be the inspection stages (for the purposes of regulation 2.17(1)(h))</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22. Details of the construction materials proposed to be used for the works.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23. A statement from the airport lessee company that the proposed construction has received approval under the Airports (Protection of Airspace) Regulations 1996.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24. Any environmental conditions imposed by the airport-lessee company either in the contract specification, or in any other format.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25. Any environmental conditions considered by the proponent to be</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### ATTACHMENTS REQUIRED FOR DEMOLITION AUTHORISATIONS ONLY

<table>
<thead>
<tr>
<th>Documentation</th>
<th>Required</th>
<th>Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>26. 2 copies of the demolition plan.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27. Nomination of the relevant Australian standards to which the demolition work will comply.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29. Any certificate given by an expert in demolition procedures, approving the structural elements of the demolition plan.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30. Details of the progress stages that it is proposed will be the inspection stages (for the purposes of regulation 2.17(1)(h)).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31. Any environmental conditions imposed by the airport-lessee company either in the contract specification, or in any other format; and any environmental conditions considered by the proponent to be relevant to the proposal.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>32. Any environmental conditions considered by the proponent to be relevant to the proposal.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Attachment E to Appendix A

Example of “Certification – Design”
CERTIFICATION - DESIGN

Airports Act 1996
Airports (Building Control) Regulations 1996

To: ............................................................... Airport Building Controller
Postal Address .................................................................

 ................................................................. Postcode .......

From (Name of Person Signing) .................................................................

Position ............................................... Category/Class .................................
Business Name ........................................................................................................
Postal Address .................................................................

 ................................................................. Post Code ........
Telephone ........................................ Fax .................................................................

Location of Works

Address ................................................................................................................


I prepared the design and I certify that the part of the design described as

.............................................................................................................................................................

complies with the following provisions of the Regulations, National Construction Code Series, including the Building Code of Australia (as amended) and relevant Australian / International Standards.

.............................................................................................................................................................

Basic design criteria and assumptions used in the design are:

.............................................................................................................................................................

**Design documents**

Drawings Nos ..........................................................Prepared by ........................... Date  ...............………...
Specifications ..........................................................Prepared by ........................... Date  ...............………...
Computations ..........................................................Prepared by ........................... Date  ...............………...

Test reports, accreditations, other documentation

.............................................................................................................................................................

Prepared by ........................... Date  ...............………...

**Signature:** ............................................................. Licence / Registration No...............……...........

Date of issue ............................

The Certifier has taken all reasonable steps in ensuring this certification as being true and correct.

Airport Environmental Protection and Building Control Office - Appointed by the Australian Government
GPO Box 594 Canberra City ACT 2601

Airport Building Controllers (ABCs) are appointed by the Secretary of the Department of Infrastructure and Regional Development (the Department) under the *Airports (Building Control) Regulations 1996* (the Regulations) to exercise the powers and functions which the Regulations vest in the ABCs, in relation to building control at leased federal airports. ABCs are also appointed as authorised officers by the secretary under the *Airports Act 1996* to exercise certain powers under this Act, in relation to leased federal airports.

ABCs are contracted private companies, or employees or officers of such companies, and act independently of the Department. However, ABCs consult with the Department as necessary on certain matters, such as the interpretation of the regulations.
Attachment F to Appendix A

Example of “Certification – Checking Of Design”
CERTIFICATION - CHECKING OF DESIGN

Airports Act 1996

Airports (Building Control) Regulations 1996

To: ..........................................................  Airport Building Controller
Postal Address .................................................................

..................................................................................  Postcode  .......

From (Name of Person Signing) ..........................................................

Position................................................ Category/Class ........................................
Business Name........................................................................
Postal Address ..........................................................  Post Code  ..................
Telephone Number.................................  Fax  ................................

Location of Works

Address..........................................................................................
..........................................................................................

I did/ did not prepare the design and I certify that the part of the design described as

..........................................................................................
complies with the following provisions of the Regulations, the National Construction Code Series, including the Building Code of Australia (as amended) and relevant Australian / International Standards.

Basic design criteria and assumptions used in the design are:

Design documents
Drawings Nos ........................................... Prepared by ....................... Date ....................
Specifications ........................................... Prepared by ....................... Date .............

Reference documents
The following documents were referred to in completion of the above certification
Computations ........................................... Prepared by ....................... Date .............
Test reports, accreditations, other documentation ...........................................................

Prepared by ....................... Date ............

Signature: ............................................... Licence / Registration No .....................
Date of issue ...........................................
Attachment G to Appendix A

Example of “Certification – Intention to Inspect”
CERTIFICATION - INTENTION TO INSPECT

Airports Act 1996
Airports (Building Control) Regulations 1996

To: ...............................................................  Airport Building Controller
Postal Address ............................................................... 

Postcode ............... 

Intention to Inspect
I / We certify that I / we will be responsible for the specific inspections of the .................
work described in documents ........................................................................................................
and are required to reasonably ensure that the building / work / structure when completed complies
with the above mentioned approved plans and specifications, the Airports Act 1996, Airports

Furthermore, I / We undertake to advise of any variations to the above agreed arrangements.

From (Name of Person inspecting) ............................................................... 
Position ................................................... Category/Class ................................................... 
Business Name .................................................................................... ...................................... 
Postal Address ................................................................ Post Code ...................................... 
Phone Number .............................................................
Location of Works

Address

------------------------------------------

------------------------------------------

Signature: ........................................................... Licence / Registration No .........

Professional Qualification .................. Date of issue ..............

Note: Relevant experience of person/s carrying out inspections must be attached unless previously accepted in writing by the Airport Building Controller.
Attachment H to Appendix A

Example of “Certification – Inspection on Completion”
CERTIFICATION - INSPECTION ON COMPLETION

Airports Act 1996

Airports (Building Control) Regulations 1996

To:  ............................................................  Airport Building Controller

Postal Address  ............................................................

 ............................................................  Postcode  .........

From (Name of Person inspecting)  ............................................................

Position ................................................... Category/Class ...................................................

Business Name ............................................................

Postal Address ............................................................  Post Code ...........................

Phone Number ............................................................

Location of Works ............................................................

Compliance

I certify that the stage of the building activity described as:

............................................................

............................................................

has been inspected by me and complies with the following provisions of the Regulations, the National Construction Codes of Australia, including the Building Code of Australia (as amended) and relevant Australian / International Standards.
Airport Environmental Protection and Building Control Office - Appointed by the Australian Government
GPO Box 594 Canberra City ACT 2601

Airport Building Controllers (ABCs) are appointed by the Secretary of the Department of Infrastructure and Regional Development (the Department) under the *Airports (Building Control) Regulations 1996* (the Regulations) to exercise the powers and functions which the Regulations vest in the ABCs, in relation to building control at leased federal airports. ABCs are also appointed as authorised officers by the secretary under the *Airports Act 1996* to exercise certain powers under this Act, in relation to leased federal airports.

ABCs are contracted private companies, or employees or officers of such companies, and act independently of the Department. However, ABCs consult with the Department as necessary on certain matters, such as the interpretation of the regulations.
Attachment I to Appendix A

Example of “Application For A Certificate Of Compliance – Occupancy/Use”
Pursuant To Regulation 3.02
APPLICATION FOR CERTIFICATE OF COMPLIANCE –

OCCUPANCY / USE

Airports Act 1996

Airports (Building Control) Regulations 1996

Regulation 3.02

To: ................................................................. Airport Building Controller

Postal Address ...........................................................................................................

.................................................................................................................. Postcode ........

From (Name of Person applying) .............................................................................................

Position ...................................................................................................................... Category/Class .................................................................

Business Name .....................................................................................................................

Postal Address ................................................................................................................... Post Code ........................

Contact Person ................................................................................................................ Telephone ....................

Occupier .............................................................................................................................

In accordance with Airports (Building Control) Regulations 1996, Regulation 3.02, I hereby apply for a Certificate of Compliance for the Building Activity at:

Location: ...........................................................................................................................

.................................................................................................................................

USE APPLIED FOR:

Part of building/site ..............................................................................................................
Use ............................................................................................................................... 

BCA Class (if applicable) ........................................................................................................ 

BUILDING EXPERTS (CONTRACTORS/PRACTITIONERS AND ARCHITECTS) WHO WERE ENGAGED IN BUILDING ACTIVITY:

<table>
<thead>
<tr>
<th>Name</th>
<th>Category/Classification</th>
<th>Membership or Registration Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Architect</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Engineer-Civil</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Engineer-Mechanical</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Engineer-Electrical</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Engineer-Hydraulic</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Builder</td>
<td></td>
</tr>
</tbody>
</table>

Signature of Applicant .............................................. Date: ..............................................

Airport Environmental Protection and Building Control Office - Appointed by the Australian Government
GPO Box 594 Canberra City ACT 2601 (your airport address and contact number)

Airport Building Controllers (ABCs) are appointed by the Secretary of the Department of Infrastructure and Regional Development (the Department) under the Airports (Building Control) Regulations 1996 (the Regulations) to exercise the powers and functions which the Regulations vest in the ABCs, in relation to building control at leased federal airports. ABCs are also appointed as authorised officers by the Secretary under the Airports Act 1996 to exercise certain powers under this Act, in relation to leased federal airports.

ABCs are contracted private companies, or employees or officers of such companies, and act independently of the Department. However, ABCs consult with the Department as necessary on certain matters, such as the interpretation of the regulations.
Attachment J to Appendix A

Example of “Certification Of Compliance Requirements”
CERTIFICATE OF COMPLIANCE REQUIREMENTS

Project: .........................................................................................................................

Location: .........................................................................................................................

Attention: .........................................................................................................................

<table>
<thead>
<tr>
<th>Documentation</th>
<th>Req’d</th>
<th>Rec’d</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. A letter of request or completed application form for Certificate of Compliance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. A letter from the ALC stating that final inspection has been carried out and the issues relating to planning and operations associated with the building activity, are in accordance with the conditions and guidelines as specified in the Development Consent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. A letter from the Mechanical Services Engineer/Contractor stating that the system is installed to AS1668 Parts 1 &amp; 2 and BCA requirements.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. A letter from the Hydraulic Services Engineer/Contractor stating that the sprinkler system is installed to AS 2118.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. A letter from the Electrical Services Engineer/Contractor stating that the emergency and exit lights have been installed in accordance with AS 2293 and electrical installation is installed in accordance with AS 3000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. A letter from the fire alarm contractor stating that the thermal/smoke detection and alarm system complies with the intent and locations required by AS1670.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. A letter from the EWIS installer stating that the system complies with AS 2220.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
8. A certificate of completion and fire alarm connection notice from the relevant Fire Services Authority.

9. A letter from the glazing contractor stating that the glass has been supplied and installed in accordance with AS 1288

10. Lift landing door certificate specifying the doors are fire rated in accordance with AS 1530 and AS 1735.

11. A fire door certificate from the contractor for the fire doors installed in the building, scheduling door locations and relevant test report numbers, including any fire rated access panels.

12. A contractors certificate for lifts and escalators to have been installed in accordance with the specifications and AS 1735 and approved by the Occupational Health and Safety Authority.

13. Works completed certificate (or equivalent) from Water and Sewerage Authority.

14. A letter from a Registered Structural Engineer stating that all structural components of the building, including structural steelwork, reinforced concrete and load bearing blockwork have been supervised and installed in accordance with the relevant Australian Design Codes and plans and specifications approved by the ABC.

15. A letter from the Architect or Contractor stating that the building/works have been constructed in accordance with the plans and specifications approved by the ABC.

16. A letter from the contractor stating that all flammable and combustible liquids have been installed in accordance with AS 1940.

17. A letter from the approved Contractor stating that the application of waterproofing was installed in accordance with manufacturers specifications and relevant standards.

18. A satisfactory inspection report from the relevant electricity authority for the installation of high voltage supply and equipment.
19. A letter from the Airport Environment Officer stating that an inspection of the site has revealed no environmental infringement.

20. A letter from the Structural Engineer/Contractor stating that all handrails, balustrades and fixings were designed and installed to resist loads to AS 1170.

21. A letter from the relevant Health Authority stating that a final inspection was carried out and the completed works comply with the relevant standards and regulations.

22. A full set of “as constructed” drawings to be submitted to the ABC

23. A letter or certificate from the Hydraulic Engineer stating compliance for:
   - Fire Hydrants & Hose-reels (AS 2419.1 & AS 2441)
   - Sprinkler System to AS 2118

24. A letter or certificate from the Architect/Contractor stating that portable fire extinguishers have been installed in accordance with AS 2444

25. A letter from the Mechanical Engineer stating:
   - Smoke control system is in accordance with AS 1668.1
   - Ventilation complies with AS 1668.2

26. Any other letters or certificates as requested.

The nominated letters / certificates must be submitted to the ABC for consideration prior to the issue of the Certificate of Compliance being issued.
ABC Pack: Attachments K – T
Attachment K to Appendix A

Example of “Building Permit”
Pursuant To Regulation 2.13
BUILDING PERMIT

File no.: ..............................................................

Issued to:

Name ..............................................................

Postal Address ......................................................

.............................................................. Postcode  .................

Contact Person ......................................................

Telephone ...................................................... Fax.  .................

Email ..............................................................

Lessee Details:

Name ..............................................................

Postal Address ......................................................

.............................................................. Postcode  .................

Location of Building Works:

Address ................................................................

...........................................................................

Building Contractor:

Name .............................................................. Reg.No.  .................

Address ..............................................................

.............................................................. Postcode:  .................

Telephone ...................................................... Fax.  .................

Contact Person ......................................................

Telephone ...................................................... Fax:  .................

Details of Building Experts
to be engaged in the building activity:

<table>
<thead>
<tr>
<th>Name</th>
<th>Cat./ Class</th>
<th>Reg. No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Architect</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Eng/Civil</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Eng/Mechanical</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Eng/Electrical</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Quantity Surveyor</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Builder</td>
<td></td>
</tr>
</tbody>
</table>

**Nature of Building Activity**

- Description of Building Activity: ..........................................................
- Stage of building work permitted: .........................................................
- Cost of building work ($): ......................................................................
- Total floor area of new building work (m²): ............................................

**Value of Fee for Building Activity** $ ______________________________

**Building Classification**

- Part of Building: ......................................................................................
- BCA Classification: ....................................................................................

**Inspection Requirements**

- The mandatory inspection stages are:
  - ..............................................................................................
  - ..............................................................................................
  - ..............................................................................................
Occupation or Use of Building

A certificate of compliance is required to be issued by the Airport Building Controller prior to the occupation or use of this building or part.

This approval has effect until: ........................................................................................................

This permit incorporates the drawings, specifications and documents listed below:

Drawing Nos.

- Architectural ..............................................................................................................................
- Mechanical .................................................................................................................................
- Electrical ......................................................................................................................................
- Hydraulic ....................................................................................................................................
- Civil ...........................................................................................................................................
- Fire Protection ............................................................................................................................
- Structural ....................................................................................................................................

Specifications prepared by

- .................................................................................................................................................... Dated .................

In issuing this permit, reference has been made to the following documents:

- ......................................................................................................................................................
- ......................................................................................................................................................
- ......................................................................................................................................................
- ......................................................................................................................................................
- ......................................................................................................................................................
- ......................................................................................................................................................
- ......................................................................................................................................................

Conditions

This building permit is subject to the following conditions:
Airport Building Controllers (ABCs) are appointed by the Secretary of the Department of Infrastructure and Regional Development (the Department) under the Airports (Building Control) Regulations 1996 (the Regulations) to exercise the powers and functions which the Regulations vest in the ABCs, in relation to building control at leased federal airports. ABCs are also appointed as authorised officers by the Secretary under the Airports Act 1996 to exercise certain powers under this Act, in relation to leased federal airports.

ABCs are contracted private companies, or employees or officers of such companies, and act independently of the Department. However, ABCs consult with the Department as necessary on certain matters, such as the interpretation of the regulations.

Note: Under regulation 5.02 the applicant for the approval may make application to the Administrative Appeals Tribunal to have the decision of the Airport Building Controller to impose a condition on a building approval reviewed.
Attachment L to Appendix A

Example of “Works Permit”
Pursuant To Regulation 2.14
WORKS PERMIT

Airports Act 1996

Airports (Building Control) Regulations 1996

Regulation 2.14

File no.: .................................................................

Issued to:

Name ........................................................................

Postal Address .................................................................

................................................................................ Postcode ................................

Contact Person ................................................................

Telephone .................................................................. Fax. ................................

Email ........................................................................

Lessee Details:

Name ........................................................................

Postal Address .................................................................

................................................................................ Postcode ................................

Location of Works:

..........................................................................................

..........................................................................................

Contractor:

Name ........................................................................ Reg.No. .................

Address ........................................................................

................................................................................ Postcode: .................

Telephone .................................................................. Fax. .................

Contact Person ...............................................................

Telephone .................................................................. Fax: ..................
Details of Works Experts
to be engaged in the works:

<table>
<thead>
<tr>
<th>Name</th>
<th>Cat./ Class</th>
<th>Reg. No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Architect</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Eng/Civil</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Eng/Mechanical</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Eng/Electrical</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Quantity Surveyor</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Builder</td>
<td></td>
</tr>
</tbody>
</table>

Nature of Works

Description of Works

Stage of work permitted

Cost of work ($)

Value of Fee for Works $ _______________________

Inspection Requirements

The mandatory inspection stages are:

Use of Works

A certificate of compliance is required to be issued by the Airport Building Controller prior to the use of this work or part.

Duration of Approval

This approval has effect until:

This permit incorporates the drawings, specifications and documents listed below:
Drawing Nos.

- Architectural
- Mechanical
- Electrical
- Hydraulic
- Civil
- Fire Protection
- Structural

Specifications prepared by

- ................................................................. Dated ............

In issuing this permit, reference has been made to the following documents:

- .................................................................
- .................................................................
- .................................................................
- .................................................................
- .................................................................
- .................................................................
- .................................................................

Conditions

This work permit is subject to the following conditions:

- .................................................................
- .................................................................
- .................................................................
- .................................................................
Airport Building Controller

Signature: ......................................................

Date of issue .............................................

This form and the above signature have been made for and on behalf of the Commonwealth of Australia.

Airport Environmental Protection and Building Control Office - Appointed by the Australian Government
GPO Box 594 Canberra City ACT 2601 (your airport address and contact number)

Airport Building Controllers (ABCs) are appointed by the Secretary of the Department of Infrastructure and Regional Development (the Department) under the Airports (Building Control) Regulations 1996 (the Regulations) to exercise the powers and functions which the Regulations vest in the ABCs, in relation to building control at leased federal airports. ABCs are also appointed as authorised officers by the secretary under the Airports Act 1996 to exercise certain powers under this Act, in relation to leased federal airports.

ABCs are contracted private companies, or employees or officers of such companies, and act independently of the Department. However, ABCs consult with the Department as necessary on certain matters, such as the interpretation of the regulations.

Note: Under regulation 5.02 the applicant for the approval may make application to the Administrative Appeals Tribunal to have the decision of the Airport Building Controller to impose a condition on a building approval reviewed.
Attachment M to Appendix A

Example of “Demolition Authorisation”
Pursuant To Regulation 2.15
DEMOLITION AUTHORISATION

Airports Act 1996

Airports (Building Control) Regulations 1996

Regulation 2.15

File no.: .................................................................

Issued to:

Name ...........................................................................

Postal Address ................................................................

................................................................................. Postcode ......................

Contact Person ................................................................

Telephone ...................................................................... Fax. ..........................  

Email .............................................................................

Lessee Details:

Name ...........................................................................

Postal Address ................................................................

................................................................................. Postcode ......................

Location of Works: ............................................................

......................................................................................

Demolition Contractor:

Name ...........................................................................

Reg.No. ......................

Address ........................................................................

................................................................................. Postcode: ......................

Telephone ...................................................................... Fax. ..........................  

Contact Person ................................................................

Telephone ...................................................................... Fax: .........................
Details of Experts in Demolition Procedures
to be engaged in the demolition work:

<table>
<thead>
<tr>
<th>Name</th>
<th>Cat./Class</th>
<th>Reg. No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Architect</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Eng/Civil</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Builder</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>(Other)</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>(Other)</td>
<td></td>
</tr>
</tbody>
</table>

Nature of Demolition Activity

Description of Demolition Activity

Stage of demolition work permitted

Cost of demolition work ($)

Total floor area of demolition work (m²)

Value of Fee for Demolition Activity $ ____________________

Inspection Requirements

• ..............................................................
• ..............................................................
• ..............................................................
• ..............................................................

The mandatory inspection stages are:

• ..............................................................
Duration of Approval

This building activity has effect until: .................................................................

This authorisation incorporates the drawings, specifications and documents listed below:

Drawing Nos.

• Architectural .................................................................

• Structural .................................................................

• Other .................................................................

Specifications prepared by

• ................................................................. Dated ..........................

In issuing this authorisation, reference has been made to the following documents

• ..................................................................................................

• ..................................................................................................

• ..................................................................................................

• ..................................................................................................

Conditions

This demolition authorisation is subject to the following conditions:

• ..................................................................................................

• ..................................................................................................

• ..................................................................................................

• ..................................................................................................

• ..................................................................................................
Airport Building Controller

Signature: .................................

Date of issue: ..........................

This form and the above signature have been made for and on behalf of the Commonwealth of Australia

[Your airport address and contact number]

Airport Building Controllers (ABCs) are appointed by the Secretary of the Department of Infrastructure and Regional Development (the Department) under the Airports (Building Control) Regulations 1996 (the Regulations) to exercise the powers and functions which the Regulations vest in the ABCs, in relation to building control at leased federal airports. ABCs are also appointed as authorised officers by the secretary under the Airports Act 1996 to exercise certain powers under this Act, in relation to leased federal airports.

ABCs are contracted private companies, or employees or officers of such companies, and act independently of the Department. However, ABCs consult with the Department as necessary on certain matters, such as the interpretation of the regulations.

Note: Under regulation 5.02 the applicant for the approval may make application to the Administrative Appeals Tribunal to have the decision of the Airport Building Controller to impose a condition on a building approval reviewed.
Attachment N to Appendix A

Example of “Certificate of Compliance for Occupancy”
Pursuant To Regulation 3.04
CERTIFICATE OF COMPLIANCE FOR OCCUPANCY

Airports Act 1996

Airports (Building Control) Regulations 1996

Regulation 3.04

File number: .............................................................

Issued to

Name: .............................................................

Postal Address: .............................................................

.............................................................  Postcode  ............

Location of Building: .............................................................

Building Details

<table>
<thead>
<tr>
<th>Part of building</th>
<th>Use</th>
<th>Class of Occupancy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Conditions:

- The building must not be used for a purpose that is inconsistent with the classification of the building under the Building Code of Australia (as amended).
- The building must be maintained in a condition that is consistent with the classification.
Airport Building Controller:

In accordance with Regulation 3.08, the Airport Building Controller hereby states that it is satisfied in respect of the matters mentioned in sub-regulation 3.04(3) and that the building activity as completed generally complies with the relevant Australian Standards subject to the following non-compliances permitted.

……………………………………………………………………………………………………………
……………………………………………………………………………………………………………

Signed: ..........................  Date of issue:  ...................

Airport Building Controller

Note - A Certificate of Compliance is evidence that the building to which it applies may be occupied, but it is not evidence that the Airport Building Controller has authorised the building to be used for a particular purpose.
Attachment O to Appendix A

Example of “Certificate of Compliance for Use” Pursuant To Regulation 3.04
CERTIFICATE OF COMPLIANCE FOR USE

Airports Act 1996

Airports (Building Control) Regulations 1996

Regulation 3.04

File number  ........................................................................

Issued to

Name:  ........................................................................

Postal Address  ........................................................................

........................................................................ Postcode  ..............

Location of Works:  ........................................................................

........................................................................

Description of Works  ........................................................................

Airport Building Controller:

In accordance with Regulation 3.08, the Airport Building Controller hereby states that it is satisfied in respect of the matters mentioned in sub-regulation 3.04(3) and that the works as completed generally comply with the relevant Australian Standards subject to the following non-compliances permitted.

........................................................................

........................................................................

........................................................................
The works must not be used for a purpose that is inconsistent with the standards to which it was constructed. The works must be maintained in a condition that is consistent with its use.

Signed: ……………………………. Date of issue: …………………

Airport Building Controller

Note - A Certificate of Compliance is evidence that the works to which it applies may be used, but it is not evidence that the Airport Building Controller has authorised the works to be used for a particular purpose.
Attachment P to Appendix A

Example of “Certificate of Compliance Conditions and Duties”
CERTIFICATE OF COMPLIANCE CONDITIONS AND DUTIES

Airports Act 1996

Airports (Building Control) Regulations 1996

The following essential services must be maintained in accordance with the relevant requirements of the National Construction Codes Series, including the Building Code of Australia (as amended) and Australian Standards contained within, in force at time of approval.

<table>
<thead>
<tr>
<th>Essential Service to be inspected or tested</th>
<th>Installation standards / level of performance</th>
<th>Nature of inspection or test frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air conditioning systems</td>
<td>AS 1668</td>
<td>Monthly to AS 1851.6</td>
</tr>
<tr>
<td></td>
<td></td>
<td>AS 3666</td>
</tr>
<tr>
<td>Emergency lifts</td>
<td>BCA E3.4  AS 1735.2</td>
<td>Weekly to Occupational Health and Safety (Plant) Regulations 1995</td>
</tr>
<tr>
<td>Emergency lighting</td>
<td>BCA Part E4  AS2293.1</td>
<td>6 monthly to AS 2293.2</td>
</tr>
<tr>
<td>Emergency power supply</td>
<td>BCA Spec. G3.8</td>
<td>6 monthly</td>
</tr>
<tr>
<td>Emergency warning and intercom. system</td>
<td>BCA E4.9 Spec.E1.5  AS 2220</td>
<td>Monthly to AS1851.10</td>
</tr>
<tr>
<td>Exit doors</td>
<td>BCA Section D</td>
<td>3 monthly inspections to confirm exit doors are intact, operational and fitted with conforming hardware</td>
</tr>
<tr>
<td>Exit signs</td>
<td>BCA Part E4  AS 2293.1</td>
<td>6 monthly to AS 2293.2</td>
</tr>
<tr>
<td>Fire Brigade connections</td>
<td>Vic H101.9</td>
<td>Weekly to AS 1851.8</td>
</tr>
<tr>
<td></td>
<td>Vic H103  AS 1670</td>
<td></td>
</tr>
<tr>
<td>Fire control centres</td>
<td>BCA Spec E1.8</td>
<td>Annual inspection</td>
</tr>
<tr>
<td>Fire control panels</td>
<td>BCA Vic H101.9  AS 1603.4</td>
<td>Weekly to AS 1851.8</td>
</tr>
<tr>
<td>Essential Service to be inspected or tested</td>
<td>Installation standards / level of performance</td>
<td>Nature of inspection or test frequency</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>Fire curtains</td>
<td>BCA Spec. H1.3</td>
<td>Annual inspection</td>
</tr>
<tr>
<td>Fire dampers</td>
<td>AS 1682.2</td>
<td>Annual inspection to AS 1851.6</td>
</tr>
<tr>
<td>Smoke detectors and alarm</td>
<td>BCA Spec E2.2a AS 1670</td>
<td>Weekly to AS 1851.8</td>
</tr>
<tr>
<td>Fire doors inc. signs</td>
<td>BCA Spec. C3.4 AS 1905.1</td>
<td>Monthly to AS 1851.7</td>
</tr>
<tr>
<td>Fire extinguishers (portable)</td>
<td>BCA E1.6 AS 2444</td>
<td>6 monthly to AS 1851.1</td>
</tr>
<tr>
<td>Fire hose reels</td>
<td>BCA E1.4</td>
<td>6 monthly to AS 1851.2</td>
</tr>
<tr>
<td>Fire hydrants</td>
<td>BCA E1.3 AS 1530.3</td>
<td>Weekly to AS 1851.4</td>
</tr>
<tr>
<td>Fire indices for materials</td>
<td>BCA C1.10 AS 1530.3</td>
<td>Annual inspection to confirm no materials with potentially non-conforming fire indices occur</td>
</tr>
<tr>
<td>Fire isolated lift shafts</td>
<td>BCA Section C</td>
<td>Annual inspection</td>
</tr>
<tr>
<td>Fire isolated passages</td>
<td>BCA Sections C and D</td>
<td>Annual inspection</td>
</tr>
<tr>
<td>Fire isolated ramps</td>
<td>BCA Sections C and D</td>
<td>Annual inspection</td>
</tr>
<tr>
<td>Fire isolated stairs</td>
<td>BCA Sections C and D</td>
<td>Annual inspection</td>
</tr>
<tr>
<td>Fire mains</td>
<td>BCA Part E1 AS2118 AS2419.1</td>
<td>Weekly to AS 1851.4</td>
</tr>
<tr>
<td>Fire protective coverings</td>
<td>BCA Section C</td>
<td>Annual inspections</td>
</tr>
<tr>
<td>Fire rated access panels</td>
<td>BCA Part C3</td>
<td>Annual inspections to AS 1851.7 equivalent</td>
</tr>
<tr>
<td>Fire rated control joints</td>
<td>BCA Section C</td>
<td>Annual inspection</td>
</tr>
<tr>
<td>Fire rated materials applied to building elements</td>
<td>BCA Section C</td>
<td>Annual inspection</td>
</tr>
<tr>
<td>Fire resisting shafts</td>
<td>BCA Section C</td>
<td>Annual inspection</td>
</tr>
<tr>
<td>Essential Service to be inspected or tested</td>
<td>Installation standards / level of performance</td>
<td>Nature of inspection or test frequency</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>Fire resisting structures</td>
<td>BCA Section C</td>
<td>Annual inspection</td>
</tr>
<tr>
<td>Fire shutters</td>
<td>BCA Spec. C3.4 AS 1905.2</td>
<td>Annual inspection</td>
</tr>
<tr>
<td>Fire windows</td>
<td>BCA Spec. C3.4</td>
<td>Annual inspection</td>
</tr>
<tr>
<td>Lightweight construction</td>
<td>BCA C1.8</td>
<td>Annual inspection</td>
</tr>
<tr>
<td>Mechanical ventilation systems</td>
<td>BCA E2.2 G3.8 Spec. H1.3 AS 1668</td>
<td>Monthly to AS 1851.6</td>
</tr>
<tr>
<td>Paths of travel to exits</td>
<td>BCA Section D</td>
<td>3 monthly inspections to confirm paths of travel are intact</td>
</tr>
<tr>
<td>Penetrations of fire rated structures</td>
<td>BCA Part C3</td>
<td>Annual inspection</td>
</tr>
<tr>
<td>Smoke alarms</td>
<td>BCA G3.8 Vic H101.9 Vic H103</td>
<td>Monthly to AS 1851.8 (as applicable)</td>
</tr>
<tr>
<td>Smoke control measures</td>
<td>BCA Part E2 G3.8 Part H1</td>
<td>Monthly to AS 1851.6</td>
</tr>
<tr>
<td>Smoke doors</td>
<td>BCA Spec. C3.4</td>
<td>Monthly to AS 1851.7 equivalent</td>
</tr>
<tr>
<td>Smoke vents</td>
<td>BCA E2.4 G3.8 AS 2665</td>
<td>6 monthly to AS 1851.5</td>
</tr>
<tr>
<td>Sprinkler system</td>
<td>BCA E1.5 AS 2118 Code of practice for installation of residential life safety sprinkler systems</td>
<td>Weekly to AS 1851.3</td>
</tr>
<tr>
<td>Stairwell pressurisation system</td>
<td>BCA E2.2 AS 1668.1</td>
<td>Monthly to AS 1851.6</td>
</tr>
<tr>
<td>Static water storage</td>
<td>BCA Part E.1 AS 2118 AS 2419.1</td>
<td>Annual inspection</td>
</tr>
<tr>
<td>Essential Service to be inspected or tested</td>
<td>Installation standards / level of performance</td>
<td>Nature of inspection or test frequency</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>-------------------------------------</td>
</tr>
<tr>
<td>Vehicular access for large isolated buildings</td>
<td>BCA C2.4</td>
<td>Annual inspection to ensure access is maintained</td>
</tr>
<tr>
<td>Warning systems associated with lifts (including signs)</td>
<td>BCA Part E3</td>
<td>Annual inspection</td>
</tr>
</tbody>
</table>
Attachment Q to Appendix A

Example of “Notice of Additional Conditions”
Pursuant To Regulation 2.18(1)
NOTICE OF ADDITIONAL CONDITIONS

Airports Act 1996

Airports (Building Control) Regulations 1996

Regulation 2.18(1)

Building/Works/Demolition Permit No ..............................................................

Issued To Owner or Agent (*Strike out as applicable*)

Name ......................................................................................................................

Postal Address ........................................................................................................

......................................................................................................................... Postcode .......................

Contact Person ....................................................................................................... 

Telephone ............................................................................................................... Fax. .....................

Location of Works ...................................................................................................

..............................................................................................................................

Description of Works ...............................................................................................

..............................................................................................................................

Being the Airport Building Controller for .................. Airport, I am authorised to impose an additional condition in accordance with Regulation 2.18(1), where I am of the opinion that in the interests of the protection of persons from injury, or property from damage, compliance with the additional condition is appropriate.

Now therefore take notice that immediate compliance with the following additional condition/s is required:

..............................................................................................................................

..............................................................................................................................

..............................................................................................................................

..............................................................................................................................
Signed: ................................................................. Date: ........................................

Airport Building Controller

This form and the above signature have been made for and on behalf of the Commonwealth of Australia.

Airport Environmental Protection and Building Control Office - Appointed by the Australian Government
GPO Box 594 Canberra City ACT 2601 (your airport address and contact number)

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ABCs are contracted private companies, or employees or officers of such companies, and act independently of the Department. However, ABCs consult with the Department as necessary on certain matters, such as the interpretation of the regulations.

Note - All previous conditions in relation to the permit remain in force.

Under regulation 5.02 the person carrying out the building activity may make application to the Administrative Appeals Tribunal to have the decision of the Airport Building Controller to impose a condition on a building approval reviewed.
Attachment R to Appendix A

Example of “Stop Work Order” Pursuant To Regulation 2.18(2)
STOP WORK ORDER

Airports Act 1996

Airports (Building Control) Regulations 1996

Regulation 2.18(1)

Issued To  Owner or Agent *(Strike-out as applicable)*

Name ............................................................

Postal Address ............................................................................................................

...........................................................................................................  Postcode  .............................

Contact Person ..............................................................................................

Telephone ..................................................................................................  Fax.  ...........................................

Location of Works

.................................................................................................................................

.................................................................................................................................

Being the Airport Building Controller for .................................................. Airport, I am authorised to make a stop work order in accordance with Section 103 of Division 5 of the Airports Act 1996.

Reason why this order has been issued:

An inspection of the building work at the above location was undertaken on __________ and pursuant to regulation 2.18 (2), I consider that an action carried out on the performance of a building activity, namely (insert details of action), is a significant contravention of (insert details).

Now therefore take notice that:
The Airport Lessee Company/person who carried out the building activity/ person who arranged for the carrying out of the building activity and all other persons are required to stop building work.

Signed: ....................................................... Date: ..............................

Airport Building Controller

This form and the above signature have been made for and on behalf of the Commonwealth of Australia.

Airport Environmental Protection and Building Control Office - Appointed by the Australian Government
GPO Box 594 Canberra City ACT 2601 (your airport address and contact number)

Airport Building Controllers (ABCs) are appointed by the Secretary of the Department of Infrastructure and Regional Development (the Department) under the Airports (Building Control) Regulations 1996 (the Regulations) to exercise the powers and functions which the Regulations vest in the ABCs, in relation to building control at leased federal airports. ABCs are also appointed as authorised officers by the secretary under the Airports Act 1996 to exercise certain powers under this Act, in relation to leased federal airports.

ABCs are contracted private companies, or employees or officers of such companies, and act independently of the Department. However, ABCs consult with the Department as necessary on certain matters, such as the interpretation of the regulations.

Note Under regulation 5.02 the person carrying out the building activity may make application to the Administrative Appeals Tribunal to have the decision of the Airport Building Controller to issue a Stop Work Order reviewed.

A person must not intentionally or recklessly contravene a Stop Work Order. Penalty for contravention of this order is 50 penalty units.
Attachment S to Appendix A

Example of “Criteria for Building Permit – Approval of Non-Compliance with Australian Building Standards”

Pursuant To Regulation 2.13(2) (B)
Dear Sir/Madam

**Determination - (Building Name, Address)**

You applied for a building permit on (insert date). The design of the proposed building activity does not ensure compliance with (insert applicable Australian building standards). In conformity with regulation 2.13(2) (b), of the Airports (Building Control) Regulations 1996, you have provided a written explanation dated ______________ of the inappropriateness of compliance with those standards. In accordance with regulation 2.13(2) (b), I make the following determination:

1. Item 1 (List non-conformity applied for). - Approved / Not approved

2. Item 2

3. Item 3 etc.

(insert where a refusal issued)

Under regulation 5.02 the applicant for the approval may make application to the Administrative Appeals Tribunal to have the decision of the Airport Building Controller to refuse to approve non-compliance with Australian building standards reviewed

Yours faithfully,

(Insert Name)

Airport Building Controller
Attachment T to Appendix A

Example of “Remedial Direction Notice”
Pursuant To Airports Act Section 103
REMEDIAL DIRECTION NOTICE

Airports Act 1996 - Section 103

Issued To

Name .................................................................................................................................
Postal Address ..................................................................................................................
................................................................................................................................. Postcode ..........................................
Contact Person ...........................................................................................
Telephone ........................................................................................................ Fax ..........................................

Location of Works
.................................................................................................................................
.................................................................................................................................

Being the Airport Building Controller for ......................... Airport, I am authorised to make a remedial direction in accordance with Section 103 of Division 5 of the Airports Act 1996.

Reason why this direction has been issued:

An inspection of the building activity at the above location was undertaken on ___________ and I am of the opinion that the building activity contravenes (insert details).

Now therefore take notice that:

The Airport Lessee Company/person who carried out the building activity/person who arranged for the carrying out of the building activity must immediately comply with the following direction:
Signed: ........................................... Date: ........................................

Airport Building Controller

This form and the above signature have been made for and on behalf of the Commonwealth of Australia.

Airport Environmental Protection and Building Control Office - Appointed by the Australian Government
GPO Box 594 Canberra City ACT 2601 [your airport address and contact number]

Airport Building Controllers (ABCs) are appointed by the Secretary of the Department of Infrastructure and Regional Development (the Department) under the Airports (Building Control) Regulations 1996 (the Regulations) to exercise the powers and functions which the Regulations vest in the ABCs, in relation to building control at leased federal airports. ABCs are also appointed as authorised officers by the secretary under the Airports Act 1996 to exercise certain powers under this Act, in relation to leased federal airports.

AB Cs are contracted private companies, or employees or officers of such companies, and act independently of the Department. However, ABCs consult with the Department as necessary on certain matters, such as the interpretation of the regulations.

Note A person must not intentionally or recklessly contravene a remedial direction. Penalty: 50 penalty
Appendix B – Remittance Advice Form
Airport Environment Protection and Building Control Office

Project Correspondence

<table>
<thead>
<tr>
<th>To</th>
<th>Cc</th>
<th>Company</th>
<th>Attention</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>~</td>
<td></td>
<td>DIT – Collector of Public Monies</td>
<td>CPM Officer</td>
<td><a href="mailto:cpm@infrastructure.gov.au">cpm@infrastructure.gov.au</a></td>
</tr>
<tr>
<td>~</td>
<td></td>
<td>DIT – Airport Infrastructure Regulation</td>
<td>ABCMailbox</td>
<td><a href="mailto:ABCMailbox@infrastructure.gov.au">ABCMailbox@infrastructure.gov.au</a></td>
</tr>
</tbody>
</table>

Airport File No

From Date

Subject Pages

CPM Officer,
Attached please find a record of monies banked on behalf of the Department of Infrastructure and Transport:

<table>
<thead>
<tr>
<th>RAPS / Account No</th>
<th>File Reference Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Amount Banked</th>
<th>Value of Work</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date Banked</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Payee</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Method of Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project Title</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

If you have any questions, or if I can be of any assistance with regard to the above, please give me a call.

Regards
Appendix C – Quarterly Reporting Template
<Insert Airport>

Quarterly Report

<Insert Reporting Period>
<Insert Financial Year>

Instructions to assist you to complete this template are in white text on a blue background.

Where you need to insert details, the text is highlighted in green.

Standard words are in normal black text and are not highlighted.

Don’t forget to delete this instructions box and any highlighted assistance text.

Prepared by: <Insert name of preparer>
Position: <Insert position>
Date: <Insert date>
Please ensure the table of contents is updated prior to submitting the Report.

To do this: please update the page numbers manually; OR copy and paste this Appendix into a new Word document and insert an automatic table of contents (see image below).

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1. **Introductions**

This quarterly report records the activities of the Airport Building Controller (ABC) at <Insert name of airport>. The report provides a detailed review of the activities between <Insert reporting period>. The report also identifies potential future developments.

<Additional information if relevant>

2. **Building activity applications and approvals**

Please (1) complete the tables below and (2) attach at Appendix A a record of the applications received and determined during the reporting period.

Details of applications received and determined during the reporting period are summarised as follows:

<table>
<thead>
<tr>
<th>Application Type</th>
<th>No. of Applications Lodged</th>
<th>Value of Applications Lodged</th>
<th>No. of Applications Approved</th>
<th>No. of Conditional Approvals</th>
<th>Value of Applications Approved</th>
<th>No. of Applications Refused/Withdrawn</th>
<th>No. of Requests for Further Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Aviation Related Applications</strong></td>
<td></td>
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<tr>
<td>Building Permits</td>
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<td>$&lt;XX&gt;$</td>
<td>≤</td>
<td>≤</td>
<td>$&lt;XX&gt;$</td>
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<tr>
<td>Works Permits</td>
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<tr>
<td>Demolitions Permits</td>
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<td>≤</td>
<td>$&lt;XX&gt;$</td>
<td>≤</td>
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<tr>
<td>Exemptions/Minor Works</td>
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<td>$&lt;XX&gt;$</td>
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<td>≤</td>
<td>$&lt;XX&gt;$</td>
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<tr>
<td>Applications in Progress</td>
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<td>≤</td>
<td>$&lt;XX&gt;$</td>
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<tr>
<td><strong>Non Aviation Related Applications</strong></td>
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<tr>
<td>Building Permits</td>
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<td>≤</td>
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<td>Exemptions/Minor Works</td>
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<td>Applications in Progress</td>
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<td>$&lt;XX&gt;$</td>
<td>≤</td>
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</tr>
</tbody>
</table>
Attached at Appendix A is a record of the applications received and determined during the quarter.

**Certificate of Compliance**

During the period <insert dates>, <insert number of certificates issued> Certificate(s) of Compliance for occupancy or use was issued for <insert name of airport>.

The Certificates of Compliance issued is listed in the table below for the various application types.

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Building</th>
<th>Works</th>
<th>Demolition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>&lt;Insert details here&gt;</td>
<td>&lt;Insert details here&gt;</td>
<td>&lt;Insert details here&gt;</td>
</tr>
</tbody>
</table>

3. **Breakdown of the percentage of hours expended by the ABC on the technical role compared to the compliance/monitoring role**

   In this section, please provide (1) a report against the breakdown of the percentage of hours expended by the ABC on the technical role compared to the compliance/monitoring role.

   Percentage of hours expended on the technical role: <Insert % hours here>

   Percentage of hours expended on the compliance/monitoring role: <Insert % hours here>

4. **Day-to-day activity in monitoring and overseeing the building activities**

   In this section, please outline the (1) day-to-day activity in monitoring and overseeing the building activities, and (2) outcomes of approved activities completed or still underway. If activities are still underway, please include (3) details of whether they have been the subject of variations, further conditions, extensions or other developments. Please also outline (4) any cases of unauthorised work identified during the period.

   <Insert details here>

5. **Range and nature of ongoing consultations with the ALC and other stakeholders**

   In this section, please (1) outline the nature and details of any stakeholder engagement undertaken during the reporting period.
Consultations with ALC and other stakeholders

• <Insert details here>

6. Relations with Airport Environment Officer (AEO) at the airport and with ABCs at other leased airports

In this section, please (1) outline the nature and details of any stakeholder engagement or networking undertaken during the reporting period.

Relations with AEO at the airport:

• <Insert details here>

Relations with ABCs at other airports:

• <Insert details here>

7. Emerging issues or trends

In this section, please (1) outline any emerging issues or trends which may warrant some sort of meeting, to publicise and advance or resolve these as appropriate.

<Insert details here>

Or

<Nil>

8. Progress and prospects at the airport

In this section, please (1) outline your perceptions of progress and prospects at the airport, and any problems, with the regulatory regime.

<Insert details here>

9. Plans for the coming quarter

In this section, please (1) detail plans for the coming quarter in terms of monitoring and other initiatives (such as of a training nature) in dealing with ongoing issues and developments.

Tasks during the coming quarter will include:
10. Enforcement action

In this section, please (1) outline any enforcement action that was necessary during the reporting period.

<Insert details here>

Or

<There are no special plans proposed for the following quarter>

11. Fees collected

Please (1) complete the tables below and detail the results of trust and account reconciliation/audits conducted. Additionally, please (2) attach at Appendix B a record of the receipts for the reporting period.

The total fees collected during the reporting period and the current financial year are as follows:

<table>
<thead>
<tr>
<th>Fees Received</th>
<th></th>
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<tbody>
<tr>
<td>Period</td>
<td>Total</td>
</tr>
<tr>
<td>Reporting Period</td>
<td>$&lt;XX&gt;</td>
</tr>
<tr>
<td>Current Financial Year (to date)</td>
<td>$&lt;XX&gt;</td>
</tr>
</tbody>
</table>

Attached at Appendix B is a record of the receipts for the <insert report dates>.

12. Final Quarter Investigation and Recommendation on Fee Structure

Quarterly reports covering the period 1 April – 30 June must also include the ABC’s investigation/recommendation on fee structure. Please complete only if applicable, otherwise, please delete this section.

<Insert details here>
13. Major projects or projects of interest

**THIS SECTION IS OPTIONAL – please complete only if required, otherwise, please delete this section.**

**Major Projects Lodged During Quarter**

Applications for the following major projects were lodged during the quarter:

- <insert details here>

The Airport Building Control has also received advice regarding the following proposed major develops. Information has been provided below as to whether it is expected that the project may be subject of a Major Development Plan.

**Major Projects that were Commenced, Under Construction or Completed during the Quarter**

Following are details of major projects that were commenced, are under construction, or were completed during the period. Details regarding project amendments or further conditions of approval have been included in the notes/comments for the project.
Appendix A: Register of applications and exemptions

Please attach at Appendix A a record of the applications received and determined during the reporting period.

Register of Applications for **<Insert name of airport>**

<table>
<thead>
<tr>
<th>File Reference</th>
<th>Application Type</th>
<th>Project Description (including name of Applicant)</th>
<th>Date Received</th>
<th>Approval Date</th>
<th>Completion Date</th>
<th>Aviation Project Value</th>
<th>Non-Aviation Project Value</th>
<th>Comments</th>
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</thead>
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Register of Exemptions for **<Insert name of airport>**

<table>
<thead>
<tr>
<th>File No</th>
<th>Location</th>
<th>Description</th>
<th>Aviation/Non Aviation Related</th>
<th>Date Received</th>
<th>Applicant</th>
<th>Decision</th>
<th>Date</th>
<th>Exempt/Not Exempt</th>
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Appendix B: Record of fees received

Please attach at Appendix B a record of the receipts for the reporting period.

<table>
<thead>
<tr>
<th>Date of Receipt or Banking</th>
<th>Name of Payee</th>
<th>Name of Project</th>
<th>Type of Payment (Cheque or EFT)</th>
<th>Amount Paid</th>
<th>Agent No.</th>
<th>Receipt No.</th>
<th>File No.</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
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