

SOUTHERN  
MIDLANDS  
COUNCIL



# ATTACHMENTS

## ORDINARY COUNCIL MEETING

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Wednesday, 24<sup>th</sup> November 2021  
Oatlands Municipal Offices, 71 High Street, Oatlands  
10.00 a.m.

<b>Item 5.1</b>	Draft Council Meeting Minutes (Open) – 27 <sup>th</sup> October 2021
<b>Item 5.2</b>	Draft Special Council Meeting Minutes – 8 <sup>th</sup> November 2021
<b>Item 5.3.1</b>	Arts Advisory Committee Meeting Minutes – 16 <sup>th</sup> September 2021 Woodsdale Community Memorial Hall Minutes 4 <sup>th</sup> October 2021
<b>Item 12.2.1</b>	Lot 202 Owens Hill Road, Bagdad Subdivision – Development Application Documents Representation TasWater SPAN

SOUTHERN  
MIDLANDS  
COUNCIL



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

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Wednesday, 27<sup>th</sup> October 2021  
10.00 a.m.

Kempton Municipal Offices  
85 Main Street, Kempton

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## OPEN COUNCIL MINUTES

MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL  
HELD ON WEDNESDAY, 27<sup>th</sup> OCTOBER 2021 AT THE KEMPTON  
MUNICIPAL OFFICES COMMENCING AT 10:00 A.M.

### 1. PRAYERS

Rev Dennis Cousens was an apology. Prayers recited by Clr Karen Dudgeon.

### 2. ACKNOWLEDGEMENT OF COUNTRY

Mayor A O Green recited Acknowledgement of Country.

### 3. ATTENDANCE

Mayor A O Green, Deputy Mayor E Batt, Clr A E Bisdee OAM, Clr A Bantick, Clr K Dudgeon, Clr D Fish and Clr R McDougall.

Mr T Kirkwood (General Manager), Mr A Benson (Deputy General Manager), Mr D Richardson (Manager, Infrastructure & Works), Mrs L Brown (Planning Officer), Mr D Cundall (Planning Consultant), Mrs J Crosswell (Executive Assistant).

### 4. APOLOGIES

Nil.

### 5. MINUTES

#### 5.1 Ordinary Council meeting

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 22<sup>nd</sup> September 2021, as circulated, are submitted for confirmation.

#### DECISION

*Moved by Clr R McDougall, seconded by Clr K Dudgeon*

**THAT the Minutes (Open Council Minutes) of the previous meeting of Council held on the 22<sup>nd</sup> September 2021, as circulated, be confirmed.**

#### CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

## 5.2 Special Committees of Council Minutes

### 5.2.1 Special Committees of Council - Receipt of Minutes

The Minutes of the following Special Committees of Council, as circulated, are submitted for receipt:

- Lake Dulverton & Callington Park Management Committee Minutes – 11<sup>th</sup> October 2021
- Kempton Streetscape Committee Meeting Minutes – 25<sup>th</sup> October 2021

#### RECOMMENDATION

**THAT the minutes of the above Special Committees of Council be received.**

#### DECISION

*Moved by Clr D Fish, seconded by Clr A E Bisdee OAM*

**THAT the minutes of the above Special Committees of Council be received.**

#### CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

### 5.2.2 Special Committees of Council - Endorsement of Recommendations

The recommendations contained within the minutes of the following Special Committees of Council are submitted for endorsement.

- Lake Dulverton & Callington Park Management Committee Minutes – 11<sup>th</sup> October 2021
- Kempton Streetscape Committee Meeting Minutes – 25<sup>th</sup> October 2021 - To be tabled

#### RECOMMENDATION

**THAT the recommendations contained within the minutes of the above Special Committees of Council be endorsed.**

**DECISION**

*Moved by Cllr D Fish, seconded by Cllr R McDougall*

**THAT the recommendations contained within the minutes of the above Special Committees of Council be endorsed.**

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Cllr A Bantick	✓	
Cllr A E Bisdee OAM	✓	
Cllr K Dudgeon	✓	
Cllr D F Fish	✓	
Cllr R McDougall	✓	

**5.3 Joint Authorities (Established Under Division 4 of the *Local Government Act 1993*)**

**5.3.1 Joint authorities - Receipt of Minutes**

Nil.

**5.3.2 Joint Authorities - Receipt of Reports (Annual & Quarterly)**

Nil.

## 6. NOTIFICATION OF COUNCIL WORKSHOPS

### DECISION

*Moved by Deputy Mayor E Batt, seconded by Cllr A E Bisdee OAM*

**THAT the information be received and the outcomes of the workshop(s) noted and endorsed.**

### CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Cllr A Bantick	✓	
Cllr A E Bisdee OAM	✓	
Cllr K Dudgeon	✓	
Cllr D F Fish	✓	
Cllr R McDougall	✓	



## **7. COUNCILLORS – QUESTION TIME**

### **7.1 Questions (On Notice)**

Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015* relates to Questions on notice. It states:

- (1) *A councillor, at least 7 days before an ordinary council meeting or a council committee meeting, may give written notice to the general manager of a question in respect of which the councillor seeks an answer at that meeting.*
- (2) *An answer to a question on notice must be in writing.*

Nil.

## 7.2 Questions Without Notice

Section 29 of the *Local Government (Meeting Procedures) Regulations 2015* relates to Questions without notice.

It states:

**“29. Questions without notice**

(1) *A councillor at a meeting may ask a question without notice –*

- (a) of the chairperson; or*
- (b) through the chairperson, of –*
  - (i) another councillor; or*
  - (ii) the general manager.*

(2) *In putting a question without notice at a meeting, a councillor must not –*

- (a) offer an argument or opinion; or*
- (b) draw any inferences or make any imputations – except so far as may be necessary to explain the question.*

(3) *The chairperson of a meeting must not permit any debate of a question without notice or its answer.*

(4) *The chairperson, councillor or general manager who is asked a question without notice at a meeting may decline to answer the question.*

(5) *The chairperson of a meeting may refuse to accept a question without notice if it does not relate to the activities of the council.*

(6) *Questions without notice, and any answers to those questions, are not required to be recorded in the minutes of the meeting.*

(7) *The chairperson of a meeting may require a councillor to put a question without notice in writing.*

An opportunity is provided for Councillors to ask questions relating to Council business, previous Agenda items or issues of a general nature.

**Clr R McDougall** – Raised the issue of spraying with herbicides. Asked whether Council could potentially use a product such as ‘Slasher Organic Weed Killer’, or other non-toxic product. Clr McDougall commented that using an organic product would demonstrate Councils concern for people and animals safety.

*Manager Works and Infrastructure advised that ‘Slasher Organic Weed Killer’ can be effective in small areas such as home gardens but is not overly effective for large areas. As such it may not be the right option for Council. But Council were also advised that whenever possible, when spraying is being undertaken in built up areas it will be done at times when the public are least likely to be affected.*

**Clr R McDougall** – when spraying is being undertaken can Council ensure signage is visible to the public and employees are wearing appropriate Personal Protective Equipment.

*Manager Works and Infrastructure responded that signage should always be visible, and PPE worn when spraying is taking place but will ensure this is reinforced.*

**Clr McDougall** - Queried whether there is a 'No Spray' register that the public can add their details to which will ensure their property is not sprayed.

*The General Manager responded that we do maintain a register and the public can call Council and request that their property is added to the register and therefore will not be subject to spraying. Council will also make note of the 'No Spray' register in our next Council newsletter.*

**Clr R McDougall** – Outstanding request for the installation of a "Concealed Driveway" sign at a property in Buckland Road – property owner – K Mann.

*To be actioned.*

**Clr R McDougall** – Has had queries from the public regarding the Old Flaxmill Site, some residents are concerned about long grass, snakes becoming an issue etc.

*Manager Works and Infrastructure advised the grass will be cut as soon as weather permits.*

**Clr R McDougall** – requested an update on the progress of maintenance at Gay Street Hall.

*The General Manager advised that this will most likely begin in the New Year but is dependent on the roofing contractor.*

**Clr K Dudgeon** – Group photo of Council. To be arranged at the next meeting scheduled for Oatlands.

**Clr K Dudgeon** – Requested an update on the Weeds Officer position.

*The General Manager advised that this position will be advertised in the Mercury on 30<sup>th</sup> October 2021. Previous attempts to fill the position have been unsuccessful.*

**Deputy Mayor E Batt** – Blackbrush Road, Mangalore – significant maintenance required (i.e. potholes).

*Manager Works and Infrastructure informed Council that an additional Grader has been hired to enable urgent maintenance to be undertaken following recent poor weather conditions.*

**Deputy Mayor E Batt** – Requested an update on the Bagdad Community Centre lease.

*The General Manager advised that the Lease commenced on 21<sup>st</sup> October 2021. The new lessee has already started substantial building improvements.*

## 8. DECLARATIONS OF PECUNIARY INTEREST

In accordance with the requirements of Part 2 Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015*, the chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the Agenda.

Accordingly, Councillors are requested to advise of a pecuniary interest they may have in respect to any matter on the agenda, or any supplementary item to the agenda, which Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*.

Nil.

## **9. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA**

In accordance with the requirements of Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council, by absolute majority may decide at an ordinary meeting to deal with a matter that is not on the agenda if the General Manager has reported –

- (a) the reason it was not possible to include the matter on the agenda; and
- (b) that the matter is urgent; and
- (c) that advice has been provided under section 65 of the Act.

Nil.

## 10. PUBLIC QUESTION TIME (SCHEDULED FOR 10.30 A.M.)

In accordance with the requirements of Part 2 Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015*, the agenda is to make provision for public question time.

In particular, Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* states:

- (1) *Members of the public may give written notice to the General Manager 7 days before an ordinary meeting of Council of a question to be asked at the meeting.*
- (2) *The chairperson may –*
  - (a) *address questions on notice submitted by members of the public; and*
  - (b) *invite any member of the public present at an ordinary meeting to ask questions relating to the activities of the Council.*
- (3) *The chairperson at an ordinary meeting of a council must ensure that, if required, at least 15 minutes of that meeting is made available for questions by members of the public.*
- (4) *A question by any member of the public under this regulation and an answer to that question are not to be debated.*
- (5) *The chairperson may –*
  - (a) *refuse to accept a question; or*
  - (b) *require a question to be put on notice and in writing to be answered at a later meeting.*
- (6) *If the chairperson refuses to accept a question, the chairperson is to give reasons for doing so.*

Councillors are advised that, at the time of issuing the Agenda, no questions on notice had been received from members of the public.

Mayor A O Green to then invite questions from members of the public in attendance.

Nil.

### 10.1 Permission to Address Council

Nil.

**11. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN UNDER  
REGULATION 16 (5) OF THE LOCAL GOVERNMENT (MEETING  
PROCEDURES) REGULATIONS 2015**

Nil.

**12. COUNCIL ACTING AS A PLANNING AUTHORITY PURSUANT TO THE LAND USE PLANNING AND APPROVALS ACT 1993 AND COUNCIL'S STATUTORY LAND USE PLANNING SCHEME**

*Session of Council sitting as a Planning Authority pursuant to the Land Use Planning and Approvals Act 1993 and Council's statutory land use planning schemes.*

**12.1 Development Applications**

Nil.



## 12.2 Subdivisions

### 12.2.1 Development Application (SA 2020/12) for Subdivision (1 lot and balance) at 26 Main Street, Kempton owned by J G Ibrahim

#### DECISION

*Moved by Clr A E Bisdee OAM, seconded by Clr D Fish*

**THAT, in accordance with the provisions of the *Southern Midlands Interim Planning Scheme 2015* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (SA 2020/12) for Subdivision (1 lot and balance) at 26 Main Street, Kempton owned by J G Ibrahim.**

#### CONDITIONS

##### General

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
2. This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, which ever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

##### Easements

3. The final plan of survey must include easements over all drains, pipelines, wayleaves and services to the satisfaction of Council's General Manager.

##### Heritage Tasmania

4. Compliance with any conditions or requirements of the Tasmanian Heritage Council in the attached 'Notice of Heritage Decision' No. 6347 dated 5 October 2021.

##### Bushfire

5. The development must be in accordance with the endorsed Bushfire Hazard Management Plan and Report, or as otherwise required by this permit, whichever standard is greater.
6. A Part 5 agreement relating to the Hazard Management Areas established by the approved Bushfire Hazard Management Plan and Report must be submitted with or prior to the final plan.

##### Agreements

7. Agreements made pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 must be prepared by the applicant on a blank instrument form to the satisfaction of the Council and registered with the Recorder of Titles. The subdivider must meet all costs associated with the preparation and registration of the Part 5 Agreement.

### **Covenants**

8. Covenants or other similar restrictive controls that conflict with any provisions or seek to prohibit any use provided within the planning scheme must not be included or otherwise imposed on the titles to the lots created by this permit, either by transfer, inclusion of such covenants in a Schedule of Easements or registration of any instrument creating such covenants with the Recorder of Titles, unless such covenants or controls are expressly authorised by the terms of this permit or the consent in writing of the Council's Manager Environment and Development Services.

### **Final plan**

9. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
10. A fee of \$250.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
11. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Southern Midlands Council. The security must be in accordance with section 86(3) of the Local Government (Building & Miscellaneous Provisions) Council 1993. The amount of the security shall be determined by the Council's General Manager in accordance with Council Policy following approval of any engineering design drawings.
12. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
13. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

### **Engineering**

14. The subdivision must be carried out in accordance with the Tasmanian Subdivision Guidelines October 2013 or as otherwise agreed by Council's General Manager or required by conditions of this permit.

### **Services**

15. Property services must be contained wholly within each lots served or an easement to the satisfaction of the Council's General Manager or responsible authority.
16. The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

### **Drainage**

17. The developer is to provide a piped stormwater property connection to each lot in accordance with Council standards and to the satisfaction of Council's General Manager.

### **Tas Water**

18. The development must meet all required Conditions of approval specified by Tas Water Submission to Planning Authority Notice, TWDA 2020/01137-STM, Dated 21/07/2021.

### **Telecommunications and electrical reticulation**

19. Electrical and telecommunications services can be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's General Manager.
20. Prior to sealing the final plan of survey the developer must submit to Council:
- (a) Evidence that each lot has existing electrical and telecommunication connections; or
  - (b) A "Provisioning of Telecommunications Infrastructure – Confirmation of final payment" or "Certificate of Practical Completion of Developer's Activities" from Telstra or NBN Co.
  - (c) Written advice from TasNetworks confirming that all conditions of the Agreement between the Owner and authority have been complied with and/or that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections at the time each lot is further developed.

### **Access**

21. A reinforced concrete vehicle access with a minimum width of 6m must be provided from the road carriageway to Lot 1 in accordance with Council's Standard Drawings and to the satisfaction of Council's General Manager.

### **Construction**

22. The subdivider must provide not less than forty eight (48) hours written notice to Council's General Manager before commencing construction works on-site or within a council roadway.
23. The subdivider must provide not less than forty eight (48) hours written notice to Council's General Manager before reaching any stage of works requiring inspection by Council unless otherwise agreed by the Council's General Manager.

### **Construction amenity**

24. The development must only be carried out between the following hours unless otherwise approved by the Council's Manager Environment and Development Services:
- Monday to Friday 7:00 AM to 6:00 PM
  - Saturday 8:00 AM to 6:00 PM
  - Sunday and State-wide public holidays 10:00 AM to 6:00 PM

25. All subdivision works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of -
- (a) Emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property.
  - (b) Transport of materials, goods or commodities to or from the land.
  - (c) Appearance of any building, works or materials.
26. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Municipal Engineer.
27. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.

**THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -**

- A. This permit does not imply that any other approval required under any other legislation has been granted.
- B. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval unless the development for which the approval was given has been substantially commenced or extension of time has been granted. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development may be treated as a new application.

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

**12.3 Municipal Seal (Planning Authority)**

Nil.

**12.4 Planning (Other)****12.4.1 Tasmanian Planning Scheme - Draft Southern Midlands Local Provisions Schedule - Representations Received During Public Exhibition Period****DECISION***Moved by Clr A E Bisdee OAM, seconded by Clr R McDougall*

That Council in its role as a Planning Authority, and in accordance with section 35F of the *Land Use Planning and Approvals Act 1993*, endorse and submit to the Tasmanian Planning Commission this report on the exhibition of the draft Southern Midlands Local Provisions Schedule, which includes the following particulars:

- A. as set out in Attachment 1 – Part A, the Planning Authority’s consideration of the received representations including opinions as to the merit of each representation and any subsequent recommendation for modification to the draft LPS;
- B. as set out in Attachment 1 - Part B, the Planning Authority’s recommended modifications to the draft LPS following the exhibition period made in accordance with section 35F(2)(c) and 35F(2)(e) of the Land Use Planning and Approvals Act 1993;
- C. a copy of each representation received during the public exhibition period (as enclosed with Attachment 2); and
- D. determination that the draft LPS (including those recommendations and modifications described in Attachment 1 – Part A and Part B) satisfies the local provisions schedule criteria set out under section 34(2) of the Land Use Planning and Approvals Act 1993

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

**[THIS CONCLUDES THE SESSION OF COUNCIL  
ACTING AS A PLANNING AUTHORITY]**

**DECISION**

*Moved by Clr A Bantick, seconded by Clr A E Bisdee OAM*

**THAT the meeting be adjourned for morning tea at 11.01 a.m.**

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

**DECISION**

*Moved by Deputy Mayor E Batt, seconded by Clr D Fish*

**THAT the meeting reconvene at 11.20 a.m.**

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

## 13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

### 13.1 Roads

**Strategic Plan Reference 1.1**

*Maintenance and improvement of the standard and safety of roads in the municipal area.*

Nil.

### 13.2 Bridges

**Strategic Plan Reference 1.2**

*Maintenance and improvement of the standard and safety of bridges in the municipality.*

Nil.

### 13.3 Walkways, Cycle ways and Trails

**Strategic Plan Reference 1.3**

*Maintenance and improvement of the standard and safety of walkways, cycle ways and pedestrian areas to provide consistent accessibility.*

Nil.

### 13.4 Lighting

**Strategic Plan Reference 1.4**

*Ensure adequate lighting based on demonstrated need / Contestability of energy supply.*

Nil.

### 13.5 Buildings

**Strategic Plan Reference 1.5**

*Maintenance and improvement of the standard and safety of public buildings in the municipality.*

Nil.

### 13.6 Sewers / Water

**Strategic Plan Reference(s) 1.6**

*Increase the capacity of access to reticulated sewerage services / Increase the capacity and ability to access water to satisfy development and Community to have access to reticulated water.*

Nil.

### 13.7 Drainage

**Strategic Plan Reference 1.7**

*Maintenance and improvement of the town storm-water drainage systems.*

Nil.

### 13.8 Waste

**Strategic Plan Reference 1.8**

*Maintenance and improvement of the provision of waste management services to the Community.*

Nil.

### 13.9 Information, Communication Technology

**Strategic Plan Reference 1.9**

*Improve access to modern communications infrastructure.*

Nil.



## **13.10 Officer Reports – Infrastructure & Works**

### **13.10.1 Manager – Infrastructure & Works Report**

**Author:** MANAGER INFRASTRUCTURE & WORKS DAVID RICHARDSON

**Date:** 20 OCTOBER 2021

**Enclosure(s):**

*Capital Works Program Schedule 2021/2022*

#### **Roads Program**

Council's graders have been working on various roads with the bus routes being the priority roads for grading as required. The focus has been to prioritise the higher traffic usage areas of roads. General road maintenance will continue, including a focus on pavement repairs and table drain clearing works being a priority.

Sections of Woodsdale Road have required various pavement repairs due to recent wet weather and heavy vehicle usage that has created defects. Options for repair works are currently being explored including funding models.

Inglewood Road between the Waste Transfer Station and the rail overpass has deteriorated recently due to wet weather and heavy vehicle movements. Manager Infrastructure and Works has met with the contractor currently completing works for Tas-Rail to discuss and agree on a plan to rectify the pavement defects.

Minor gravel re-sheeting works have been completed on various sections of roads throughout the municipality. The gravel re-sheeting programme will commence as soon as weather and resources permit.

#### **Road Rehabilitation Program 2021/22**

Council's 2021/2022 road stabilisation programme is scheduled to start in the 1<sup>st</sup> week of November.

Council's works crews have been completing preparation works at the various sites including Green Valley Road, Huntington Tier Road, Stonor Road and Elden Road over the past month.

#### **Annual Road Re-sealing Tender 2021/22**

Council's annual road re-sealing tender is currently advertised.

#### **Lake Dulverton Pathway**

Construction of the walkway has commenced with some delays due to wet weather, the contractor undertaking these works has committed to returning in October when the temperature warms up to allow the dirt glue product to stabilise. It is expected these works will re-commence in the coming weeks.

## **Walkway and Kerbing Works**

Stanley Street Oatlands footpath works have commenced.

Installation of kerb and gutter, footpath and associated storm water upgrade works has commenced on Black Brush Road. There has been some alterations to the plans to allow for off street parking outside premises on Black Brush Road.

## **Waste Management Program**

Ongoing safety improvements are being completed as a result of risk assessments that have been undertaken. Further works are required over the coming period.

Dysart waste transfer station is having new waste disposal slides installed.

## **Parks and Reserves**

General maintenance of parks and reserves will continue with a focus on ensuring spring growth is maintained at an acceptable level. The recent wet weather has created favourable growing conditions with grass area maintenance being a priority throughout the spring period.

## **Planned Works**

The following capital works are planned for the coming period

Oatlands Aquatic Centre storm water drainage pipe installation;  
Underground power installation Oatlands (almost completed);  
Footpath and kerb installation Oatlands to continue as weather permits;  
East Bagdad Road complete small section of footpath.

Please refer to the updated Capital Works Program Schedule which is included as an enclosure to this report.

## **Annual Supply of Plant Hire and Materials Tender**

Tenders closed on Friday 24<sup>th</sup> September and 10 tenders were received for the following

### **Material Supply**

Boral construction materials  
RE&JC Scott

### **Plant Hire**

RE&JC Scott  
AMI Group Fleet Hire  
BK&MM Lang  
Richard&Maria Ward  
Porter Plant Hire  
Peter Jones Mowing  
Hall Earthmoving  
Hirequip

## QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS

**Clr A E Bisdee OAM** – Fire hazards need to be assessed early.

**Clr D Fish** – Enquired when mowing would be undertaken around Lake Dulverton.

*Manager Works and Infrastructure confirmed this would commence as soon as weather permits.*

**Clr R McDougall** – Eldon Road, Colebrook – large potholes (approach to the Bridge)

*Manager Works and Infrastructure advised that the failed sections have been ‘marked-out’ and will be attended to by a contractor.*

**Clr R McDougall** – Is it possible to road mark the two parking spaces outside the Wooden Spoon Café (High Street, Oatlands)?

*Manager Works and Infrastructure confirmed with Council that the entire section of road extending along to the Church Street junction should be roadmarked for parking spaces.*

**Clr R McDougall** – Wellington Street, Oatlands – ‘No Parking’ Sign – faded and requires replacement.

**Clr A Bantick** – Hall Lane, Bagdad – Drainage Project – needs to be scheduled as soon as practical (noting the proposed timetable of Works)

**Clr K Dudgeon** – provided comments in relation to Nala and York Plains Roads.

*Manager Works and Infrastructure confirmed that he is aware of the issues.*

**Mayor A Green** – Grange Road, Kempton – informed Council that he had received a letter from a resident in Grange Road, Kempton regarding road damage caused by heavy vehicles carting from the Quarry.

*Manager Works and Infrastructure confirmed that Andrew Walters Construction is carting materials to the subdivision at the northern end of Kempton.*

## RECOMMENDATION

**THAT the Infrastructure & Works Report be received and the information noted.**

### DECISION

*Moved by Clr A E Bisdee OAM, seconded by Clr R McDougall*

**THAT the Infrastructure & Works Report be received and the information noted.**

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

## 14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

### 14.1 Residential

**Strategic Plan Reference 2.1**

*Increase the resident, rate-paying population in the municipality.*

Nil.

### 14.2 Tourism

**Strategic Plan Reference 2.2**

*Increase the number of tourists visiting and spending money in the municipality.*

Nil.

### 14.3 Business

**Strategic Plan Reference 2.3**

*Increase the number and diversity of businesses in the Southern Midlands / Increase employment within the municipality / Increase Council revenue to facilitate business and development activities (social enterprise).*

Nil.

### 14.4 Industry

**Strategic Plan Reference 2.4**

*Retain and enhance the development of the rural sector as a key economic driver in the Southern Midlands / Increase access to irrigation water within the municipality.*

Nil.

## 15. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

### 15.1 Heritage

**Strategic Plan Reference – Page 22**

- 3.1.1 Maintenance and restoration of significant public heritage assets.
- 3.1.2 Act as an advocate for heritage and provide support to heritage property owners.
- 3.1.3 Investigate document, understand and promote the heritage values of the Southern Midlands.

#### 15.1.1 Heritage Projects Program Report

**DECISION**

*Moved by Clr R McDougall, seconded by Clr K Dudgeon*

**THAT the Heritage Projects Report be received and the information noted.**

**CARRIED**

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

### 15.2 Natural

**Strategic Plan Reference – page 23/24**

- 3.2.1 Identify and protect areas that are of high conservation value.
- 3.2.2 Encourage the adoption of best practice land care techniques.

#### 15.2.1 NRM Unit – General Report

**DECISION**

*Moved by Clr D Fish, seconded by Clr K Dudgeon*

**THAT the NRM Unit Report be received and the information noted.**

**CARRIED**

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

### 15.3 Cultural

**Strategic Plan Reference 3.3**

*Ensure that the cultural diversity of the Southern Midlands is maximised.*

Nil.

### 15.4 Regulatory (Development)

**Strategic Plan Reference 3.4**

*A regulatory environment that is supportive of and enables appropriate development.*

Nil.

### 15.5 Regulatory (Public Health)

**Strategic Plan Reference 3.5**

*Monitor and maintain a safe and healthy public environment.*

## 15.6 Regulatory (Animals)

### Strategic Plan Reference 3.6

*Create an environment where animals are treated with respect and do not create a nuisance for the community*

### 15.6.1 Animal Management Report

#### DECISION

*Moved by Cllr A E Bisdee OAM, seconded by Cllr R McDougall*

**THAT the Animal Management report be received and the information noted.**

**CARRIED**

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Cllr A Bantick	✓	
Cllr A E Bisdee OAM	✓	
Cllr K Dudgeon	✓	
Cllr D F Fish	✓	
Cllr R McDougall	✓	

## 15.7 Environmental Sustainability

### Strategic Plan Reference 3.7

*Implement strategies to address the issue of environmental sustainability in relation to its impact on Councils corporate functions and on the Community.*

Nil.



**16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)**

**16.1 Community Health and Wellbeing**

**Strategic Plan Reference 4.1**

*Support and improve the independence, health and wellbeing of the Community.*

Nil.

**16.2 Recreation**

**Strategic Plan Reference 4.2**

*Provide a range of recreational activities and services that meet the reasonable needs of the community.*

## 16.2.1 Kempton Recreation Ground Master Plan (Community Consultation)

### DECISION

*Moved by Deputy Mayor E Batt, seconded by Cllr A E Bisdee OAM*

**THAT Council, based on the recommendation from the Kempton Streetscape Committee, endorse the revised Master Plan (attached) and proceed through the formal Development Approval process for the skate facility.**

### CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Cllr A Bantick	✓	
Cllr A E Bisdee OAM	✓	
Cllr K Dudgeon	✓	
Cllr D F Fish	✓	
Cllr R McDougall	✓	

## 16.3 Access

### Strategic Plan Reference 4.3

*Continue to explore transport options for the Southern Midlands community / Continue to meet the requirements of the Disability Discrimination Act.*

Nil.

## 16.4 Volunteers

### Strategic Plan Reference 4.4

*Encourage community members to volunteer.*

Nil.

## 16.5 Families

### Strategic Plan Reference 4.5

*Ensure that appropriate childcare services as well as other family related services are facilitated within the community / Increase the retention of young people in the municipality / Improve the ability of seniors to stay in their communities.*

Nil.

## 16.6 Education

### Strategic Plan Reference 4.6

*Increase the educational and employment opportunities available within the Southern Midlands*

Nil.

## 16.7 Capacity & Sustainability

**Strategic Plan Reference 4.7**

*Build, maintain and strengthen the capacity of the community to help itself whilst embracing social inclusion to achieve sustainability.*

Nil.

## 16.8 Safety

**Strategic Plan Reference 4.8**

*Increase the level of safety of the community and those visiting or passing through the municipality.*

Nil.

## 16.9 Consultation & Communication

**Strategic Plan Reference 4.8**

*Improve the effectiveness of consultation & communication with the community.*

Nil.

## 17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

### 17.1 Improvement

#### **Strategic Plan Reference 5.1**

*Improve the level of responsiveness to Community & Developer needs / Improve communication within Council / Improve the accuracy, comprehensiveness and user friendliness of the Council asset management system / Increase the effectiveness, efficiency and use-ability of Council ICT systems / maintain the Business Process Improvement & Continuous Improvement framework*

Nil.

### 17.2 Sustainability

#### **Strategic Plan Reference 5.2**

*Retain corporate and operational knowledge within Council / Provide a safe and healthy working environment / Ensure that staff and elected members have the training and skills they need to undertake their roles / Increase the cost effectiveness of Council operations through resource sharing with other organisations / Continue to manage and improve the level of statutory compliance of Council operations / Ensure that suitably qualified and sufficient staff are available to meet the Communities need / Work co-operatively with State and Regional organisations / Minimise Councils exposure to risk / Ensure that exceptional customer service continues to be a hallmark of Southern Midlands Council*

### **17.2.1 Tabling of Documents**

#### **1. C Harman – Letter dated 11<sup>th</sup> October 2021 Re: Bagdad Community Club**

Refer attached letter dated 11<sup>th</sup> October 2021 which Mr Harman has requested be brought to the attention of Councillors at a Council Meeting.

#### **General Managers Comments:**

The Bagdad Community Club property is owned by the Bagdad Community Club Inc., this being a separate incorporated body. A Management Committee is appointed through the normal processes associated with an incorporated body (i.e. Annual General Meeting) and the Management Committee has responsibility to manage the affairs of the association. It follows that Council has no ability to control or direct the Management Committee.

The letter does refer to the 'master planning' process being offered by Council to the Bagdad Community Club.

Councillors are aware that an amount of \$25,000 has been allocated in the 2021/22 Budget for this purpose. This allocation recognises the importance of the Bagdad Community Club as a key provider of recreational; social and other community services.

The preparation of a 'master plan' for the Community Club precinct is aimed at providing a long-term development Plan that is consistent with the community's needs and requirements. The intent is to develop this plan in conjunction with the Management Committee; key user groups and the broader community.

In terms of process, Council will engage a suitably experienced person to consult with the key stakeholders, produce a draft master plan for subsequent comment, and then finalise a plan that can be used to guide future development of the precinct and hopefully secure external funding to assist with implementation. This process is certainly intended to address the issues and comments provided by Mr Harman.

#### **2. P Le Fevre – Email dated 4<sup>th</sup> October 2021 Re: R K Gallery**

Refer attached Email dated 4<sup>th</sup> October 2021 which Mr Le Fevre has requested be brought to the attention of Councillors at a Council Meeting.

#### **General Managers Comments:**

In response to this Email, Mr Le Fevre has been informed that Council did contact the property owner and requested that an Application for a Planning Permit be made for the mannequins.

An application was received and was advertised for the 14 day statutory period on 8<sup>th</sup> September 2021. During this timeframe, no representations were received. The mannequins have been subsequently assessed and a Planning Permit was issued on 5 October 2021.

#### **3. Athol Bennett - Letter dated 19<sup>th</sup> October 2021 Re: MMPHC Community Advisory Committee**

Clr A E Bisdee OAM tabled a letter from the Chairman of the MMPHC Community Advisory Committee.

### 17.2.2 Elected Member Statements

An opportunity is provided for elected members to brief fellow Councillors on issues not requiring a decision.

**Clr K Dudgeon** – Was invited to go on the seniors bus trip to Brickendon at Longford. Feedback received was extremely positive and Clr Dudgeon commended Wendy Young and Grace Smith for organising an excellent event.

Another seniors outing is being organised for 21<sup>st</sup> November 2021 to the Festival of Roses at Woolmers Estate.

**Clr K Dudgeon** – awaiting the AFL draft to see if Sam Banks is successful in being drafted to play in the AFL. Sam currently plays for the Devils and Clarence Football Clubs.

**Clr A Bantick** – attended the Seniors Week event at Chauncy Vale. Also commended Wendy Young and Michelle Webster for the organising the event.

**Clr R McDougall** – Tunnack Main Road (Department of State Growth) – informed Council she had promoted the phone number on her Facebook page directing rate payers to contact State Growth regarding Tunnack Road. The post was seen by 825 members of the public.

**17.2.3 Local Government Shared Services – Quarterly Update – Information Only****DECISION**

*Moved by Clr K Dudgeon, seconded by Deputy Mayor E Batt*

**THAT the information be received.**

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

**17.2.4 SMC External Grant Projects – Quarterly Update****DECISION**

*Moved by Clr K Dudgeon, seconded by Clr R McDougall*

**THAT Council receive and note the report.**

**CARRIED**

**DECISION**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

## 17.2.5 Proposed 2022 Council Meeting Schedule

### DECISION

*Moved by Clr K Dudgeon, seconded by Clr R McDougall*

**THAT Council endorse the 2022 Council Meeting Schedule (subject to the following changes):**

**May – Levendale Hall – 1325 Woodsdale Road, Levendale;**

**June – Oatlands Council Chambers;**

**July – Kempton Council Chambers;**

**August - Oatlands Council Chambers;**

**September - Kempton Council Chambers;**

**October - Oatlands Council Chambers;**

**November – Kempton Council Chambers;**

**December - Oatlands Council Chambers;**

### CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

## 17.2.6 Proposed Christmas / New Year arrangements (including office closure)

### DECISION

*Moved by Clr A E Bisdee OAM, seconded by Clr R McDougall*

**THAT the information be received and Council endorse the proposed Office closure arrangements over the 2021/22 Christmas and New Year period.**

### CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	



**17.3 Finances****Strategic Plan Reference 5.3**

*Community's finances will be managed responsibly to enhance the wellbeing of residents / Council will maintain community wealth to ensure that the wealth enjoyed by today's generation may also be enjoyed by tomorrow's generation / Council's financial position will be robust enough to recover from unanticipated events, and absorb the volatility inherent in revenues and expenses.*

**17.3.1 Monthly Financial Statement (period ending 30 September 2021)****DECISION**

*Moved by Deputy Mayor E Batt, seconded by Cllr K Dudgeon*

**THAT the Financial Report be received and the information noted.**

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Cllr A Bantick	✓	
Cllr A E Bisdee OAM	✓	
Cllr K Dudgeon	✓	
Cllr D F Fish	✓	
Cllr R McDougall	✓	

**7.3.2 Monthly Oatlands Aquatic Centre Capital Expenditure Report (period ending 31 August 2021)**

**DECISION**

*Moved by Cllr A E Bisdee OAM, seconded by Cllr D Fish*

**THAT the Financial Report be received and the information noted.**

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Cllr A Bantick	✓	
Cllr A E Bisdee OAM	✓	
Cllr K Dudgeon	✓	
Cllr D F Fish	✓	
Cllr R McDougall	✓	

## 18. MUNICIPAL SEAL

Nil.

**19. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA**

Nil.

**DECISION**

*Moved by Clr R McDougall, seconded by Clr K Dudgeon*

**THAT in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*, the following items are to be dealt with in Closed Session.**

<b>Matter</b>	<b>Local Government (<i>Meeting Procedures</i>) Regulations 2015 Reference</b>
<i>Closed Council Minutes - Confirmation</i>	15(2)
<i>Applications for Leave of Absence</i>	15(2)(h)
<i>Heavy Plant Replacement Tender</i>	15(2)(c)
<i>Council IT Strategy</i>	15(2)(c)

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

**RECOMMENDATION**

**THAT in accordance with Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015*, Council move into Closed Session and the meeting be closed to members of the public.**

**DECISION**

*Moved by Clr K Dudgeon, seconded by Clr A E Bisdee*

**THAT in accordance with Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015*, Council move into Closed Session and the meeting be closed to members of the public.**

**CARRIED**

<b>DECISION (MUST BE BY ABSOLUTE MAJORITY)</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

## CLOSED COUNCIL MINUTES

### 20. BUSINESS IN “CLOSED SESSION”

#### 20.1 Closed Council Minutes - Confirmation

*In accordance with the Local Government (Meeting Procedures) Regulations 2015, the details of the decision in respect to this item are to be kept confidential and are not to be communicated, reproduced or published unless authorised by Council.*

*Item considered in Closed Session in accordance with Regulation 15 (2) of the Local Government (Meeting Procedures) Regulations 2015.*

#### 20.2 Applications for Leave of Absence

*In accordance with the Local Government (Meeting Procedures) Regulations 2015, the details of the decision in respect to this item are to be kept confidential and are not to be communicated, reproduced or published unless authorised by Council.*

*Item considered in Closed Session in accordance with Regulation 15 (2) (h) of the Local Government (Meeting Procedures) Regulations 2015.*

#### 20.3 Heavy Plant Replacement Tender

*In accordance with the Local Government (Meeting Procedures) Regulations 2015, the details of the decision in respect to this item are to be kept confidential and are not to be communicated, reproduced or published unless authorised by Council.*

*Item considered in Closed Session in accordance with Regulation 15 (2) (c) of the Local Government (Meeting Procedures) Regulations 2015.*

#### 20.4 Council IT Strategy (System Replacement)

*In accordance with the Local Government (Meeting Procedures) Regulations 2015, the details of the decision in respect to this item are to be kept confidential and are not to be communicated, reproduced or published unless authorised by Council.*

*Item considered in Closed Session in accordance with Regulation 15 (2) (c) of the Local Government (Meeting Procedures) Regulations 2015.*

**RECOMMENDATION**

**THAT Council move out of “Closed Session”.**

**DECISION**

*Moved by Clr K Dudgeon, seconded by Clr A E Bisdee OAM*

**THAT Council move out of “Closed Session”.**

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

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## OPEN COUNCIL MINUTES

### 21. CLOSURE

The meeting closed at 12.51 p.m.



SOUTHERN  
MIDLANDS  
COUNCIL



# **MINUTES**

## **SPECIAL COUNCIL MEETING**

---

Monday, 8<sup>th</sup> November 2021  
9.30 a.m.

Oatlands Municipal Offices  
71 High Street, Oatlands

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## OPEN COUNCIL MINUTES

MINUTES OF A SPECIAL MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD ON  
MONDAY, 8<sup>TH</sup> NOVEMBER 2021 AT THE OATLANDS MUNICIPAL OFFICES  
COMMENCING AT 9.30 A.M.

### 1. ACKNOWLEDGEMENT OF COUNTRY

Mayor A O Green recited Acknowledgement of Country.

### 2. ATTENDANCE

Mayor A O Green, Deputy Mayor E Batt, Cllr A Bantick, Cllr A Bisdee OAM, Cllr K Dudgeon, Cllr D Fish, Cllr R McDougall

Mr T Kirkwood (General Manager), Mr A Benson (Deputy General Manager), Mr D Richardson (Manager Works & Infrastructure), Mrs L Brown (Planning Officer)

### 3. APOLOGIES

Nil.

### 4. DECLARATION OF PECUNIARY INTEREST

In accordance with the requirements of Part 2 Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015*, the chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the Agenda.

Accordingly, Councillors are requested to advise of a pecuniary interest they may have in respect to any matter on the agenda, or any supplementary item to the agenda, which Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*.

Nil.

## **5. COUNCIL ACTING AS A PLANNING AUTHORITY PURSUANT TO THE LAND USE PLANNING AND APPROVALS ACT 1993 AND COUNCIL'S STATUTORY LAND USE PLANNING SCHEME**

*Session of Council sitting as a Planning Authority pursuant to the Land Use Planning and Approvals Act 1993 and Council's statutory land use planning schemes.*

### **5.1 Development Application (SA 2020/1) for Subdivision (11 lots and balance) at 14 Glenelg Street, Oatlands owned by B & C O'Reilly**

**AUTHOR** PLANNING OFFICER (LOUISA BROWN)

**DATE** 8 NOVEMBER 2021

#### **Attachment(s):**

*Attachment 1 - Development Application documents*

*Attachment 2 - Representations (3)*

*Attachment 3 - Taswater SPAN*

#### **PROPOSAL**

The applicant, T.N Woolford & Associates (surveyor) on behalf of B & C O'Reilly, has applied to the Southern Midlands Council for a Permit under the *Land Use Planning and Approvals Act 1993* ("the Act") to subdivide the land at 14 Glenelg Street, Oatlands.

The proposal seeks to subdivide the existing 2.023ha title into eleven (11) lots plus balance, as detailed below:

- Eleven (11) Lots – with a range of lot sizes and a frontage to Stanley Street of 96m. A new road and access from Stanley Street will be constructed.
- Balance – existing property on 14 Glenelg Street, balance lot size of 7230m<sup>2</sup> with approximately 96m frontage to Queen Anne Street. This lot will contain an existing dwelling and outbuilding, gardens and associated infrastructure. There is an existing access point from Queen Anne Street which will remain and serve the property.

The land is zoned General Residential and contains no overlays. The existing dwelling and outbuilding are located to the western end of the title adjacent to Queen Anne Street. The remainder of the title is pasture.

The application has been lodged under the *Southern Midlands Interim Planning Scheme 2015* ("the Planning Scheme").

Under the Planning Scheme subdivision is defined as development. The proposal is to be assessed against the development standards of the zone and the development standards of the applicable Codes. These matters are described and assessed in this report. This is a discretionary application under the Planning Scheme.

The Council gave notice of the application for public comment for 14 days. During the notification period three (3) representations were received.

This report will assess the proposal against the relevant provisions of the Act and the Scheme. It is recommended that Council grant a permit for the subdivision subject to conditions.

### THE SITE

The existing 2.023ha property is located on the southern side of Glenelg Street, with the eastern boundary adjacent to Stanley Street and the western boundary formed with Queen Anne Street. The property contains a dwelling and outbuilding, the remainder of the property is pasture.

There is an existing access points which serves the dwelling from Queen Anne Street.

The property is predominantly adjoined by residential properties to all sides. An area zoned Particular Purpose, PPz1 Settlement Growth is located to the south of site, one block over adjacent to Chatham Street. To the west is Tunnack Road and areas of Light Industrial and the walking track to Lake Dulverton is situated 200m to the east.

Map 1 below shows the land zoning and location of the property.



Map 1\_ The subject land and surrounding properties are in the General Residential Zone (red). Particular Purpose, PPz1 Settlement Growth (yellow). Agricultural land is in the Rural Resource Zone (Cream).. Light Industrial (Purple). Environmental Management – Lake Dulverton (Dark Green). The subject title is marked with a blue line. Source: theLIST



Map 2 \_ Aerial image of the subject land and surrounding area, with the approximate boundaries marked in blue. Source: theLIST

### **THE APPLICATION**

*The Applicant has submitted the attached Plans and information to accompany the Development Application form.*

The proposal has been referred to Taswater and conditions have been provided to be attached to the planning permit if the proposal is approved by Council (see enclosure).

### **USE/DEVELOPMENT DEFINITION**

*The proposed use and development is defined, under the Planning Scheme, as development for Subdivision, which is Discretionary in accordance with Clause 9.10.2 of the Southern Midlands Interim Planning Scheme 2015.*

### **Use/Development Status under the Planning Scheme**

*As a discretionary development, the application was advertised in accordance with Section 57 of the Act.*

*Council has the discretion to grant a permit for this proposal with or without conditions, or refuse to grant a permit.*

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised for 14 days from the 9<sup>th</sup> October 2021. Three (3) representations were received and are summarised in the table below. Please refer to enclosure to view the full copies of representations received.

<i>Representation 1</i>	<i>Council Officer Comment</i>
<p>We object to the layout and density of the proposed subdivision, with the design, materials and appearance not in character with existing homes in the area.</p> <p>We are concerned that the proposals will devalue the heritage values of property and detract from the heritage tourist value the village has as a destination</p> <p>We are concerned about the increase in traffic the development will bring, car parking on street will decrease visibility at junctions.</p> <p>Would prefer the subdivision to container bigger and fewer blocks, to keep the “country” feel of the area.</p>	<p><b><i>The size of the proposed lots are larger than the minimum size for this zone. The proposed number of lots meets the requirement for Subdivision in the General Residential Zone. The layout of the blocks makes efficient use of the available land. There are no character statements for this zone. The detailed design of dwellings will come forward with individual applications.</i></b></p> <p><b><i>The site is not within a Heritage Precinct or contains a Heritage Place. Therefore the Historic Heritage Code does not apply to the application.</i></b></p> <p><b><i>The amount of traffic to be created can be accommodated by improving Stanley Street, as stated in the conditions. In addition, Council expects that further subdivisions within this area of Otlands will come forward and therefore additional upgrades to the road network will be undertaken. When applications for dwellings come forward, Car parking for dwellings will be provided on plot. The new culdesac road will be constructed to a full urban road standard in accordance with the standard drawings.</i></b></p> <p><i>The proposed number of lots meets the meets the requirement for Subdivision in the General residential Zone</i></p>
<i>Representation 2</i>	<i>Council Officer Comment</i>
<p><i>We object based on the following issues:</i></p> <p><i>1. Traffic flow</i></p> <p><i>2. Loss of character of the area</i></p>	<p><b><i>1. As discussed above proposed improvements to Stanley Street will assist in traffic flow, further upgrades to the road network are likely as more subdivision applications come forward in the area.</i></b></p> <p><b><i>2. There is no character statement for this area.</i></b></p> <p><b><i>3.This is not a planning concern.</i></b></p> <p><b><i>4.This is not a planning concern.</i></b></p>

<p>3. Devalues the heritage properties in the street and town</p> <p>4. Devalues the historical architecture for which Oatlands is renowned</p> <p>5. Devalues the current rural atmosphere and quiet</p> <p>6. Noise and disturbance resulting from use</p> <p>7. Issues related to street parking</p> <p>8. Layout and density of proposed homes not in character with existing Oatlands homes</p> <p>9. Concern for the modern design, appearance and materials use not in character with existing Oatlands homes</p> <p>10. Devalues the town and Oatlands businesses as a valuable tourism heritage destination</p>	<p><b>5. While it is acknowledged that this represents a change from the existing paddock, it must be recognised that development of suitably zoned and serviced land within the existing township is to be expected.</b></p> <p><b>Development of this land will contribute to more efficient utilisation of public services and will contribute to the future of the town and municipality more broadly by providing new housing (at a time of housing shortage, particularly in affordable areas, across Tasmania, increasing the population and upgrading the road and providing a footpath in Stanley Street.</b></p> <p><b>6. Any noise created will be related to residential areas.</b></p> <p><b>7. As discussed above, car parking for the new dwellings will be on plot.</b></p> <p><b>8. The size of the proposed lots are larger than the minimum size for this zone. The proposed number of lots meets the requirement for Subdivision in the General Residential Zone. The layout of the blocks makes efficient use of the available land.</b></p> <p><b>9. As discussed there is no character statement for this zone.</b></p> <p><b>10. Development of this land will contribute to more efficient utilisation of public services and will contribute to the future of the town and municipality more broadly by providing new housing (at a time of housing shortage, particularly in affordable areas, across Tasmania, increasing the population and upgrading the road and providing a footpath in Stanley Street.</b></p> <p><b>The property is zoned General Residential, not agriculture.</b></p>
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<p>11. Conservation of local farmlands</p>	
<p><b>Representation 3</b></p>	<p><b>Council Officer Comment</b></p>
<p>Development encompassing 11 houses with a culdesac entrance does not fit in with the current neighbourhood character and rural residential zoning.</p> <p>If high density housing developments become the norm in Oatlands the Town will quickly descend into another homogenised, overpopulated and undesirable location like many other towns.</p> <p>Longterm parking issues, increased traffic and noise are just some of the negative impacts on local residents and property owners within the Town.</p> <p>I am not opposed to development but in this case I think the scope and scale of this proposed development is an over reach and needs to be reduced down to a smaller number of proposed dwellings and allotments.</p>	<p><b>While it is acknowledged that this represents a change from the existing paddock, it must be recognised that development of suitably zoned and serviced land within the existing township is to be expected. The proposed block sizes are larger than the minimum size requirement for this zone. As discussed there is no character statement for this zone.</b></p> <p><b>Development of this land will contribute to more efficient utilisation of public services and will contribute to the future of the town and municipality more broadly by providing new housing (at a time of housing shortage, particularly in affordable areas, across Tasmania, increasing the population and upgrading the road and providing a footpath in Stanley Street.</b></p> <p><b>As discussed the property is zoned General Residential, development is to be expected in this location.</b></p> <p><b>As discussed, the block sizes are larger than the minimum size requirements for this zone.</b></p>

**ASSESSMENT - THE SOUTHERN MIDLANDS INTERIM PLANNING SCHEME**

**General Residential Zone**

The subject site is in the General Residential Zone. The proposal must satisfy the requirements of the following relevant development standards of this zone:

*Development Standards - Subdivision*  
*10.6.1 Lot Design*  
*To provide for new lots that:*

- (a) have appropriate area and dimensions to accommodate development consistent with the General Residential Zone Character Statements;*
- (b) contain building areas which are suitable for residential development, located to avoid the frontage of the lot;*
- (c) are a mix of lot sizes to enable a variety of dwelling and household types;*
- (d) are capable of providing for a high level of residential amenity including privacy, good views and sunlight;*
- (e) ensure an average net density for new suburban areas no less than 15 dwellings per hectare;*
- (f) are not internal lots, except if the only reasonable way to provide for desired residential development;*
- (g) are provided in a manner that provides for the efficient and ordered provision of infrastructure.*

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>Officer Comment</b>
<p>A1</p> <p>The size of each lot must comply with the minimum and maximum lot sizes specified in Table 10.1, except if for public open space, a riparian or littoral reserve or utilities.</p>	<p>P1</p> <p>The size of each lot must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) variance above the maximum lot size in Table 10.1 only to the extent necessary due to demonstrated site constraints;</li> <li>(b) be consistent with any applicable Local Area Objectives or Desired Future Character Statements for the area</li> </ul>	<p>The proposal is for 11 lots, of which the lot sizes meet the minimum and maximum sizes as specified in Table 10.1. these being 450m<sup>2</sup> – 1000m<sup>2</sup></p> <p>The Acceptable Solution A1 is met.</p>
<p>A2</p> <p>The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities:</p> <ul style="list-style-type: none"> <li>(a) clear of the frontage, side and rear boundary setbacks;</li> </ul>	<p>P2</p> <p>The design of each lot must contain a building area able to satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) be reasonably capable of accommodating residential use and development;</li> <li>(b) meets any applicable standards in codes in the planning scheme;</li> </ul>	<p>The layout of lots makes efficient use of the available land, without compromising on creating generous lot sizes.</p> <ul style="list-style-type: none"> <li>(a) residential development can be accommodated.</li> <li>(b) the standards within the Parking &amp; Access Code are met.</li> </ul>

<p>(b) not subject to any codes in this planning scheme;</p> <p>(c) clear of title restrictions such as easements and restrictive covenants;</p> <p>(d) has an average slope of no more than 1 in 5;</p> <p>(e) the long axis of the building area faces north or within 20 degrees west or 30 degrees east of north;</p> <p>(f) is 10m x 15m in size.</p>	<p>(c) enables future development to achieve maximum solar access, given the slope and aspect of the land;</p> <p>(d) minimises the need for earth works, retaining walls, and fill and excavation associated with future development;</p> <p>(e) provides for sufficient useable area on the lot both of the following;</p> <p>(i) on-site parking and manoeuvring;</p> <p>(ii) adequate private open space.</p>	<p>(c) Lot sizes and shape will enable solar access.</p> <p>(d) the need for earthworks, excavation and fill will be minimised.</p> <p>(e) on site car parking and private open space are more than sufficient.</p> <p>The proposal meets Performance Criteria P2.</p>
<p>A3 The frontage for each lot must comply with the minimum and maximum frontage specified in Table 10.2, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot.</p>	<p>P3 The frontage of each lot must satisfy all of the following:</p> <p>(a) provides opportunity for practical and safe vehicular and pedestrian access;</p> <p>(b) provides opportunity for passive surveillance between residential development on the lot and the public road;</p> <p>(c) is no less than 6m.</p>	<p>A single new vehicular access provides safe access, the Stanley Street section will include a footpath.</p> <p>The layout and orientation of the blocks around the culdesac creates opportunities for passive surveillance of the public realm.</p> <p>No frontage is less than 6m.</p> <p>Performance Criteria P3 is met</p>
<p>A4 No lot is an internal lot.</p>	<p>P4 An internal lot must satisfy all of the following:</p> <p>(a) the lot gains access from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;</p>	<p>The Acceptable Solution A4 is met, there are no internal lots.</p>

	<ul style="list-style-type: none"> <li>(b) it is not reasonably possible to provide a new road to create a standard frontage lot;</li> <li>(c) the lot constitutes the or reasonable way to subdivide the rear of an existing lot;</li> <li>(d) the lot will contribute to the more efficient utilisation of residential land and infrastructure;</li> <li>(e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;</li> <li>(f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;</li> <li>(g) passing bays are provided at appropriate distances to service the likely future use of the lot;</li> <li>(h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;</li> <li>(i) a sealed driveway is provided on the access strip prior to the sealing of the final plan.</li> <li>(j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.</li> </ul>	
A5	P5	

<p>Subdivision is for no more than 3 lots.</p>	<p>Arrangement and provision of lots must satisfy all of the following;</p> <p>(a) have regard to providing a higher net density of dwellings along;</p> <p>(i) public transport corridors;</p> <p>(ii) adjoining or opposite public open space, except where the public open space presents a hazard risk such as bushfire;</p> <p>(iii) within 200 m of business zones and local shops;</p> <p>(b) will not compromise the future subdivision of the entirety of the parent lot or the densities envisaged in the zone;</p> <p>(c) staging, if any, provides for the efficient and ordered provision of new infrastructure;</p> <p>(d) opportunity is optimised for passive surveillance between future residential development on the lots and public spaces;</p> <p>(e) is consistent with any applicable Local Area Objectives or Desired Future.</p>	<p>(a) (i) There are no Public Transport corridors adjacent to the property.</p> <p>(a) (ii) There is no adjoining public open space.</p> <p>(a) (iii) There are no shops or business zones within 200m.</p> <p>(b) Future subdivision will not be compromised.</p> <p>(c) No staging is proposed.</p> <p>(d) Passive surveillance of the Public realm is created.</p> <p>(e) There are no Local Area Objectives for this zone.</p>
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<p>Development Standards - Subdivision 10.6.2 Roads To ensure that the arrangement of new roads within a subdivision provides for all of the following:</p> <p>(a) the provision of safe, convenient and efficient connections to assist accessibility and</p> <p>(b) the adequate accommodation of vehicular, pedestrian, cycling and public transport</p>
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(c) the efficient ultimate subdivision of the entirety of the land and of neighbouring land		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The subdivision includes no new road.	<p>P1 The arrangement and construction of roads within a subdivision must satisfy all of the following:</p> <p>(a) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority;</p> <p>(b) the appropriate and reasonable future subdivision of the entirety of any balance lot is not compromised;</p> <p>(c) the future subdivision of any neighbouring or nearby land with subdivision potential is facilitated through the provision of connector roads and pedestrian paths where appropriate, to common boundaries;</p> <p>(d) an acceptable level of access, safety, convenience and legibility is provided through a consistent road function hierarchy;</p> <p>(e) cul-de-sac and other terminated roads are not created, or their use in road layout design is kept to an absolute minimum</p>	<p>(a) satisfied. Road standards will be conditioned to the acceptable standards.</p> <p>(a) satisfied.</p> <p>(c) satisfied, however the subdivision in its current form without lots fronting Glenelg Street, or Glenelg Street being constructed, may make subdivision of land on the opposite side of Glenelg Street less viable due to increased costs in funding construction of the entirety of the road.</p> <p>Whilst the subdivision can be undertaken in its current form Council should consider that it may have to allocate funding to construct, or partially construct, Glenelg St in the future.</p> <p>(d) satisfied.</p> <p>(e) satisfied, culdesac use is kept to a minimum.</p>

	<p>(f) connectivity with the neighbourhood road network is maximised;</p> <p>(g) the travel distance between key destinations such as shops and services is minimised;</p> <p>(h) walking, cycling and the efficient movement of public transport is facilitated;</p> <p>(i) provision is made for bicycle infrastructure on new arterial and collector roads in accordance with Austroads Guide to Road Design Part 6A;</p> <p>(j) any adjacent existing grid pattern of streets is extended, where there are no significant topographical constraints</p>	<p>(e) satisfied, connections to Stanley Street are made.</p> <p>(g) not applicable.</p> <p>(h) satisfied</p> <p>(i) satisfied.</p> <p>(j) satisfied, however the subdivision in its current form without lots fronting Glenelg Street, or Glenelg Street being constructed, may make subdivision of land on the opposite side of Glenelg Street less viable due to increased costs in funding construction of the entirety of the road.</p> <p>Whilst the subdivision can be undertaken in its current form Council should consider that it may have to allocate funding to construct, or partially construct, Glenelg St in the future.</p>
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**Development Standards - Subdivision**

10.6.3 Ways & Public Open Space

To ensure that the arrangement of ways and public open space provides for all of the following:

- (a) the provision of safe, convenient and efficient connections to assist accessibility and mobility of the community;

(b) the adequate accommodation of pedestrian and cycling traffic.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 No Acceptable Solution.</p>	<p>P1 The arrangement of ways and public open space within a subdivision must satisfy all of the following:</p> <p>(a) connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate;</p> <p>(b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate;</p> <p>(c) connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate;</p> <p>(d) convenient access to local shops, community facilities, public open space and public transport routes is provided;</p> <p>(e) new ways are designed that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate;</p> <p>(f) provides for a legible movement network;</p> <p>(g) the route of new ways has regard to any pedestrian cycle way or public open space plan adopted by the Planning Authority;</p> <p>(h) Public Open Space must</p>	<p>(a) satisfied, connections to Stanley Street are proposed.</p> <p>(b) satisfied, connections to Stanley Street are proposed.</p> <p>(c) satisfied, connections to Stanley Street are proposed.</p> <p>(d) satisfied, connections to Stanley Street are proposed.</p> <p>(e) satisfied, all new ways are within the public realm, to the street frontage.</p> <p>(f) satisfied, connections to Stanley Street are proposed.</p>



	<p>be provided as land or cash in lieu, in accordance with the relevant Council policy.</p> <p>(i) new ways or extensions existing ways must be designed to minimise opportunities for entrapment or other crime following:</p> <p>(i) the width of the way</p> <p>(ii) the length of the way</p> <p>(iii) landscaping within the way;</p> <p>(iv) lighting;</p> <p>(v) provision of opportunities for 'loitering';</p> <p>(vi) the shape of the way (avoiding bends, corners or other opportunities for concealment).</p>	<p>(g) satisfied, connections to Stanley Street are proposed.</p> <p>(h) satisfied, cash in lieu as Condition.</p>
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<b>Development Standards – Subdivision</b>		
<b>10.6.4 Services</b>		
To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.		
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
A1 Each lot must be connected to a reticulated potable water supply.	P1 No Performance Criteria.	<i>The proposal complies with the Acceptable Solution</i>
A2 Each lot must be connected to a reticulated sewerage system.	P2 No Performance Criteria.	<i>The proposal complies with the Acceptable Solution.</i>

<p>A3 Each lot must be connected to a stormwater system able to service the building area by gravity.</p>	<p>P3 If connection to a stormwater system is unavailable, each lot must be provided with an on-site stormwater management system adequate for the future use and development of the land.</p>	<p><i>The proposal complies with the Acceptable Solution.</i></p> <p><i>A condition requiring a stormwater management plan be submitted with the engineering design plans is recommended.</i></p>
<p>A4 The subdivision includes no new road.</p>	<p>P4 The subdivision provides for the installation of fibre ready facilities (pit and pipe that can hold optical fibre line) and the underground provision of electricity supply.</p>	<p><i>Performance Criteria P4 is met. A condition requiring the new lots be provided with underground power and fibre ready pit and pipe is recommended.</i></p>

### E5.0 Road and Railway Assets Code

The purpose of this provision is to:

- (a) protect the safety and efficiency of the road and railway networks; and
- (b) reduce conflicts between sensitive uses and major roads and the rail network.

The proposal includes a new road with access onto Stanley Street and new vehicle crossings for the lot with frontage onto Staley Street. This will result in an intensification of the local road network in additional traffic movements.

The applicable standards of the Code are addressed in the following tables:

<b>Development Standards</b> <b>E5.6.2 Road accesses and junctions</b>		
To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.		
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
<p><b>A1</b> No new access or junction to roads in an area subject to a speed limit of more than 60km/h.</p>	<p><b>P1</b> For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p>	<p><i>Acceptable Solution A1 met.</i></p> <p><i>The new junction with Stanley Street and accesses to Lots all comply with the Acceptable Solution. The speed limit is 50km/h.</i></p>

	<ul style="list-style-type: none"> <li>(a) the nature and frequency of the traffic generated by the use;</li> <li>(b) the nature of the road;</li> <li>(c) the speed limit and traffic flow of the road;</li> <li>(d) any alternative access;</li> <li>(e) the need for the access or junction;</li> <li>(f) any traffic impact assessment; and</li> <li>(g) any written advice received from the road authority.</li> </ul>	
<p><b>A2</b> No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</p>	<p><b>P2</b> For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature and frequency of the traffic generated by the use;</li> <li>(b) the nature of the road;</li> <li>(c) the speed limit and traffic flow of the road;</li> <li>(d) any alternative access to a road;</li> <li>(e) the need for the access or junction;</li> <li>(f) any traffic impact assessment; and</li> <li>(g) any written advice received from the road authority.</li> </ul>	<p><i>Performance Criteria P2 is met.</i></p> <p><i>Access for 2 lots and a new road access onto Stanley Street are proposed.</i></p> <p><i>The access to Stanley Street will be in accordance with the standard drawings.</i></p>

<p><b>Development Standards</b> <b>E5.6.4 Sight distance at accesses, junctions and level crossings</b> To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</p>		
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
<p><b>A1</b> Sight distances at:</p>	<p><b>P1</b> The design, layout and location of an access, junction or rail level crossing must provide</p>	<p><i>The Sight distances at the new access to Stanley Street comply the Acceptable Solution A1.</i></p>

<p>a. an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and</p> <p>b. rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</p>	<p>adequate sight distances to ensure the safe movement of vehicles, having regard to:</p> <p>(a) the nature and frequency of the traffic generated by the use;</p> <p>(b) the frequency of use of the road or rail network;</p> <p>(c) any alternative access;</p> <p>(d) the need for the access, junction or level crossing;</p> <p>(e) any traffic impact assessment;</p> <p>(f) any measures to improve or maintain sight distance; and</p> <p>(g) any written advice received from the road or rail authority.</p>	
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### E6.0 Parking and Access Code

The Parking and Access Code applies to all use and development.

The location and design of the new access onto Stanley Street will comply with the Acceptable Solution and are addressed in the proposed conditions.

Internal parking and access is relevant to future Development Applications for dwellings and will be assessed as these applications come forward individually.

### CONCLUSION

The report has assessed a Development Application for subdivision of eleven (11) lots and balance at 14 Glenelg Street, Oatlands

Three (3) representation were received and the concerns raised have been addressed in this report.

The proposal has been found to comply with all the relevant standards of the General Residential Zone and the applicable Codes.

It is recommended that the Application be approved and a Permit issued with conditions and advice.

## RECOMMENDATION

**THAT, in accordance with the provisions of the *Southern Midlands Interim Planning Scheme 2015* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (SA2021/1) for Subdivision (11 lots and balance) at 14 Glenelg Street, Oatlands owned by B & C O'Reilly**

## CONDITIONS

### ***General***

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.

### ***Staged development***

2. The subdivision must not be carried out in stages except in accordance with a staged development plan submitted to and approved by Council's General Manager.

### ***Transfer of reserves***

3. All roads or footways must be shown as "Road" or "Footway" on the Final Plan of Survey and transferred to the Council by Memorandum of Transfer submitted with the Final Plan of Survey.

### ***Public Open Space***

4. As insufficient provision has been made for recreational space, and having formed the opinion that such a provision should be made in respect of the proposal, Council requires that an amount equal to five percent (5%) of the unimproved POS will be payable on all the subdivision lots except the balance with the existing dwelling and must be provided as cash-in-lieu of public open space in accordance with the provisions of Section 117 of the Local Government (Building & Miscellaneous Provisions) Act 1993. The subdivider must obtain a valuation for the unimproved value of the subdivision from a registered Valuer.
5. The cash-in-lieu of public open space must be in the form of a direct payment made before the sealing of the final plan of survey or, alternatively, in the form of a Bond or Bank guarantee to cover payment within ninety (90) days after demand, made after the final plan of survey has taken effect.

### ***Easements***

6. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's General Manager. The cost of locating and creating the easements shall be at the subdivider's full cost.

### **Final plan**

7. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.

8. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Southern Midlands Council. The security must be in accordance with section 86(3) of the Local Government (Building & Miscellaneous Provisions) Act 1993. The amount of the security shall be determined by the Council's General Manager in accordance with Council Policy following approval of any engineering design drawings.
9. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied.
10. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

### **Engineering**

11. The subdivision must be carried out and constructed in accordance with the:
  - a. *Tasmanian Subdivision Guidelines*
  - b. *Tasmanian Municipal Standard – Specifications*
  - c. *Tasmanian Municipal Standard – Drawings*as published by the Local Government Association of Tasmania and to the satisfaction of Council's General Manager.
12. Engineering design drawings to the satisfaction of the Council's General Manager must be submitted to and approved by Council before development of the land commences.
13. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's General Manager, and must show -
  - (a) all existing and proposed services required by this permit;
  - (b) all existing and proposed roadwork required by this permit;
  - (c) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
  - (d) measures to be taken to limit or control erosion and sedimentation;
  - (e) any other work required by this permit.
14. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
15. The developer shall appoint a qualified and experienced Supervising Engineer (or company registered to provide civil engineering consultancy services) who will be required to certify completion of subdivision construction works. The appointed Supervising Engineer shall be the primary contact person on matters concerning the subdivision.

### **Services**

16. The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

17. Property services must be contained wholly within each lot served or an easement to the satisfaction of the Council's General Manager or responsible authority.

### **Roads and Access**

18. Roadworks must, unless approved otherwise by Council's General Manager, include -
  - (a) Proposed Subdivision Road
    - i. Minimum road reserve of 15.00 metres;
    - ii. Fully sealed, paved and drained carriageway with a minimum carriageway width of 6.9m;
    - iii. Concrete kerb and channel;
    - iv. Concrete footpath (on at least one side);
    - v. Piped stormwater drains
  - (b) Stanley Street (across the entire frontage of the subdivision)
    - i. Fully sealed, paved and drained carriageway widening to achieve an ultimate minimum carriageway width of 8.9m;
    - ii. Concrete kerb and channel;
    - iii. Concrete footpath;
    - iv. Piped stormwater drains
19. All carriageway surface courses must be constructed with a hot mix asphalt in accordance with standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and the requirements of Council's General Manager.
20. Kerb ramps must be provided to accommodate the needs of people with disabilities in accordance with standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
21. A reinforced concrete vehicle access must be provided from the road carriageway to service each lot (apart from the Balance Lot).
22. Unless approved otherwise by Council's General Manager, the existing vehicular access off Queen Anne Street to the Balance Lot must be upgraded to Council standards including a seal from the edge of carriageway to the property boundary.

### **Drainage**

23. The developer is to provide a minor (piped) stormwater drainage system designed to comply with all of the following:
  - a) be able to accommodate a storm with an ARI of 20 years when the land serviced by the system is fully developed;
  - b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure
24. Unless approved otherwise by Council's General Manager the subdivision stormwater drainage system must be extended to connect to the piped public stormwater network.

25. Unless approved otherwise by Council's General Manager the subdivision stormwater drainage system must be extended to service the Balance Lot.
26. The developer is to provide a piped stormwater property connection to each lot capable of servicing the entirety of each lot by gravity in accordance with Council standards and to the satisfaction of Council's General Manager. Unless approved otherwise by Council's General Manager the stormwater property connections must be DN150 minimum.
27. The developer is to provide a major stormwater drainage system designed to accommodate a storm with an ARI of 100 years.
28. Unless approved otherwise by Council's general Manager, the stormwater system for the subdivision must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 of the Southern Midlands Interim Planning Scheme 2015.
29. The developer must submit a stormwater management plan to Council for approval with the engineering design plans. The stormwater management plan must be prepared and certified by a suitably qualified person, and include calculations, design, construction and maintenance details of stormwater treatment, detention, and conveyance. The plan must clearly demonstrate that the requirements of this permit are met and that adjacent properties will not be adversely impacted by the stormwater system.

#### ***Sewer & Water***

30. Each lot must be connected to a reticulated potable water supply.
31. Each lot must be connected to a reticulated sewerage system.

#### ***Tas Water***

32. The development must meet all required Conditions of approval specified by Tas Water Submission to Planning Authority Notice, TWDA 2021/00116-STM, dated 06/08/2021.

#### ***Telecommunications and electrical reticulation***

33. Electrical and telecommunications services must be provided underground to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's General Manager.
34. Prior to the work being carried out a drawing of the electrical reticulation and street lighting, and telecommunications reticulation in accordance with the appropriate authority's requirements and relevant Australian Standards must be submitted to and endorsed by the Council's General Manager.
35. Prior to sealing the final plan of survey the developer must submit to Council:
  - (a) An Exemption from the installation of fibre ready pit and pipe, a "Provisioning of Telecommunications Infrastructure – Confirmation of final payment" or "Certificate of Practical Completion of Developer's Activities" from Telstra or NBN Co.
  - (b) Written advice from TasNetworks confirming that each lot has been provided with a property connection or that future lot owners will not be liable for network



extension or upgrade costs, other than individual property connections (basic connections) at the time each lot is further developed.

### **Soil and Water Management**

36. A soil and water management plan (here referred to as a '**SWMP**') prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, must be approved by Council's General Manager before development of the land commences.
37. Temporary run-off, erosion and sediment controls must be installed in accordance with the approved SWMP and must be maintained at full operational capacity to the satisfaction of Council's General Manager until the land is effectively rehabilitated and stabilised after completion of the development.
38. The topsoil on any areas required to be disturbed must be stripped and stockpiled in an approved location shown on the detailed soil and water management plan for reuse in the rehabilitation of the site. Topsoil must not be removed from the site until the completion of all works unless approved otherwise by the Council's General Manager.
39. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, must be covered with top soil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's General Manager.

### **Construction**

40. The subdivider must provide not less than forty eight (48) hours written notice to Council's General Manager before commencing construction works.
41. The subdivider must provide not less than forty eight (48) hours written notice to Council's General Manager before reaching any stage of works requiring inspection by Council unless otherwise agreed by the Council's General Manager.

### **Construction Amenity**

42. The development must only be carried out between the following hours unless otherwise approved by the Council's General Manager
  - Monday to Friday 7:00 AM to 6:00 PM
  - Saturday 8:00 AM to 6:00 PM
  - Sunday and State-wide public holidays 10:00 AM to 6:00 PM
43. All subdivision works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of -
  - (a) emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property; and/or
  - (b) transport of materials, goods or commodities to or from the land; and/or
  - (c) appearance of any building, works or materials.
44. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the land in an approved manner. No burning of such

materials on-site will be permitted unless approved in writing by the Council's General Manager.

45. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the subdivision during the construction period.

#### **As constructed drawings**

46. Prior to the works being placed on the maintenance and defects liability period "as constructed" drawings and data for all engineering works provided as part of this approval must be provided to Council to the satisfaction of the Council's General Manager. These drawings and data sheets must be prepared by a qualified and experienced civil engineer or other person approved by the General Manager in accordance with Council's Guidelines for As Constructed Data.

#### **Maintenance and Defects Liability Period**

47. The subdivision must be placed onto a twelve (12) month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.
48. Prior to placing the subdivision onto the twelve (12) month maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council's Standard Drawings, specification, and the approved plans.

#### **THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -**

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- C. The owner is advised that an engineering plan assessment and inspection fee of 1% of the value of the approved engineering works, or a minimum of \$335.00, must be paid to Council in accordance with Council's fee schedule.
- D. All approved engineering design drawings will form part of this permit on and from the date of approval.

#### **DECISION**

*Moved by Clr D Fish, seconded by Clr A E Bisdee OAM*

**THAT, in accordance with the provisions of the *Southern Midlands Interim Planning Scheme 2015* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (SA2021/1) for Subdivision (11 lots and balance) at 14 Glenelg Street, Oatlands owned by B & C O'Reilly**

#### **CONDITIONS**

##### **General**

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***Staged development***

2. The subdivision must not be carried out in stages except in accordance with a staged development plan submitted to and approved by Council's General Manager.

***Transfer of reserves***

3. All roads or footways must be shown as "Road" or "Footway" on the Final Plan of Survey and transferred to the Council by Memorandum of Transfer submitted with the Final Plan of Survey.

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5. The cash-in-lieu of public open space must be in the form of a direct payment made before the sealing of the final plan of survey or, alternatively, in the form of a Bond or Bank guarantee to cover payment within ninety (90) days after demand, made after the final plan of survey has taken effect.

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  - (h) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
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    - vii. Fully sealed, paved and drained carriageway with a minimum carriageway width of 6.9m;
    - viii. Concrete kerb and channel;

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  - c) be able to accommodate a storm with an ARI of 20 years when the land serviced by the system is fully developed;
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  - (d) Written advice from TasNetworks confirming that each lot has been provided with a property connection or that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections (basic connections) at the time each lot is further developed.

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satisfaction of Council's General Manager until the land is effectively rehabilitated and stabilised after completion of the development.

38. The topsoil on any areas required to be disturbed must be stripped and stockpiled in an approved location shown on the detailed soil and water management plan for reuse in the rehabilitation of the site. Topsoil must not be removed from the site until the completion of all works unless approved otherwise by the Council's General Manager.
39. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, must be covered with top soil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's General Manager.

### **Construction**

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  - Sunday and State-wide public holidays 10:00 AM to 6:00 PM
43. All subdivision works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of -
- (d) emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property; and/or
- (e) transport of materials, goods or commodities to or from the land; and/or
- (f) appearance of any building, works or materials.
44. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the land in an approved manner. No burning of such materials on-site will be permitted unless approved in writing by the Council's General Manager.
45. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the subdivision during the construction period.

### **As constructed drawings**

46. Prior to the works being placed on the maintenance and defects liability period "as constructed" drawings and data for all engineering works provided as part of this approval must be provided to Council to the satisfaction of the Council's General Manager. These drawings and data sheets must be prepared by a qualified and

experienced civil engineer or other person approved by the General Manager in accordance with Council’s Guidelines for As Constructed Data.

**Maintenance and Defects Liability Period**

- 47. The subdivision must be placed onto a twelve (12) month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.
- 48. Prior to placing the subdivision onto the twelve (12) month maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council’s Standard Drawings, specification, and the approved plans.

**THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -**

- E. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- F. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- G. The owner is advised that an engineering plan assessment and inspection fee of 1% of the value of the approved engineering works, or a minimum of \$335.00, must be paid to Council in accordance with Council’s fee schedule.
- H. All approved engineering design drawings will form part of this permit on and from the date of approval.

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

**[THIS CONCLUDES THE SESSION OF COUNCIL  
ACTING AS A PLANNING AUTHORITY]**



## **6. CLOSURE**

The meeting closed at 9.39 a.m.



# MINUTES

## Arts Advisory Committee

Supported by *Community & Corporate Development*  
a business unit of the Southern Midlands Council

**Thursday, 16<sup>th</sup> September 2021**  
Council Chambers, Kempton - 12.00pm

COMMITTEE MEMBERS ATTENDEES	Edwin Batt Dale Campisi	SMC Deputy Mayor/Councillor Community Representative
COMMITTEE OFFICERS	Alan Townsend Michelle Webster Grace Smith	Heritage Projects Officer Community Development Officer Community Development Officer
INVITED GUESTS	Martine Batt Kerri Cooper	Community Representative Community Representative
APOLOGIES	Rowena McDougall Catherine Johnson Wendy Young Brad Williams	SMC Councillor Community Representative (LMAG) Manager Community & Corporate Development Manager Heritage Projects

### Welcome

ITEM	<b>WELCOME &amp; PREVIOUS MINUTES</b>	Attached File	
DISCUSSION	Minutes of the previous meeting dated 24 <sup>th</sup> June 2021 already endorsed by Council, were distributed		

ITEM	<b>DECLARATION OF PECUNIARY INTEREST</b>	Attached File	
DISCUSSION	<p>In accordance with the requirements of Part 2 Regulation 8 of the <i>Local Government (Meeting Procedures) Regulations 2005</i>, the Chairman of a meeting is to request Committee Members to indicate whether they have, or are likely to have, a pecuniary interest in any item on the Agenda.</p> <p>Accordingly, Committee Members are requested to advise of a pecuniary interest they may have in respect to any matter on the agenda, or any supplementary item to the agenda, which the Committee has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the <i>Local Government (Meeting Procedures) Regulations 2005</i>.</p>		
ACTION ITEMS		RESPONSIBILITY	TIME LINE
Nil			

ITEM	<b>BUSINESS ARISING</b>		
DISCUSSION	Business arising from the Minutes that is not covered within the agenda		
ACTION ITEMS		RESPONSIBILITY	TIME LINE
See Membership Review			

**Attachment**  
**AGENDA ITEM 5.3.1**

ITEM	CORRESPONDENCE	Attached File	
DISCUSSION	<p><b>In:</b> Email from Martine Batt accepting the invitation to attend Email from Kerri Cooper accepting the invitation to attend Email from Dale Campisi additional agenda items</p> <p><b>Out:</b> Email to Martine Batt - invitation to participate Email to Kerri Cooper – invitation to participate Email to all members – Agenda, Previous Minutes &amp; Arts Strategy</p>		
ACTION ITEMS		RESPONSIBILITY	TIME LINE

ITEM	MEMBERSHIP REVIEW	Attached File	
DISCUSSION	<p>Edwin provided some background information to the invited guests of the Arts Advisory Committee &amp; its role within Council and welcomed both Kerri &amp; Martine to the meeting. Edwin asked the guests, Dale &amp; Alan to provide a brief overview of their backgrounds/interests.</p> <p>Kerri is a painter, preferring Oils. Her themes are mostly botanical but currently inspired by the light of the landscapes. Kerri runs an Art class each week &amp; is hoping to have an exhibition of her works in 2022 in her gallery space at Oatlands</p> <p>Martine has a background in theatre, dance &amp; performing arts; particularly interested in therapy based theatre pieces for youth.</p> <p>Dale currently works for Creative Vic within the Melbourne Arts Hub redevelopment. Background in Literature &amp; particularly interested in creative industries as economic drivers in Regional areas.</p> <p>Alan co-ordinates the Artist in Residence Program on behalf of SMC, is a wallpaper enthusiast, reproducing by hand, designs from history plus a story teller through podcasts/radio of historic tales from local history &amp; wallpapers.</p> <p><b><i>Motion moved by Edwin Batt proposing Council accept nomination of Kerri Cooper &amp; Martine Batt onto the Arts Advisory Committee.</i></b> <b><i>Seconded: Dale Campisi. All in favour.</i></b></p>		
ACTION ITEMS		RESPONSIBILITY	TIME LINE

ITEM	VISUAL ARTS	Attached File	
DISCUSSION	<p>Lower Midlands Art Group – Catherine Johnson Catherine has sent along Artlands flyer &amp; workshop details. There are still pieces available for lease with the Art exchange “Collecting Together”. Catherine to provide a current digital copy of art pieces still available.</p>		
ACTION ITEMS		RESPONSIBILITY	TIME LINE

ITEM	PERFORMING ARTS	Attached File	
DISCUSSION	<p>Heritage &amp; Bullock Festival live theatre component. This year the performance was based at the Gay St Hall (Rechabite Hall). It portrayed a section of a member ‘induction’ to the Rechabites with some amusing characters played by members of the Committee, Council staff &amp; community members.</p> <p>Coming up: Theatre group (One Act Festivals) – 2 plays in one day at Supreme Court 6<sup>th</sup> October 2021 \$20 per ticket.</p>		
DECISION			
ACTION ITEMS		RESPONSIBILITY	TIME LINE

**Attachment  
AGENDA ITEM 5.3.1**

<b>ITEM</b>	<b>ARTIST IN RESIDENCE (AiR) PROGRAM – Alan Townsend</b>	Attached File	
DISCUSSION	<p>The program of Artists has been disrupted due to Covi-19 lockdowns on the mainland. AiRSpace has had Anna Mackrell &amp; Mike Brady live in &amp; exhibit. Anabel Dean was due to arrive mid-July but has been in lockdown for months. She will make arrangements to stay as soon as she is allowed to travel again. Looking at joining ARTS hub to link with Artists nationally. Will cost SMC \$400 for membership.</p> <p><b><i>Motion moved by Edwin Batt proposing Council accept the recommendation of the ARTS hub membership fee be paid by the Arts Advisory Committee of SMC. Seconded: Dale Campisi. All in favour.</i></b></p> <p>Edwin mentioned whether it is possible to advertise widely in Tasmania to try &amp; attract 'local' Artists. Both Alan &amp; Dale mentioned they have multiple contacts across Tas Art organisations &amp; both will reach out across the networks to advertise the program.</p> <p>Alan mentioned that AiRSpace can be filled with an AiR retrospective exhibition prior to Christmas, to be manned by SMC staff</p>		
<b>ACTION ITEMS</b>		<b>RESPONSIBILITY</b>	<b>TIME LINE</b>
Table agenda item of SMC AiR collection going into LMAG 'Collecting Together' for exchange within the wider community			Dec 2021/Jan 2022
Join ARTS hub to promote AiR Program		Alan	ASAP
Provide an Air Retrospective exhibition at AiRSpace		Alan	ASAP

<b>ITEM</b>	<b>FESTIVALS</b>	Attached File	
DISCUSSION	<p><b>Heritage &amp; Bullock Festival 2021 update</b> Grace provided an update on the Festival held on the weekend of 14<sup>th</sup> &amp; 15<sup>th</sup> August 2021. Positive feedback from community with approx. 5000 people in attendance across the two days despite weather conditions.</p>		
DECISION			
<b>ACTION ITEMS</b>		<b>RESPONSIBILITY</b>	<b>TIME LINE</b>

<b>ITEM</b>	<b>GENERAL BUSINESS</b>	Attached File	
DISCUSSION	<p>Committee Networking (All members) Members to provide input to this item on their recent activities that would add value to the Arts space and connections in the Southern Midlands</p> <p>Dale – Literature as an Art form. Interested in Literature's role as a perspective in the Arts World &amp; has great contacts in the Literature space. Dale keen to use podcasting, live events (made available digitally) &amp; activities in heritage spaces as economic drivers for tourism opportunities.</p> <p>Provided an overview of Booktown (originated in Hay on Wye, England, also now in Clunes, VIC), attracting 15,000+ people per year as an example of an event suitable for a historic space/place. Keen to host a Booktown event (Oatlands).</p>		
DECISION			

**Attachment  
AGENDA ITEM 5.3.1**

ACTION ITEMS	RESPONSIBILITY	TIME LINE
Nil		

ITEM	OTHER BUSINESS	Attached File	
DISCUSSION	<p><b>Heritage spaces update</b> Two music groups booked to use the spaces, one in mid-October consists of 5 small groups of musicians who come together for an afternoon concert in the Supreme Court. And the other is a guitar &amp; violin act who are booked for the court house a few weeks later in early November. The flyers will be distributed via social media &amp; around Oatlands. The Hobart Paranormal Society have regular sessions of live streaming from the buildings' during night tours. Tours are published on their social media pages.</p> <p><b>Arts Strategy</b> The previous Art Strategy document was circulated to all members prior to the meeting. A commitment by all to conduct a desktop review &amp; send all suggestions to Michelle to collate.</p>		
DECISION	To try & have a draft Strategy by next meeting		
ACTION ITEMS	RESPONSIBILITY	TIME LINE	
Meeting between Michelle, Dale & Edwin to go through current Strategy	Michelle	ASAP	

**MEETING CLOSE: 1.30pm**

**NEXT MEETING: 10<sup>th</sup> December 2021 12pm Kempton Chambers**

# Woodsdale Community Memorial Hall

*Est. 1905*

## **Meeting**

FOR

General Committee Meeting

On

Monday 4<sup>th</sup> October 2021

At

Woodsdale Hall – Commencing at 7:00pm

### **1. Welcome/opening**

**1.1** The President welcomes members to the meeting.

**1.2** The President declares the meeting open at 7.15pm

**2. Attendance:** President Mrs Kaye Rowlands, Vice President Mrs Ann Scott, , Mr Leon Scott, Ms Alyson Scott and Council Representative Councillor Mrs Karen Dudgeon.

**3. Apologies** Secretary/Treasurer Ms Kate Bourne, Mrs Marion Wiggins

**Moved by** Ms Alyson Scott

**Seconded by** Mr Leon Wiggins

**Motion Carried**

### **4. Confirmation of Minutes of last Meeting 6<sup>th</sup> September 2021**

**Moved by** Mrs Karen Dudgeon **Seconded:** Mr Leon Scott

**Motion Carried**

### **5. Business Arising from Previous Minutes of 6<sup>th</sup> September 2021**

- The authorised Signatures of the Woodsdale Hall Committee with access to the Halls Commonwealth Bank Account have been updated at the Oatlands Bank branch by Mrs Kaye Rowlands and Vice President Mrs Ann Scott Ms Kate Bourne yet to do.
- The Secretary has not had time to investigate upgrading the Woodsdale Kitchen Facilities to date.

**6. Financial Report: No Report as Ms Kate Bourne unable to attend Meeting.**

**7. Business arising from Financial Report:** . Nil no report

### **8. Consideration of Correspondence**

**8.1 In – Nil**

**8.2 Out – Nil**

**9. General Business:**

- Ms Kate Bourne and Mrs Kaye Rowlands installed a support board into kitchen cupboard supplied by Mr Gerald Crawford.
- New Covid signs put up, signs supplied by Southern Midlands Council.
- Report from Ms Alyson Scott re Christmas Family Gathering at Woodsdale Recreation Ground – Levendale not having a Christmas B.B.Q.
  - RAW happy to support financially or with Manpower.
  - Allan Birchall to do a fish fry.
  - Rural youth approached and Mr Brady Robins stated that they would be happy to help.
  - Activities for children – Jumping Castle and Santa with possibility of Fire Truck.
  - Ms Alyson Scott to approach Mr Bill Free to be Santa.
  - The gathering will be on Saturday 11<sup>th</sup> December 2021 from 5pm. Tea to be from 6.30pm.
  - Adults to BYO drinks, Hall Committee to purchase fruit boxes and lollies for children.
  - Costs will be – Adults at \$10.00 per person, Children 12 to 15 \$5.00, children under 12 will be Free.
  - Raffle to be a Christmas theme.
  - We must have RSVPs by 30<sup>th</sup> November 2021 so that food can be organised.
- A Working Bee to be discussed further towards December at the Recreation Grounds.
- Mrs Karen Dudgeon to request Southern Midlands Council to Mow ground.

**10. Bookings - NIL**

**11. Next General Committee Meeting to be held at the Hall on  
Wednesday 3<sup>rd</sup> November 2021 at 7.00 pm**

**Meeting Closed at 8.00 pm.**

SA2021/10 Lot 202 Owens Hill Road  
13 Lot Subdivision  
Development Application Documents



Development & Environmental Services  
Email: [mail@southernmidlands.tas.gov.au](mailto:mail@southernmidlands.tas.gov.au)  
Phone: (03) 62545050  
Postal Address: PO Box 21 Oatlands Tas 7120

SOUTHERN  
MIDLANDS  
COUNCIL



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## APPLICATION FOR PLANNING PERMIT – USE AND DEVELOPMENT Subdivision Development

Use this form to apply for planning approval in accordance with section 57 and 58 of the *Land Use Planning and Approvals Act 1993*

Applicant / Owner Details:

Owner / s Name

ELLIOTT BOOTH

Postal Address

21 IDEN ROAD, BAGDAD

Phone No:

0409 976 556

7030

Fax No:

Email address

elliottbooth@bigpond.com

Applicant Name

Rogerson & Birch Surveyors

(if not owner)

Postal Address

1/2 Kennedy Drive Cambridge

Phone No:

6248 5898

7170

Fax No:

Email address:

admin@rbsurveyors.com

Description of proposed use and/or development:

Address of new use  
and development:

21 Iden Road, Bagdad

Certificate of Title  
details

C.T 179101/202

Description of  
proposed use or  
development:

Proposed Subdivision

Current use of land  
and buildings for each  
title:

Vacant Land

E.g. are there any existing  
buildings on these titles?

If yes, what are the main  
buildings used as?

Is the property  
Heritage Listed:

Please tick ✓ answer

Yes

No

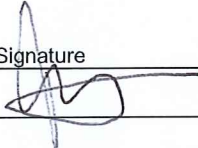
Please attach any additional information that may be required by Part 8.1 Application Requirements of the Planning Scheme.

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Signed Declaration

I/we hereby apply for a planning approval to carry out the use or development described in this application and in the accompanying plans and documents, accordingly I declare that:

1. The information given is a true and accurate representation of the proposed development. I understand that the information and materials provided with this development application may be made available to the public. I understand that the Council may make such copies of the information and materials as, in its opinion, are necessary to facilitate a thorough consideration of the Development Application. I have obtained the relevant permission of the copyright owner for the communication and reproduction of the plans accompanying the development application, for the purposes of assessment of that application. I indemnify the Southern Midlands Council for any claim or action taken against it in respect of breach of copyright in respect of any of the information or material provided.
2. I am the applicant for the planning permit and I have notified the owner/s of the land in writing of the intention to make this application in accordance with Section 52(1) of the *Land Use Planning Approvals Act 1993* (or the land owner has signed this form in the box below in "Land Owner(s) signature);

Applicant Signature	Applicant Name (print)	Date
	CRAIG ROGERSON	24/05/2021

Applicant Signature	Applicant Name (print)	Date

or

Land Owner(s) Signature	Land Owners Name (please print)	Date

Land Owner(s) Signature	Land Owners Name (please print)	Date



UNIT 1, 2 KENNEDY DRIVE  
 CAMBRIDGE 7170  
 PHONE: (03)6248 5898  
 EMAIL: admin@rbsurveyors.com  
 WEB: www.rbsurveyors.com

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This plan has been prepared only for the purpose of obtaining preliminary subdivisional approval from the local authority and is subject to that approval.  
 All measurements and areas are subject to the final survey.  
 Base image by TSMAP (www.tasmap.tas.gov.au), © State of Tasmania  
 Base data from the LIST (www.thelist.tas.gov.au), © State of Tasmania



IDEN ROAD



Building Area/ Setback

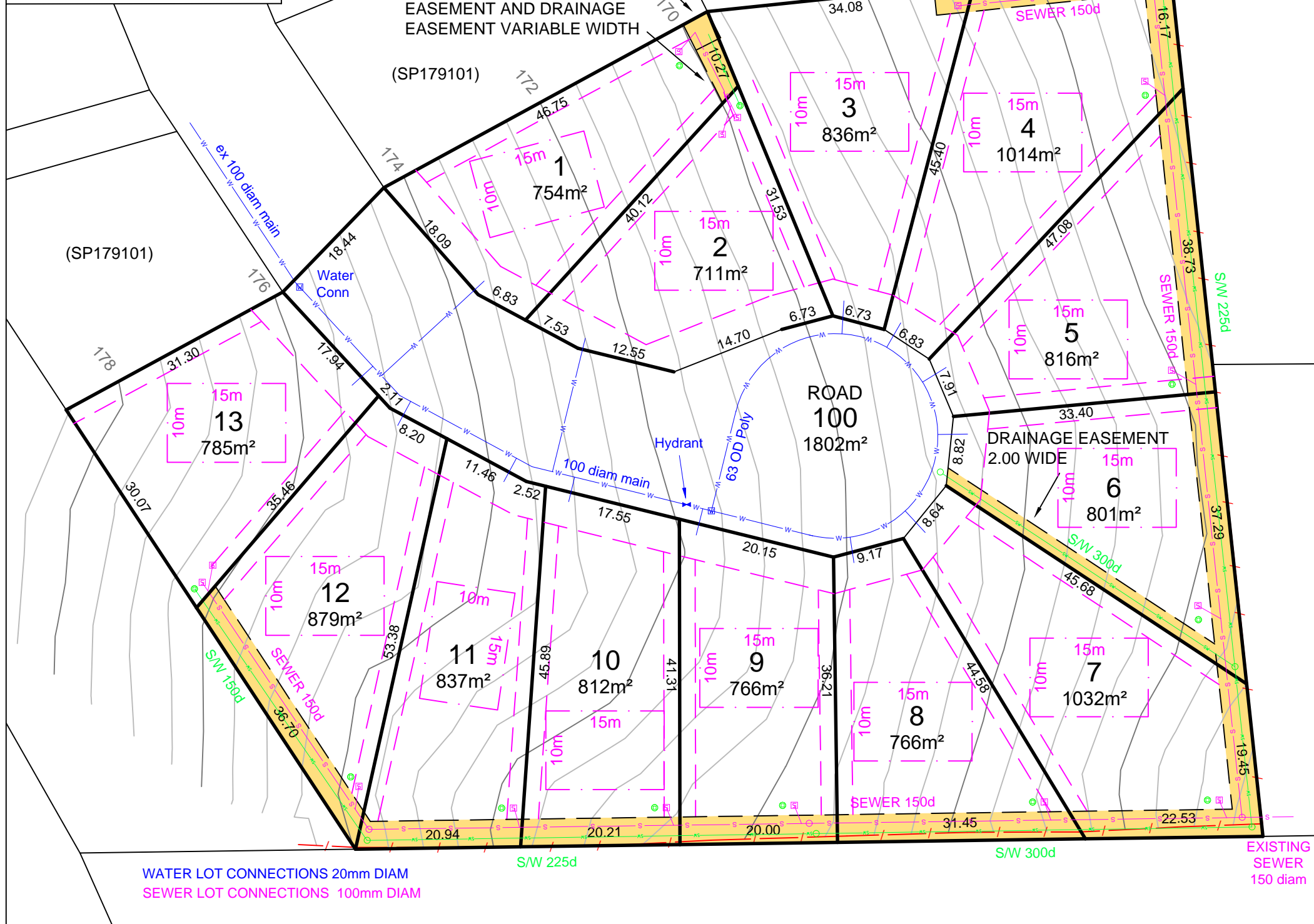
**Development Standards for Subdivision 16.5.1 Village**  
 A1-Complies (600m<sup>2</sup> - 1000m<sup>2</sup>).  
 A2-With the exception of Lot 11  
 a) Complies. Clear of setbacks  
 b) Complies. Clear of codes  
 c) Complies. Clear of easements  
 d) Complies. 1:5 Slope  
 e) Complies. 20 West - 30 E  
 f) Complies all lots except Lot 11  
 But we believe it will satisfy P2.  
 A3- The frontage does not comply.  
 It does satisfy P3.  
 A4-Complies. No internal lots.  
 A5-Complies. No existing buildings.

PIPELINE AND SERVICES EASEMENT AND DRAINAGE EASEMENT 3.50 WIDE  
 (SP179101)

(SP172556)

PIPELINE AND SERVICES EASEMENT AND DRAINAGE EASEMENT 3.50 WIDE

PIPELINE AND SERVICES EASEMENT AND DRAINAGE EASEMENT VARIABLE WIDTH  
 (SP179101)



WATER LOT CONNECTIONS 20mm DIAM  
 SEWER LOT CONNECTIONS 100mm DIAM

E				
D				
C				
B				
A	UPDATE LOT LAYOUT AND SERVICES	SH	30-09-21	SH
REV	AMENDMENTS	DRAWN	DATE	APPR.

OWNER: ELLIOTT ARTHUR BOOTH  
 TITLE REFERENCE: C.T.179101/202  
 LOCATION: 21 IDEN ROAD BAGDAD

Proposed Subdivision

Date: 10-05-2021  
 Reference: BOOTE01 8500-01  
 Scale: 1:600 (A3)  
 Municipality: SOUTHERN MIDLANDS

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SEARCH OF TORRENS TITLE

VOLUME 179101	FOLIO 202
EDITION 1	DATE OF ISSUE 07-Jul-2020

SEARCH DATE : 24-May-2021

SEARCH TIME : 01.06 PM

DESCRIPTION OF LAND

Parish of STRANGFORD Land District of MONMOUTH  
 Lot 202 on Sealed Plan 179101  
 Derivation : Part of 180A-3R-33P Gtd. to Claude Armytage  
 Galletly & Reginald Armytage Galletly  
 Prior CT 172556/1

SCHEDULE 1

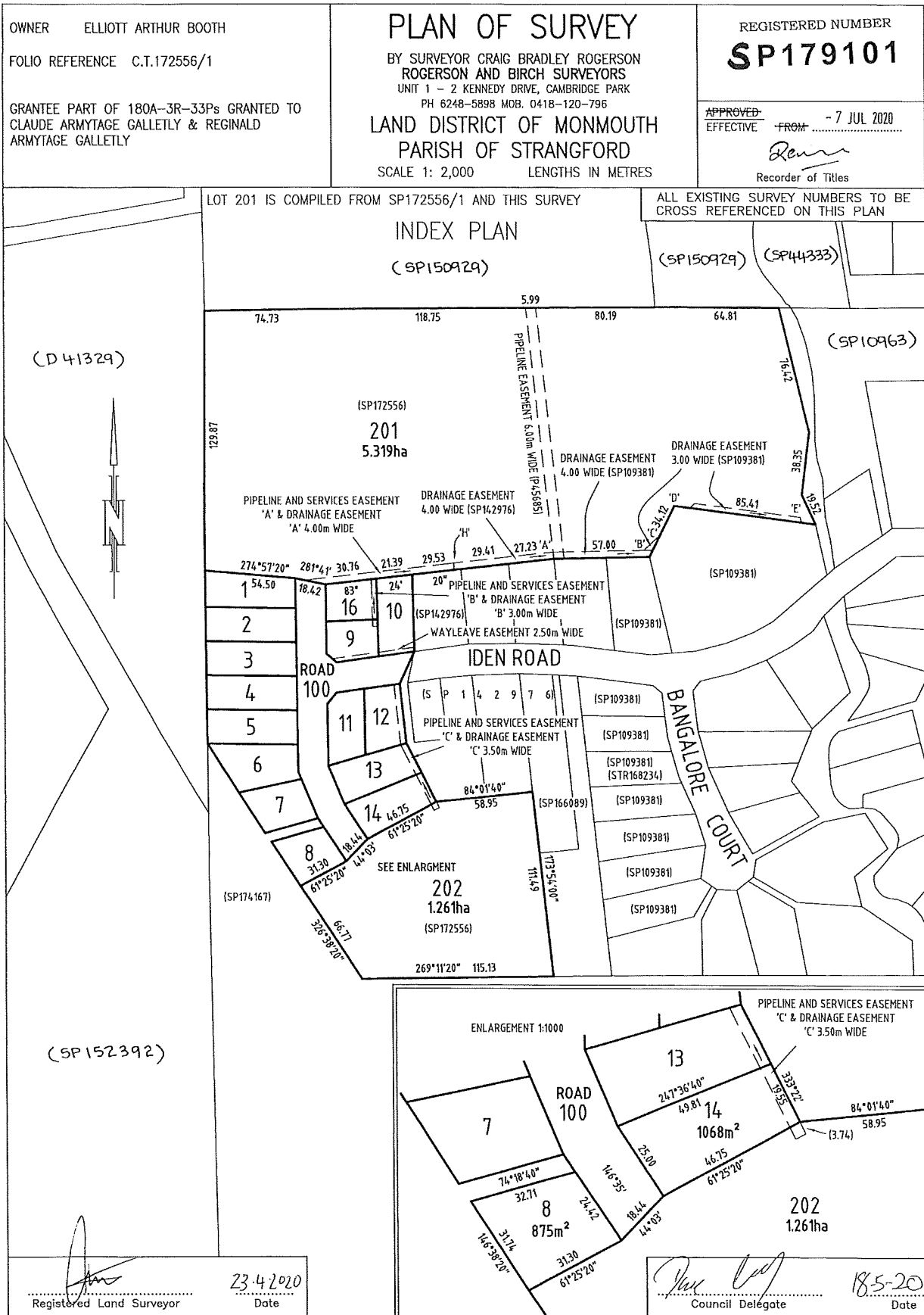
(B621762) D97611 ELLIOTT ARTHUR BOOTH Registered  
 30-Jul-2013 at noon

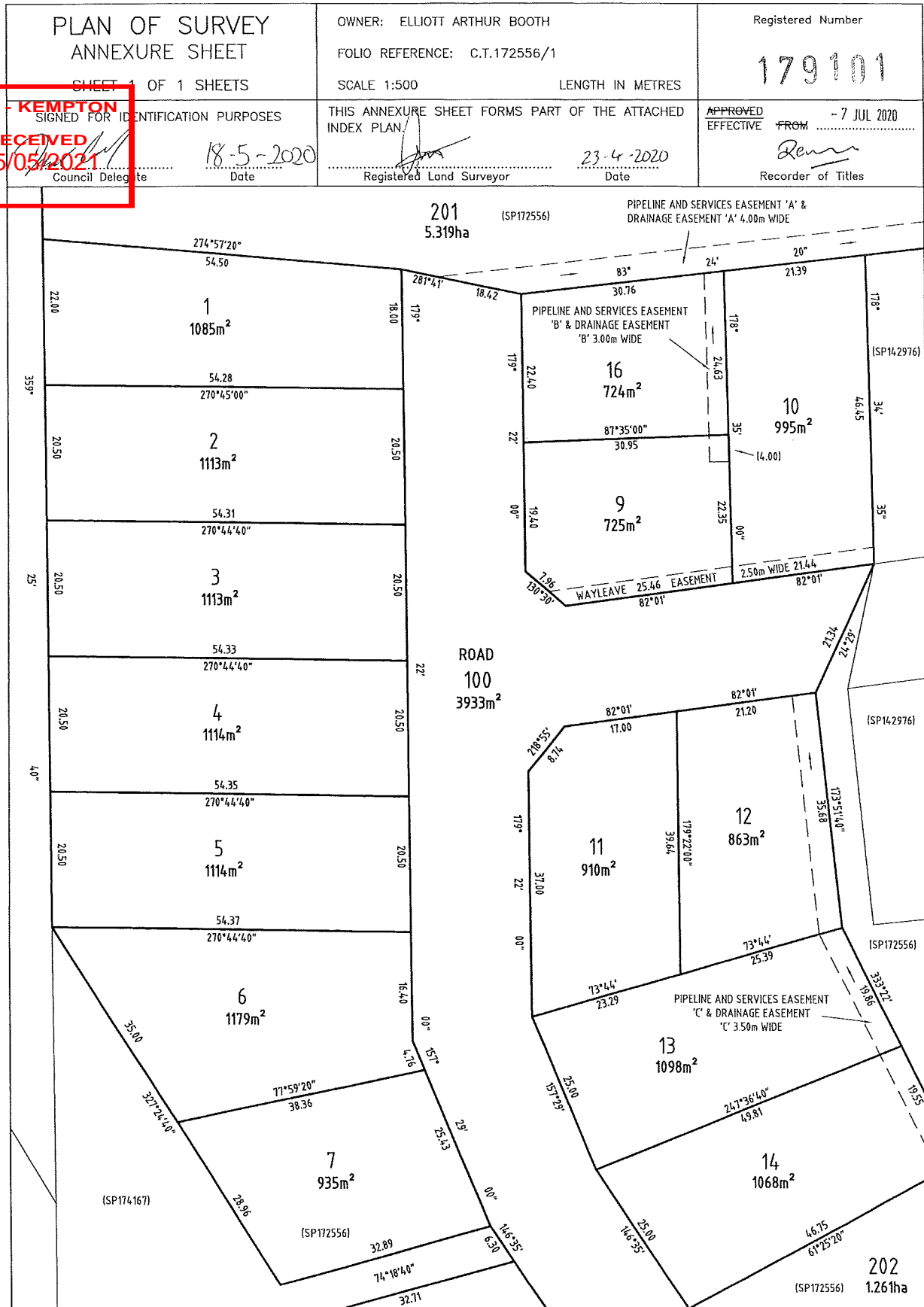
SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
 SP179101 EASEMENTS in Schedule of Easements  
 SP179101 COVENANTS in Schedule of Easements  
 SP179101 FENCING COVENANT in Schedule of Easements  
 SP172556 FENCING COVENANT in Schedule of Easements

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations





**COUNCIL APPROVAL**

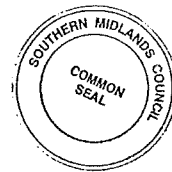
Registered Number

**179101**

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(Insert any qualification to the permit under section 83(5), section 109 or section 111 of the Local Government (Building & Miscellaneous Provisions) Act 1993)  
The subdivision shown in this plan is approved

In witness whereof the common seal of Southern Midlands Council  
has been affixed, pursuant to a resolution of the Council of the said municipality  
passed the 18<sup>th</sup> day of May 2020, in the presence of us  
Member Anthony D. Doolan  
Member [Signature]  
Council Delegate [Signature]



Council Reference SA 1786/102 - GP

**NOMINATIONS**

For the purpose of section 88 of the Local Government (Building & Miscellaneous Provisions) Act 1993  
the owner has nominated

BUTLER, MCINTYRE & BUTLER      Solicitor to act for the owner  
ROGERSON & BIRCH SURVEYORS      Surveyor to act for the owner

OFFICE EXAMINATION:

Indexed ✓

Computed [Signature]  
22/6/2020

Examined [Signature]  
22/6/2020

<p><b>SMC - KEMPTON</b></p> <p><b>RECEIVED</b> 25/05/2021</p>	<p><b>SCHEDULE OF EASEMENTS</b></p>	<p>Registered Number</p> <p style="font-size: 2em; font-family: monospace;">SP 179101</p>
<p><b>NOTE:</b> THE SCHEDULE MUST BE SIGNED BY THE OWNERS &amp; MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.</p>		

PAGE 1 OF 8 PAGES  
8

**EASEMENTS AND PROFITS**

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

**FENCING COVENANT:**

The owner of each lot on the Plan covenants with Elliott Arthur Booth (the Vendor) that the Vendor shall not be required to fence.

**EASEMENTS:**

Lots 12, 13, 14 and 202 on the Plan ("the Lots") are each SUBJECT TO a Pipeline and Services Easement (as defined herein) in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the area marked "PIPELINE AND SERVICES EASEMENT 'C' & DRAINAGE EASEMENT 'C' 3.50m WIDE" on the Plan ("the Easement Land").

Lots 9 and 16 on the Plan ("the Lots") are each SUBJECT TO a Pipeline and Services Easement (as defined herein) in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the area marked "PIPELINE AND SERVICES EASEMENT 'B' & DRAINAGE EASEMENT 'B' 3.00m WIDE" on the Plan ("the Easement Land").

Lot 201 on the Plan ("the Lot") is SUBJECT TO a Pipeline and Services Easement (as defined herein) in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the area marked "PIPELINE AND SERVICES EASEMENT 'A' & DRAINAGE EASEMENT 'A' 4.00m WIDE" on the Plan ("the Easement Land").

T-T0929802-2

(USE ANNEXURE PAGES FOR CONTINUATION)

<p>SUBDIVIDER: Elliott Arthur Booth</p> <p>FOLIO REF: Volume 172556 Folio 1</p> <p>SOLICITOR &amp; REFERENCE: Butler, McIntyre &amp; Butler: BW200245</p>	<p>PLAN SEALED BY: Southern Midlands Council</p> <p>DATE: 18<sup>th</sup> May 2020</p> <p>SA1986/102-68 REF NO.</p> <p><i>[Signature]</i> Council Delegate</p>
<p><b>NOTE:</b> The Council Delegate must sign the Certificate for the purposes of identification.</p>	

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<p><b>SMC - KEMPTON</b></p> <p><b>RECEIVED</b></p> <p><b>25/05/2021</b></p>	<p><b>ANNEXURE TO</b></p> <p><b>SCHEDULE OF EASEMENTS</b></p> <p>PAGE 2 OF 8 PAGES</p> <p style="text-align: center;">8</p>	<p>Registered Number</p> <p><b>SP 179101</b></p>
<p>SUBDIVIDER: Elliott Arthur Booth</p> <p>FOLIO REFERENCE: Folio of the Register Volume 172556 Folio 1</p>		

Lots 9 and 10 on the Plan are each SUBJECT TO a Wayleave Easement (as defined herein) in gross in favour of Tasmanian Networks Pty Ltd and its successors and its and their servants, agents, invitees and contractors ("TasNetworks") over the area marked "WAYLEAVE EASEMENT 2.50m WIDE" on the Plan.

Lot 201 on the Plan is SUBJECT TO a Right of Drainage (appurtenant to Lots 50, 51 & 52 on SP142976) over the Drainage Easement 4.00 Wide marked "H" "A" on the Plan.

Lot 201 on the Plan is SUBJECT TO a Right of Drainage (appurtenant to Lots 53-54 on SP109381) over the Drainage Easement 3.00 and 4.00 Wide marked "A" "B" "C" on the Plan.

Lot 201 on the Plan is SUBJECT TO a Right of Drainage (appurtenant to Lots 53-~~54~~<sup>55</sup> on SP109381) over the Drainage Easement 3.00 Wide marked "D" "E" on the Plan.

Lot 201 on the Plan ("the Lot") is SUBJECT TO a Pipeline and Services Easement (as defined herein) in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the area marked "PIPELINE EASEMENT 6.00m WIDE (P45685)" on the Plan ("the Easement Land").

Lot 201 on the Plan ("the Lot") is SUBJECT TO a Pipeline and Services Easement (as defined herein) in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the area marked "DRAINAGE EASEMENT 4.00m WIDE (SP142976)" on the Plan ("the Easement Land").

Lot 201 on the Plan ("the Lot") is SUBJECT TO a Pipeline and Services Easement (as defined herein) in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the area marked "DRAINAGE EASEMENT 4.00m WIDE (SP109381)" on the Plan ("the Easement Land").

T-T0929802-2

**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

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<p><b>SMC - KEMPTON</b> <b>RECEIVED</b> <b>25/05/2021</b></p>	<p><b>ANNEXURE TO</b> <b>SCHEDULE OF EASEMENTS</b> PAGE 3 OF 8 PAGES 8</p>	<p>Registered Number <b>SP 179101</b></p>
<p>SUBDIVIDER: Elliott Arthur Booth FOLIO REFERENCE: Folio of the Register Volume 172556 Folio 1</p>		

Lot 201 on the Plan ("the Lot") is SUBJECT TO a Pipeline and Services Easement (as defined herein) in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the area marked "DRAINAGE EASEMENT 3.00m WIDE (SP109381)" on the Plan ("the Easement Land").

**EASEMENTS CONTINUED ON PAGE 8**

**RESTRICTIVE COVENANTS:**

The owner of each lot on the Plan covenants with the Vendor and the owner of each and every other lot on the Plan and to the intent that the burden of the covenant will run with and bind the covenantor's lot and every part thereof and that the benefit thereof may be created in favour of each and every other lot on the Plan to observe the following stipulations:

other than in respect of lot 10, not to erect or permit to be erected on the lot or any part thereof more than one (1) dwelling.

The Vendor reserves the right to sell any lot on the Plan free and exempt from any one or more of the covenants set forth in relation to any lot shown on the Plan and/or to waive modify alter or extinguish any one or more of the covenants set forth above as to any lot not transferred. The exercise of this right by the Vendor in relation to any lot shall not release the owner of any other lot from any other covenants imposed upon such lot or give the owner of any lot any right of action against the Vendor or any person or persons.

**DEFINITIONS:**

**"Pipeline and Services Easement"** means:-

THE FULL RIGHT AND LIBERTY for TasWater at all times to:

- (1) enter and remain upon the Easement Land with or without employees, contractors, agents and all other persons duly authorised by it and with or without machinery, vehicles, plant and equipment;
- (2) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorised to do or undertake;
- (3) install, retain, operate, modify, relocate, maintain, inspect, cleanse and repair the Infrastructure;
- (4) remove and replace the Infrastructure;
- (5) run and pass sewage, water and electricity through and along the Infrastructure;

T-T0929802-2

**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

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<p style="color: red; font-weight: bold;">SMC - KEMPTON</p> <p style="color: red; font-weight: bold;">RECEIVED</p> <p style="color: red; font-weight: bold;">25/05/2021</p>	<p><b>ANNEXURE TO</b></p> <p><b>SCHEDULE OF EASEMENTS</b></p> <p>PAGE 4 OF 8 PAGES</p>	<p>Registered Number</p> <p style="font-size: 2em; font-weight: bold;">SP 179 101</p>
<p>SUBDIVIDER: Elliott Arthur Booth</p> <p>FOLIO REFERENCE: Folio of the Register Volume 172556 Folio 1</p>		

- (6) do all works reasonably required in connection with such activities or as may be authorised or required by any law:
  - (1) without doing unnecessary damage to the Easement Land; and
  - (2) leaving the Easement Land in a clean and tidy condition; and
- (7) if the Easement Land is not directly accessible from a highway, then for the purpose of undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and all other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lots from the highway at any then existing vehicle entry and cross the Lots to the Easement Land; and
- (8) use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lots.

PROVIDED ALWAYS THAT:

- (1) The registered proprietors of the Lots in the folio of the Register ("the Owner") must not without the written consent of TasWater first had and obtained and only in compliance with any conditions which form the consent:
  - (a) alter, excavate, plough, drill or otherwise penetrate the ground level of the Easement Land;
  - (b) install, erect or plant any building, structure, fence, pit, well, footing, pipeline, paving, tree, shrub or other object on or in the Easement Land;
  - (c) remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land;
  - (d) do any thing which will or might damage or contribute to damage to any of the Infrastructure on or in the Easement Land;
  - (e) in any way prevent or interfere with the proper exercise and benefit of the Easement Land by TasWater or its employees, contractors, agents and all other persons duly authorised by it; or
  - (f) permit or allow any action which the Owner must not do or acquiesce in that action.
- (2) TasWater is not required to fence any part of the Easement Land.

T-T0929802-2

**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

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<p><b>SMC - KEMPTON</b></p> <p><b>RECEIVED</b> <b>25/05/2021</b></p>	<p><b>ANNEXURE TO</b> <b>SCHEDULE OF EASEMENTS</b></p> <p>PAGE 5 OF 8 PAGES 8</p>	<p>Registered Number</p> <p><b>SP 179101</b></p>
<p>SUBDIVIDER: Elliott Arthur Booth FOLIO REFERENCE: Folio of the Register Volume 172556 Folio 1</p>		

- (3) The Owner may erect a fence across the Easement Land at the boundaries of the Lots.
- (4) The Owner may erect a gate across any part of the Easement Land subject to these conditions:
  - (a) the Owner must provide TasWater with a key to any lock which would prevent the opening of the gate; and
  - (b) if the Owner does not provide TasWater with that key or the key provided does not fit the lock, TasWater may cut the lock from the gate.
- (5) If the Owner causes damage to any of the Infrastructure, the Owner is liable for the actual cost to TasWater of the repair of the Infrastructure damaged.
- (6) If the Owner fails to comply with any of the preceding conditions, without forfeiting any right of action, damages or otherwise against the Owner, TasWater may:
  - (a) reinstate the ground level of the Easement Land; or
  - (b) remove from the Easement Land any building, structure, pit, well, footing, pipeline, paving, tree, shrub or other object; or
  - (c) replace any thing that supported, protected or covered the Infrastructure.

"Infrastructure" means infrastructure owned or for which TasWater is responsible and includes but is not limited to:

- (a) sewer pipes and water pipes and associated valves;
- (b) telemetry and monitoring devices;
- (c) inspection and access pits;
- (d) power poles and lines, electrical wires, electrical cables and other conducting media (excluding telemetry and monitoring devices);
- (e) markers or signs indicating the location of the Easement Land, the Infrastructure or any warnings or restrictions with respect to the Easement Land or the Infrastructure;
- (f) any thing reasonably required to support, protect or cover any of the Infrastructure;
- (g) any other infrastructure whether of a similar nature or not to the preceding which is reasonably required for the piping of sewage or water, or the running of electricity, through the Easement Land or monitoring or managing that activity; and
- (h) where the context permits, any part of the Infrastructure.

T-T0929802-2

**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

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<p><b>SMC - KEMPTON</b></p> <p><b>RECEIVED</b></p> <p><b>25/05/2021</b></p>	<p><b>ANNEXURE TO</b></p> <p><b>SCHEDULE OF EASEMENTS</b></p> <p>PAGE 6 OF 7 PAGES</p> <p>8</p>	<p>Registered Number</p> <p><b>SP 179191</b></p>
<p>SUBDIVIDER: Elliott Arthur Booth</p> <p>FOLIO REFERENCE: Folio of the Register Volume 172556 Folio 1</p>		

“Wayleave Easement” means:

FIRSTLY the full and free right and liberty for TasNetworks at all times:

- (a) TO clear the lands marked “WAYLEAVE EASEMENT 2.50m WIDE” on the Wayleave Easement Identification Plan annexed (described as “the servient land”) and to lay, erect, construct, inspect, install, maintain, repair, modify, add to, replace, remove and operate in, upon, through, over, along and under the servient land the following:
  - (i) Towers, poles, wires, cables, apparatus, appliances, and all other ancillary and associated equipment which includes telecommunication equipment (described collectively as “electricity infrastructure”)

for, or principally for, the transmission and distribution of electrical energy and for any incidental purposes.
- (b) TO operate and maintain electricity infrastructure on the servient land.
- (c) TO cut away remove and keep clear of the electricity infrastructure all trees and other obstructions or erections of any nature whatsoever which may at any time:
  - (i) overhang, encroach upon or be in or on the servient land; or
  - (ii) which may in the opinion of TasNetworks endanger or interfere with the proper operation of the electricity infrastructure.
- (d) TO enter the servient land for all or any of the above purposes and to cross the remainder of the land with any and all necessary plant, equipment, machinery and vehicles for the purpose of access and egress to and from the servient land, and where reasonably practicable, in consultation with the registered proprietor/s (except when urgent or emergency repair work is needed).

SECONDLY the benefit of a covenant for TasNetworks and with the registered proprietor/s for themselves and their successors not to:

- (i) erect any buildings; or
  - (ii) place any structures, objects or vegetation;
- within the servient land without the prior written consent of TasNetworks. TasNetworks may rescind their consent if in the opinion of TasNetworks there are safety, access or operational concerns.

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<p>SUBDIVIDER: Elliott Arthur Booth</p> <p>FOLIO REFERENCE: Folio of the Register Volume 172556 Folio 1</p>		

SIGNED by ELLIOTT ARTHUR BOOTH in )  
The presence of: )

*E. Booth*  
.....  
ELLIOTT ARTHUR BOOTH

Witness: *S. Oakley*.....

Name: *Sandra Oakley*.....

Address: *19 Iden Road, Baghdad, TAS, 7030*.....

Occupation: *Triage Clerk*.....

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	<p>SUBDIVIDER: Elliott Arthur Booth FOLIO REFERENCE: Folio of the Register Volume 172556 Folio 1</p>	

**EASEMENTS (continued):**

Lots 12, 13, 14 and 202 on the Plan are each SUBJECT TO a right of drainage in gross in favour of Southern Midlands Council over the area marked "PIPELINE AND SERVICES EASEMENT 'C' & DRAINAGE EASEMENT 'C' 3.50m WIDE" on the Plan.

Lots 9 and 16 on the Plan are each SUBJECT TO a right of drainage in gross in favour of Southern Midlands Council over the area marked "PIPELINE AND SERVICES EASEMENT 'B' & DRAINAGE EASEMENT 'B' 3.00m WIDE" on the Plan.

Lot 201 on the Plan is SUBJECT TO a right of drainage in gross in favour of Southern Midlands Council over the area marked "PIPELINE AND SERVICES EASEMENT 'A' & DRAINAGE EASEMENT 'A' 4.00m WIDE" on the Plan.

<sup>201</sup>  
Lot ~~102~~ on the Plan is SUBJECT TO a pipeline easement in favour of Her Majesty the Queen over the area marked "PIPELINE EASEMENT 6.00m WIDE (P45685)" on the Plan and as created by and more fully set forth in Notification No. B386291.

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# Lot 202 Owens Hill Road, Bagdad Bushfire Hazard Report

For planning approval

12 October 2021





**ERA Planning Pty Ltd trading as ERA Planning and Environment**

ABN 67 141 991 004

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**Job Number:** 2021-131**Document Status**

Document Version	Date	Author	Reviewer
Draft for review	13 August 2021	Frances Beasley	Clare Hester
Draft for TFS review	1 September 2021	Frances Beasley	Clare Hester
Final for issue	12 October 2021	Frances Beasley	Clare Hester

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# 1 Introduction

## 1.1 Purpose of the report

ERA Planning & Environment have been engaged by Elliott Booth, the property owner of Lot 202 Owens Hill Road, to prepare a Bushfire Assessment Report and Bushfire Hazard Management Plan (BHMP) for a proposed subdivision. The proposal seeks to subdivide the existing lot into 13 residential lots and a road lot.

This report assesses the proposed subdivision against the requirements of the Bushfire Prone Areas Code in the *Southern Midlands Interim Planning Scheme 2015* (the Scheme).

Enquiries relating to this planning report should be directed to:

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## 1.2 The proposal

The proposal seeks to subdivide the land at Lot 202 Owens Hill Road (CT 179101/202) into 13 residential lots ranging in size from 717 m<sup>2</sup> to 1063 m<sup>2</sup> plus a road lot (see Figure 1). The subdivision is proposed to be accessed via an extension to Owens Hill Road to the north of the site. The new, 18.4 m wide road reserve will culminate in a cul-de-sac head at the eastern end of the subdivision.

Each lot will have direct street frontage and will be connected to reticulated stormwater, water, and sewer infrastructure. The proposed subdivision will be developed in a single stage. Plans for the proposal are attached at **Appendix A**.

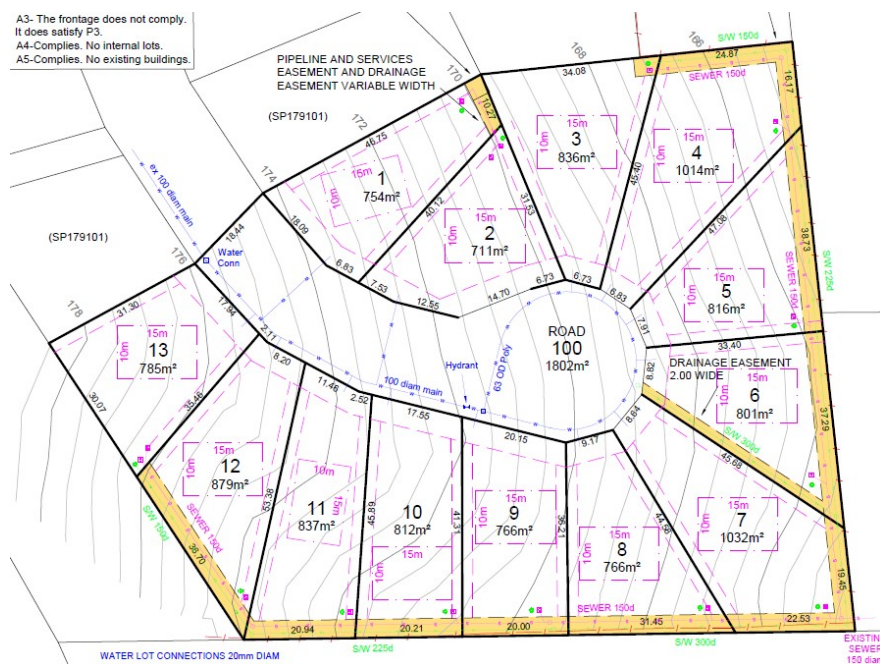


Figure 1: Plan of Subdivision

## 2 Site description

### 2.1 Title details

The site for the purposes of this report is contained within Certificate of Title 179101/202 and has no easements or covenants of relevance to this bushfire assessment. The Title documents are attached as **Appendix B**.

### 2.2 Site and surrounds

The subject land is located at lot 202 Owens Hill Road, Bagdad (see Figure 2) and has a total site area of approximately 1.2 ha. The land is currently used as grazing pasture for horses and does not contain any significant standing vegetation or built structures other than fencing. The land is positioned at the southern termination of a newly subdivided area off Iden Road.

The site is in a small pocket of Bagdad that has been subdivided and subsequently developed for residential purposes. The surrounding area beyond this is predominantly agricultural land and native bushland. Land immediately to the south of the site at 18 Owens Hill Road contains an existing dwelling and a large area that is irrigated under a recycled water scheme from the TasWater sewage treatment facility on CT 12855/1.

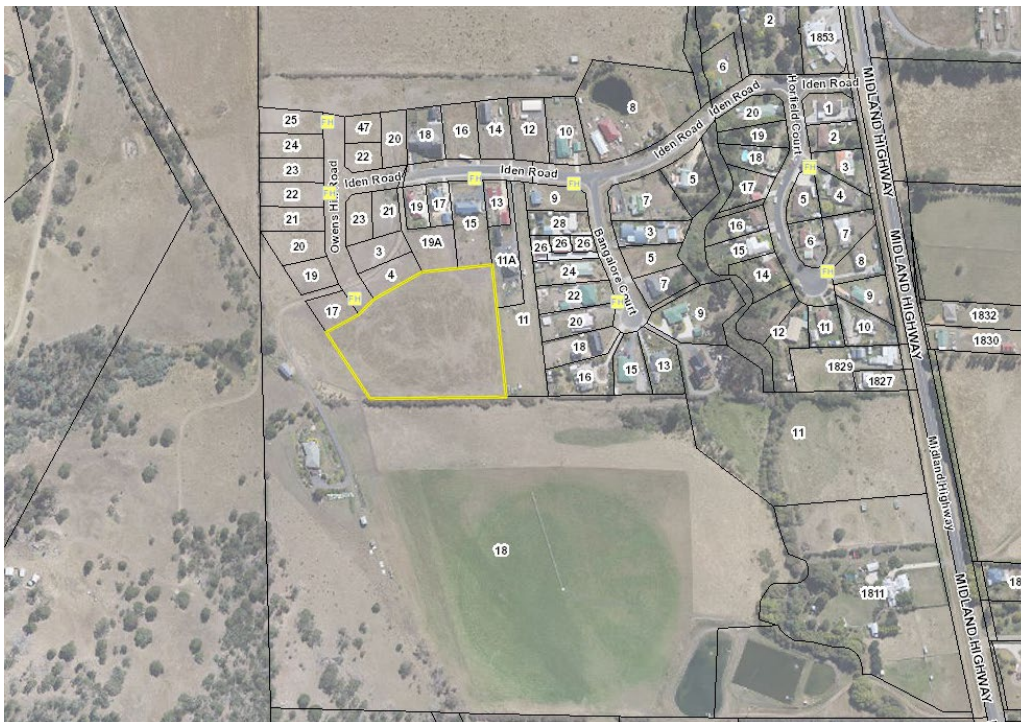


Figure 2: Subject site outlined in yellow (Source: LISTmap)

### 2.3 Planning context

The relevant planning instrument for use and development of the site is the *Southern Midlands Interim Planning Scheme 2015*. The site and adjoining land to the north are zoned Village with land to the south zoned Rural Resource and land to the west zoned Environmental Living (see Figure 3). The site is also within the Bushfire-Prone Areas overlay under the Scheme.

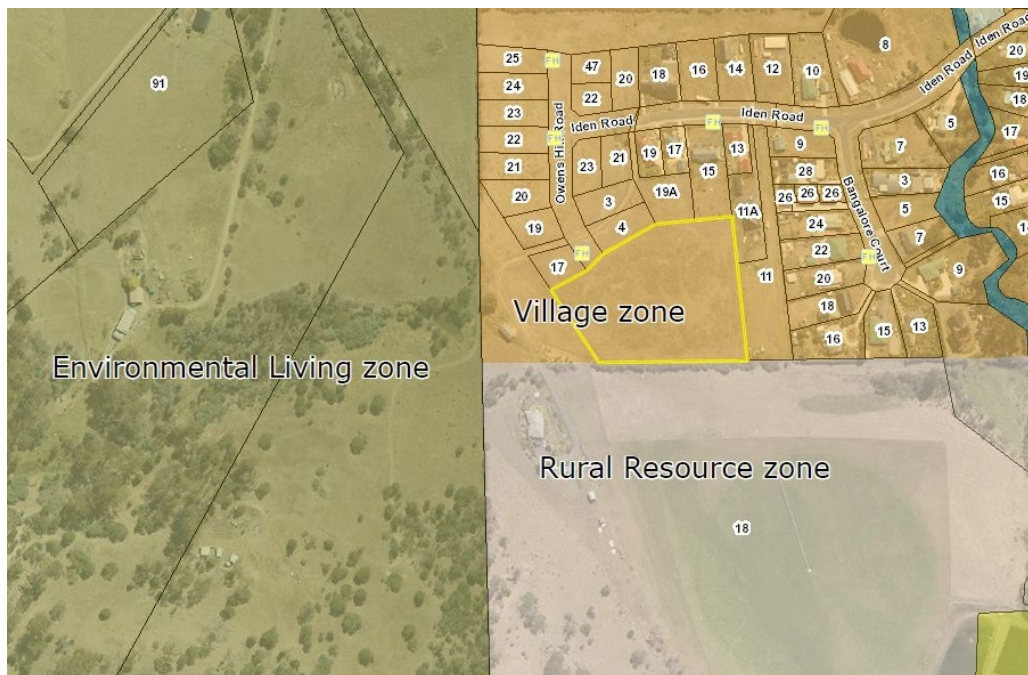


Figure 3: Zoning. Site outlined in yellow (Source: LISTmap)

## 2.4 Natural values

The TASVEG 4.0 database maps the site and all land within 100 m from the site as agricultural land.

## 2.5 Fire history of area

The site is recorded as being within 3.3 km of a planned burn in October 2017. The site is not mapped as being directly impacted by bushfire (see Figure 4).

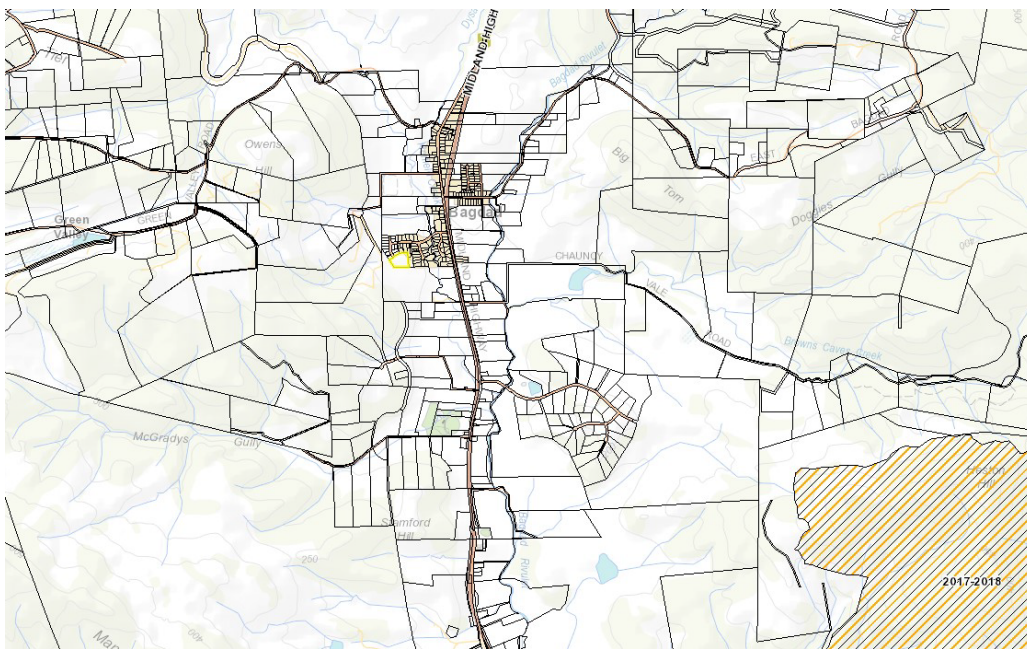


Figure 4: Fire history of area. Site outlined in yellow (Source: LISTmap)

## 3 Bushfire Hazard Assessment

The subject site is located within the Bushfire-prone Areas overlay for the Southern Midlands municipality and is within 100 m of an area of bushfire-prone vegetation equal to or greater than 1 ha. Therefore, the site is within a 'bushfire prone area' as defined under Clause E1.3 of the Bushfire-Prone Areas Code.

The key factors affecting bushfire behaviour are fuel, weather conditions and topography. This section of the report considers these factors in the context of *AS 3959-2018 construction of buildings in bushfire-prone areas*, which is required to determine compliance with planning and building requirements for bushfire protection.

### 3.1 Vegetation and effective slope

AS 3959-2018 provides categories for classifying vegetation based on structural characteristics.

The Bushfire Attack Level (BAL) determines the likely exposure to uncontrolled bushfire hazard. The method for determining BAL ratings is outlined in AS 3959-2018. This assessment has relied on Method 1, which considers vegetation type, distance from hazardous vegetation and effective slope.

'Effective Slope' refers to the slope of land underneath bushfire-prone vegetation relative to the subject site. Effective Slope affects a fire's rate of spread and flame length and is accordingly a critical aspect affecting bushfire behavior. AS 3959-2018 refers to five categories of Effective Slope and these have been used for the purposes of this analysis.

A site visit was undertaken on 23 July 2021 to classify the vegetation within 100 m of the building area on each lot. Figure 5 shows land within 100 m of the building areas that contains vegetation classified as bushfire prone.



Figure 5: Site analysis

### 3.1.1 Vegetation assessment in accordance with Table 2.3 of AS 3959-2018

The applicable Fire Danger Index (FDI) for Tasmania is 50 in accordance with AS 3959-2018 Clause 2.2.2. The vegetation within 100 m of the site has been assessed below.

#### Grassland vegetation

As identified in Figure 5 and shown in Figure 6 to Figure 8, the site and surrounding land contain areas of unmanaged grasses predominantly used for animal grazing. The vegetation is unmanaged and has an average height of more than 100 mm and is therefore classified as Group G – Grassland under AS 3959-2018. The effective slope of grassland vegetation relative to the proposed subdivision is upslope to the west and downslope >0 to 5 degrees to the south. Land within 100 m of the site to the north and east is managed and does not contain bushfire-prone vegetation.



*Figure 6: Grassland vegetation and existing dwelling on 18 Owens Hill Road with forest vegetation (more than 100 m from the site) seen in background. (Source: F. Beasley, 23 July 2021)*



*Figure 7: Grassland vegetation on subject site looking east. (Source: F. Beasley, 23 July 2021)*



*Figure 8: Grassland vegetation on subject site looking northwest 17 Owens Hill Road and 97 Blackport Road (Source: F. Beasley, 23 July 2021)*

#### Woodland vegetation

There is an area of vegetation approximately 60 m west of the site which contains 5 m – 15 m tall eucalypt trees following the alignment of the access handle for 97 Blackport Road as illustrated in Figure 5. This area of vegetation was surrounded on either side by grassland vegetation and had a canopy cover of approximately 10 – 30%. This area of vegetation is classified as Group B – Woodland and is upslope of the proposed subdivision.

#### Exclusions – Low threat vegetation and non-vegetated areas

As illustrated in Figure 5 and shown in Figure 9 and Figure 10, there are areas within 100 m of the site that are excluded from the BAL assessment pursuant to clause 2.2.3.2 of AS 3959-2018. This includes land developed for residential which is excluded pursuant to clause 2.2.3.2(e) and managed gardens which are excluded pursuant to clause 2.2.3.2(f).



*Figure 9: Newly developed area on Owens Hill and Iden Road to the north of site. (Source: F. Beasley, 23 July 2021)*





*Figure 10: Newly developed area on Owens Hill Road looking southwest. (Source: F. Beasley, 23 July 2021)*

## 4 Bushfire Protection Measures

A range of bushfire protection measures are recommended to improve resilience of the proposed development during a bushfire event and to achieve a tolerable level of residual risk to occupants. The protection measures are outlined in this section and have been consolidated in a Bushfire Hazard Management Plan under **Appendix C**.

### 4.1 Hazard Management Areas

The Hazard Management Area (HMA) refers to land that is managed in a minimum fuel condition to reduce the potential exposure of habitable buildings and occupants to radiant heat and flames and to provide defensible space. The effectiveness of the hazard management areas is reliant on ongoing maintenance by landowners.

Based on the existing separation distances from classified vegetation, all proposed lots would be BAL-FZ, predominantly due to the extent of Grassland vegetation on the subject site, to the south and to the west. It is noted that once the subdivision has been fully developed, any vegetation retained on site will be managed in accordance with the BHMP and will therefore be classified as low threat vegetation.

The site is located approximately 60 m from an area of vegetation classified as Group B – Woodland. However, the predominant vegetation type is Group G – Grassland and therefore the required separation distances shown on the BHMP are based on this vegetation type as the intensity of fire once it gets to the site would be a grassland fire rather than woodland.

The required HMA's and minimum separation distances between bushfire-prone vegetation and the proposed building areas are identified on the BHMP. The entirety of all lots is to be maintained as an HMA. The HMA's must be implemented concurrently across all lots within the subdivision, and prior to titles being sealed. The HMA's must be maintained by the relevant owners in perpetuity.

Following the implementation of the required HMA's the following bushfire attack level (BAL) rating can be achieved for the building area on each respective lot:

- Lots 1 – 5: BAL-LOW
- Lot 6: BAL-12.5
- Lots 7 – 13: BAL-19 or BAL-12.5 (if located wholly within the area marked as BAL-12.5 on the BHMP).

The requirements relating to the maintenance of HMA's are listed under Table 1 below and the minimum extents of the HMA for each lot are demonstrated on the BHMP.

**Table 1 – Hazard Management Area Prescriptions**

Hazard Management Area Prescriptions	
<b><i>Within 10m of habitable buildings</i></b>	<ul style="list-style-type: none"> <li>• No storage of flammable materials (e.g. firewood);</li> <li>• Avoid locating flammable garden materials near vulnerable building elements such as glazed windows/doors, decks and eaves (e.g. non-fire-retardant plants and combustible mulches);</li> <li>• Non-flammable features such as paths, driveways and paved areas are encouraged around habitable buildings.</li> </ul>

Hazard Management Area Prescriptions	
<b>Trees within HMA</b>	<ul style="list-style-type: none"> <li>• Maintain canopy separation of approximately 2.0m;</li> <li>• Ensure no branches overhang habitable buildings;</li> <li>• Remove tree branches within 2.0m of ground level below;</li> <li>• Locate any new tree plantings 1.5 x their mature height from house;</li> <li>• Avoid planting trees with loose, stringy or ribbon bark.</li> </ul>
<b>Understory vegetation within HMA</b>	<ul style="list-style-type: none"> <li>• Maintain grass cover at &lt;100mm;</li> <li>• Maintain shrubs to &lt;2.0m height;</li> <li>• Shrubs to be maintained in clumps so as to not form contiguous vegetation (i.e. clumps up to 10sqm in area, separated from each other by at least 10m);</li> <li>• Avoid locating shrubs directly underneath trees;</li> <li>• Periodically remove dead leaves, bark and branches from underneath trees and around habitable buildings.</li> </ul>

#### 4.2 Construction standards

A future habitable building located within the specified building area, setback the minimum distance shown on the BHMP and provided with the requisite hazard management area is to be designed and constructed to a minimum of BAL-19 (lots 7 – 13), BAL-12.5 (lot 6) standard under AS 3959-2018. Once the subdivision is fully developed, lots 1 – 5 will be more than 50 m from Grassland vegetation and therefore will be BAL-LOW.

The entirety of all lots is to be maintained as a hazard management area as specified on the BHMP. BAL-19, BAL-12.5 and BAL-LOW building areas are identified in Figure 11 below.

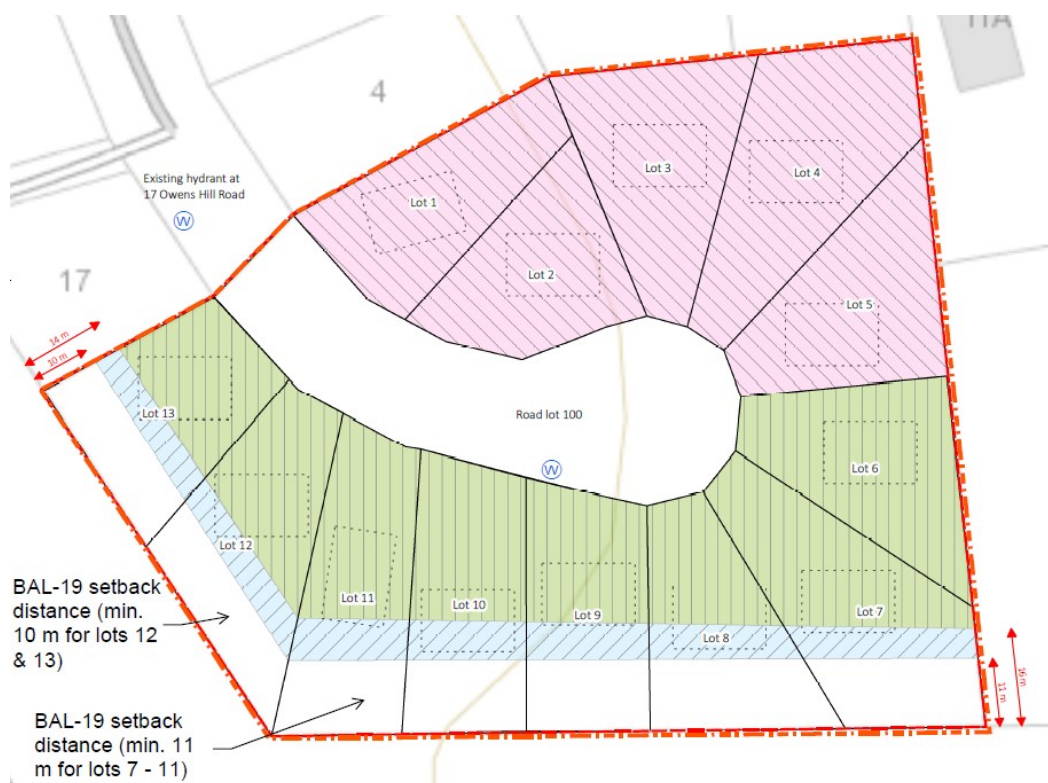


Figure 11: Hazard Management Areas with BAL-19, BAL-12.5 and BAL-LOW building area shown hatched in blue, green, and pink respectively. (Source: ERA Planning and Environment)

### 4.3 Access

The subdivision includes construction of a new road with connection to Owens Hill Road to the north of the site. The new road must be constructed prior to the sealing of titles and in accordance with the specifications set out in Table 2 below.

Private accesses to each lot will be less than 30 m in length and there will be no onsite water supply, therefore firefighting appliances will not be required to access the site and will defend the properties from the newly constructed road reserve.

The proposal is consistent with the requirements of Clause E1.6.2 A1 of the Bushfire-Prone Areas Code.

**Table 2 – Road Specifications**

Table E1 Standards for roads	
<b>A. Roads</b>	<p>Unless the development standards in the zone require a higher standard, the following apply:</p> <ul style="list-style-type: none"> <li>a) Two-wheel drive, all-weather construction;</li> <li>b) load capacity of at least 20 t, including for bridges and culverts;</li> <li>c) minimum carriageway width is 7 m for a through-road, or 5.5 m for a dead-end or cul-de-sac road;</li> <li>d) minimum vertical clearance of 4 m;</li> <li>e) minimum horizontal clearance of 2 m from the edge of the carriageway;</li> <li>f) cross falls of less than 3 degrees (1:20 or 5%);</li> <li>g) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads;</li> <li>h) curves have a minimum inner radius of 10m;</li> <li>i) dead-end of cul-de-sac roads are not more than 200 m in length unless the carriageway is 7m in width;</li> <li>j) dead-end of cul-de-sac roads have a turning circle with a minimum outer radius of 12 m; and</li> <li>k) carriageway less than 7 m wide have 'No Parking' zones on one side, indicated by a road sign that complies with <i>Australian Standard AS1743-2001 Road signs – Specifications</i>.</li> </ul>

### 4.4 Water

The site is in an area with a reticulated water service and a fire hydrant is proposed to be installed as part of the subdivision within the newly constructed road reserve, as demonstrated on the BHMP. All parts of the building area on each lot are within 120 m of the future fire hydrant measured as a hose lay.

The fire hydrant must be installed prior to the sealing of titles and in accordance with the specifications set out in Table 3 below. The proposal is consistent with the requirements of Clause E1.6.3 A1(b) of the Bushfire-Prone Areas code.

Table 3 – Water Supply Specifications

Table E4 Reticulated Water Supply for Fire fighting	
<b>A. Distance between building area to be protected and water supply</b>	<p>The following requirements apply:</p> <ul style="list-style-type: none"> <li>a) The building area to be protected must be located within 120 metres of a fire hydrant; and</li> <li>b) The distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.</li> </ul>
<b>B. Design criteria for fire hydrants</b>	<p>The following requirements apply:</p> <ul style="list-style-type: none"> <li>a) fire hydrant system must be designed and constructed in accordance with <i>TasWater Supplement to Water Supply Code of Australia WSA 03 – 2011-3.1 MRWA 2<sup>nd</sup> Edition</i>; and</li> <li>b) fire hydrants are not installed in parking areas.</li> </ul>
<b>C. Hardstand</b>	<p>A hardstand area for fire appliances must be:</p> <ul style="list-style-type: none"> <li>a) No more than 3 m from the hydrant, measured as a hose lay;</li> <li>b) No closer than 6 m from the building area to be protected;</li> <li>c) A minimum width of 3 m constructed to the same standard as the carriageway; and</li> <li>d) Connected to the property access by a carriageway equivalent to the standard of the property access.</li> </ul>

## 5 Bushfire-Prone Areas Code

### 5.1 Purpose of the Code

The purpose of the Bushfire-Prone Areas Code (the code) is identified under clause E1.1.1 as follows:

*The purpose of this Code is to ensure that use and development is appropriately designed, located, serviced and constructed to reduce the risk to human life and property and the cost to the community, caused by bushfire.*

In accordance with clause E1.2.1 the code applies to the subdivision of land:

*(a) Development, on land that is located within, or partially within, a bushfire-prone area, consisting of the subdivision of land...*

### 5.2 Development standards

#### E1.6.1 Subdivision: Provision of hazard management areas

##### **A1**

*(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or*

*(b) The proposed plan of subdivision:*

*(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;*

*(ii) shows the building area for each lot;*

*(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959:2009 Construction of buildings in bushfire-prone areas; and*

*(iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959:2009 Construction of buildings in bushfire-prone areas; and*

*(c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.*

#### Proposal assessment

The BHMP shows hazard management areas equal, or greater than, the separation distances required for BAL-19 in Table 2.6 of AS 3959-2009 *Construction of buildings in bushfire-prone area*.

The bushfire hazard management plan is certified by an accredited person and there are no hazard management areas required external to the site.

The proposal complies with A1 (b).

<p><b>E1.6.2 Subdivision: Public and fire fighting access</b></p> <p><b>A1</b></p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas is included in a bushfire hazard management plan that:</p> <p>(i) demonstrates proposed roads will comply with Table E1, proposed private accesses will comply with Table E2 and proposed fire trails will comply with Table E3; and</p> <p>(ii) is certified by the TFS or an accredited person.</p>	<p><b>Proposal assessment</b></p> <p>The subdivision includes a new road, and each proposed lot will have direct street frontage. The BHMP demonstrates compliance with the requirements of Table E1.</p> <p>Firefighting appliances will be able to defend the building area of each new lot from the proposed road reserve (lot 100), with fire hydrants to be provided at intervals along the road reserve.</p> <p>A1(b) is satisfied.</p>
<p><b>E1.6.3 Subdivision: provision of water supply for firefighting purposes</b></p> <p><b>A1</b></p> <p>In areas serviced with reticulated water by the water corporation:</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes;</p> <p>(b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E4; or</p> <p>(c) A bushfire hazard management plan approved by the TFS or accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>	<p><b>Proposal assessment</b></p> <p>The site is serviced with reticulated water. The BHMP shows each building area to be protected located within 120 m of a fire hydrant; with the distance measured as a hose lay, between the firefighting water point and the furthest part of the building area.</p> <p>The proposal complies with A1 (b).</p>
<p><b>A2</b></p> <p>In areas that are not serviced by reticulated water by the water corporation:</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes;</p> <p>(b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table E5; or</p>	<p><b>Proposal assessment</b></p> <p>Not applicable.</p>

<p>(c) <i>A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</i></p>	
---	--



## 6 Building compliance

Future building work on the subject lots that is in accordance with the BHMP (**Appendix C**) can be relied upon for the purposes of building approval pursuant with Clause r.11H of the *Building Regulations 2014*. Clause 11F(2)(a) allows for a BHMP prepared for a subdivision of which the relevant lot is a part, be used in support of the building permit application, if no more than six years old.

## 7 Conclusion

The proposed subdivision is in a bushfire-prone area with grassland vegetation south and west of the site presenting the greatest risk. The subdivision is to occur in a single stage.

The BHMP provides a building area on all lots that can comply with a minimum of BAL-19 construction standard under AS 3959-2018.

The Bushfire Attack Level construction standard is dependent on the establishment and maintenance of hazard management areas as prescribed on the BHMP. The BHMP prepared for the subdivision outlines the required protection measures including hazard management areas, building siting and construction, access, and water supply standards. The BHMP is certified by an accredited Bushfire Hazard Practitioner and counter-signed by the Tasmanian Fire Service.

The following conditions are recommended to be placed on the planning permit:

- The bushfire hazard management plan (BHMP) dated 12 October 2021 is to form part of the planning permit with maintenance of bushfire hazard management areas on all lots being the responsibility of current and future owners.
- The BHMP, including construction of the road and installation of fire hydrants must be implemented concurrently across all lots within the subdivision and prior to titles being sealed. The hazard management areas must be maintained by the relevant owner in perpetuity.

# Appendix A Proposal plans



UNIT 1, 2 KENNEDY DRIVE  
CAMBRIDGE 7170  
PHONE: (03)6248 5898  
EMAIL: admin@rbsurveyors.com  
WEB: www.rbsurveyors.com

SMC - KEMPTON

RECEIVED

This plan has been prepared only for the purpose of obtaining preliminary subdivisional approval from the local authority and is subject to that approval.

All measurements and areas are subject to the final survey.

Base image by TASMAR (www.tasmap.tas.gov.au), © State of Tasmania  
Base data from the LIST (www.thelist.tas.gov.au), © State of Tasmania



IDEN ROAD



Building Area/ Setback

**Development Standards for Subdivision**

- 16.5.1 Village
- A1-Complies (600m<sup>2</sup> - 1000m<sup>2</sup>).
- A2-With the exception of Lot 11
  - a) Complies. Clear of setbacks
  - b) Complies. Clear of codes
  - c) Complies. Clear of easements
  - d) Complies. 1:5 Slope
  - e) Complies. 20 West - 30 E
  - f) Complies all lots except Lot 11
- But we believe it will satisfy P2.
- A3- The frontage does not comply. It does satisfy P3.
- A4-Complies. No internal lots.
- A5-Complies. No existing buildings.

PIPELINE AND SERVICES EASEMENT AND DRAINAGE EASEMENT 3.50 WIDE

(SP179101)

(SP172556)

PIPELINE AND SERVICES EASEMENT AND DRAINAGE EASEMENT 3.50 WIDE

PIPELINE AND SERVICES EASEMENT AND DRAINAGE EASEMENT VARIABLE WIDTH

(SP179101)

(SP179101)

ROAD 100  
1802m<sup>2</sup>

DRAINAGE EASEMENT 2.00 WIDE

(SP179101)

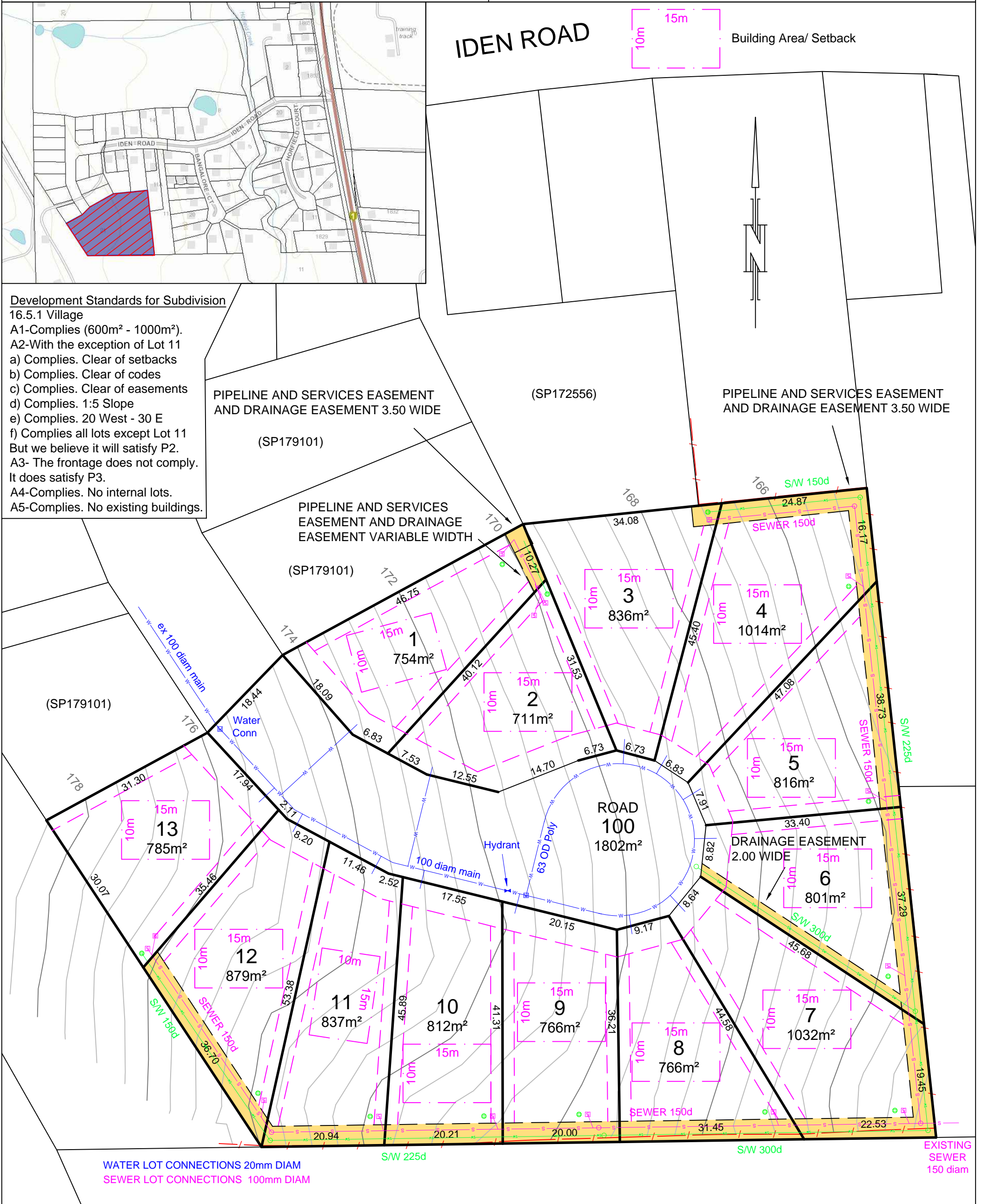
WATER LOT CONNECTIONS 20mm DIAM  
SEWER LOT CONNECTIONS 100mm DIAM

E				
D				
C				
B				
A	UPDATE LOT LAYOUT AND SERVICES	SH	30-09-21	SH
REV	AMENDMENTS	DRAWN	DATE	APPR.

OWNER: ELLIOTT ARTHUR BOOTH  
TITLE REFERENCE: C.T.179101/202  
LOCATION: 21 IDEN ROAD BAGDAD

**Proposed Subdivision**

Date: 10-05-2021	Reference: BOOTE01 8500-01
Scale: 1:600 (A3)	Municipality: SOUTHERN MIDLANDS



# Appendix B Title details

# Department of Primary Industries, Parks, Water and Environment

LAND TITLES OFFICE - LAND TASMANIA

GPO Box 541, Hobart, Tasmania 7001  
Ph (03)61654444  
Email: titles.enquiries@dpiwpe.tas.gov.au  
Web: www.dpiwpe.tas.gov.au



23 June 2020

**TO: ROGERSON & BIRCH  
UNIT 1  
2 KENNEDY DRIVE  
CAMBRIDGE 7170**

## NOTICE OF ACCEPTANCE OF

**SEALED PLAN NO: 179101**

**SUBDIVIDER: ELLIOTT ARTHUR BOOTH**

I have accepted this Plan. Enclosed is a copy in the form in which it has taken effect.

**Titles issued and dispatch details are as follows:**

Volume	Folio	Dispatch
179101	16	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	12	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	11	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	14	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	13	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	100	Dispatched on: 08-Jul-2020 to: SOUTHERN MIDLANDS COUNCIL
179101	201	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	202	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	9	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	8	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	5	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	4	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	7	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	10	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	6	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	1	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	3	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH
179101	2	Dispatched on: 08-Jul-2020 to: ROGERSON & BIRCH



ROBERT MANNING  
Recorder of Titles

SMC - KEMPTON

RECEIVED

13/10/2021

Registered Number

179101

### COUNCIL APPROVAL

(Insert any qualification to the permit under section 83(5), section 109 or section 111 of the Local Government (Building & Miscellaneous Provisions) Act 1993)  
The subdivision shown in this plan is approved

In witness whereof the common seal of Southern Midlands Council  
has been affixed, pursuant to a resolution of the Council of the said municipality  
passed the 18<sup>th</sup> day of May 2020, in the presence of us  
Member [Signature]  
Member [Signature]  
Council Delegate [Signature]



Council Reference SA 1986/102 - GP

### NOMINATIONS

For the purpose of section 88 of the Local Government (Building & Miscellaneous Provisions) Act 1993  
the owner has nominated

- BUTLER, MCINTYRE & BUTLER      Solicitor to act for the owner
- ROGERSON & BIRCH SURVEYORS      Surveyor to act for the owner

OFFICE EXAMINATION:

Indexed ✓.....

Computed [Signature]  
22/6/2020

Examined [Signature]  
22/6/2020



1300 20

OWNER ELLIOTT ARTHUR BOOTH

FOLIO REFERENCE C.T.172556/1

GRANTEE PART OF 180A-3R-33Ps GRANTED TO CLAUDE ARMYTAGE GALLETLY & REGINALD ARMYTAGE GALLETLY

# PLAN OF SURVEY

BY SURVEYOR CRAIG BRADLEY ROGERSON  
ROGERSON AND BIRCH SURVEYORS  
UNIT 1 - 2 KENNEDY DRIVE, CAMBRIDGE PARK  
PH 8248-5898 MOB. 0418-120-796

LAND DISTRICT OF MONMOUTH  
PARISH OF STRANGFORD

SCALE 1: 2,000 LENGTHS IN METRES

REGISTERED NUMBER

## SP179101

APPROVED FROM -7 JUL 2020  
EFFECTIVE

*Reun*  
Recorder of Titles

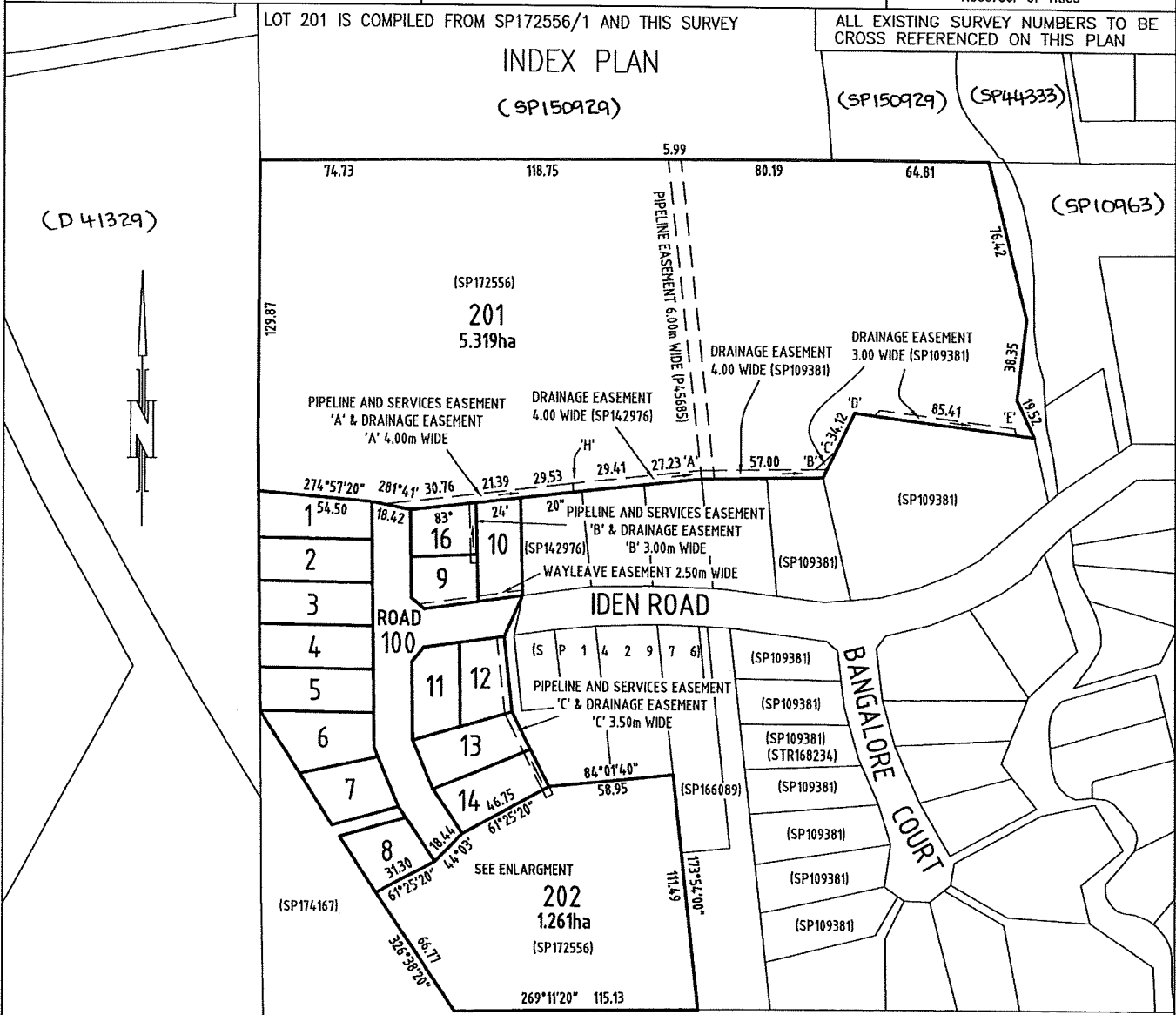
LOT 201 IS COMPILED FROM SP172556/1 AND THIS SURVEY

ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN

## INDEX PLAN

(SP150929)

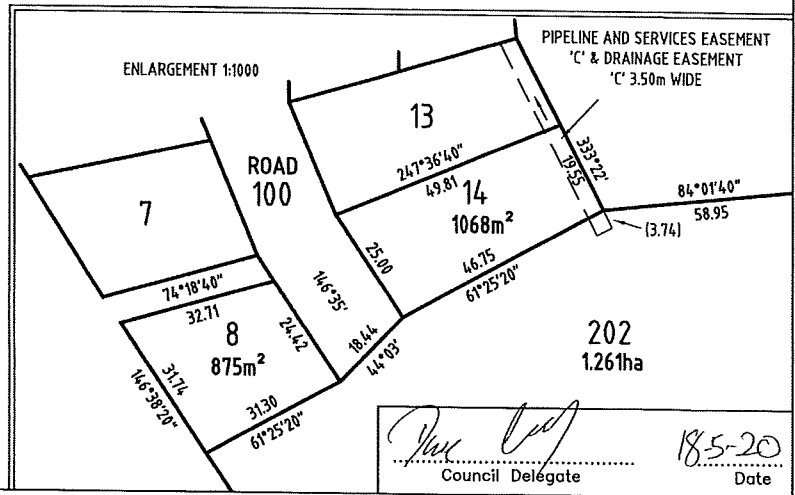
(SP150929) (SP44333)



(D41329)



(SP152392)



Registered Land Surveyor

23.4.2020  
Date

Council Delegate

18.5.20  
Date

PLAN OF SURVEY  
ANNEXURE SHEET  
SHEET 1 OF 1 SHEETS

OWNER: ELLIOTT ARTHUR BOOTH  
FOLIO REFERENCE: C.T.172556/1  
SCALE 1:500 LENGTH IN METRES

Registered Number

179101

SIGNED FOR IDENTIFICATION PURPOSES

THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN.

APPROVED EFFECTIVE FROM - 7 JUL 2020

*[Signature]*  
Council Delegate

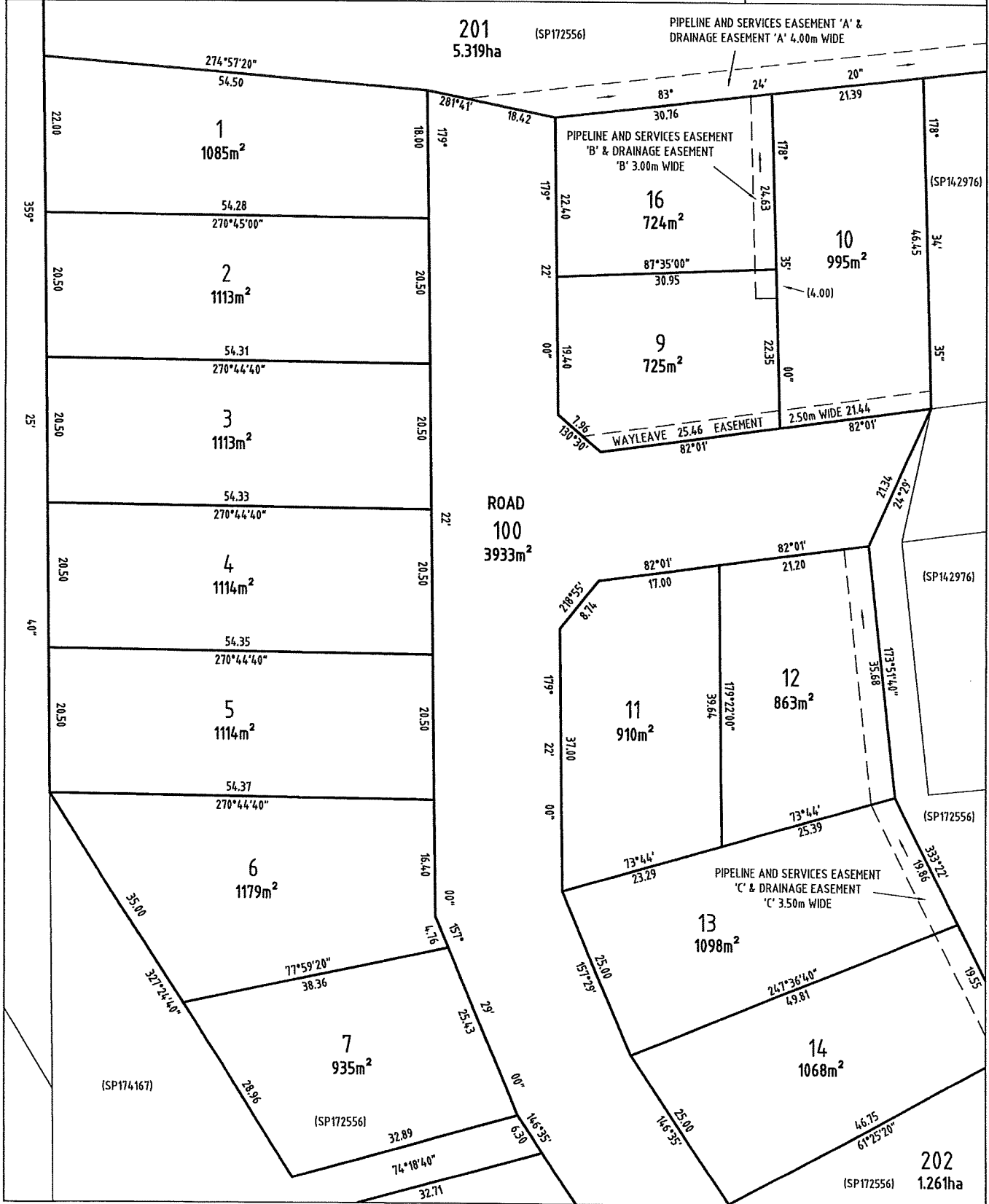
18-5-2020  
Date

*[Signature]*  
Registered Land Surveyor

23-4-2020  
Date

*[Signature]*  
Recorder of Titles

Recorder of Titles



<b>SURVEY NOTES</b>		Registered Number <b>SP179101</b>	<b>SURVEY CERTIFICATE</b>	
SHEET 1 OF 3 SHEETS			I, <u>Craig Bradley Rogerson</u> of <u>Acton Park</u>	
CROSS REFERENCE PLAN NUMBERS USED AS PART OF THIS SURVEY		LENGTHS IN METRES	in Tasmania a Registered Land Surveyor HEREBY CERTIFY that:	
Owner: ELLIOTT ARTHUR BOOTH			(a) this survey is based upon the best evidence that the nature of the case admits.	
Folio Reference: 172556/1			(b) the survey notes have been truly compiled from surveys made by me or made under my supervision; and	
			(c) this survey and accompanying survey notes comply with the relevant legislation affecting surveys and are correct for the purpose required.	
Purpose of Survey: SUBDIVISION			Signature: <u>[Signature]</u> Date: <u>23/4/2020</u>	

Survey Commenced: 25-02-2020	Survey Completed: 11-03-2020	Surveyors Ref: BOOTE01 8500-06
Horizontal Datum: GDA94	Bearing Datum: MGA94	Combined Scale Factor: 0.99957928

**MGA94 COORDINATE ORIGIN**

SURCOM	Mark ID: SPM10144	E 517819.465	N 5283109.237	EPU ±0.04
AUSPOS	Local coordinated mark:	E	N	EPU
NRTK	Local coordinated mark:	E	N	EPU

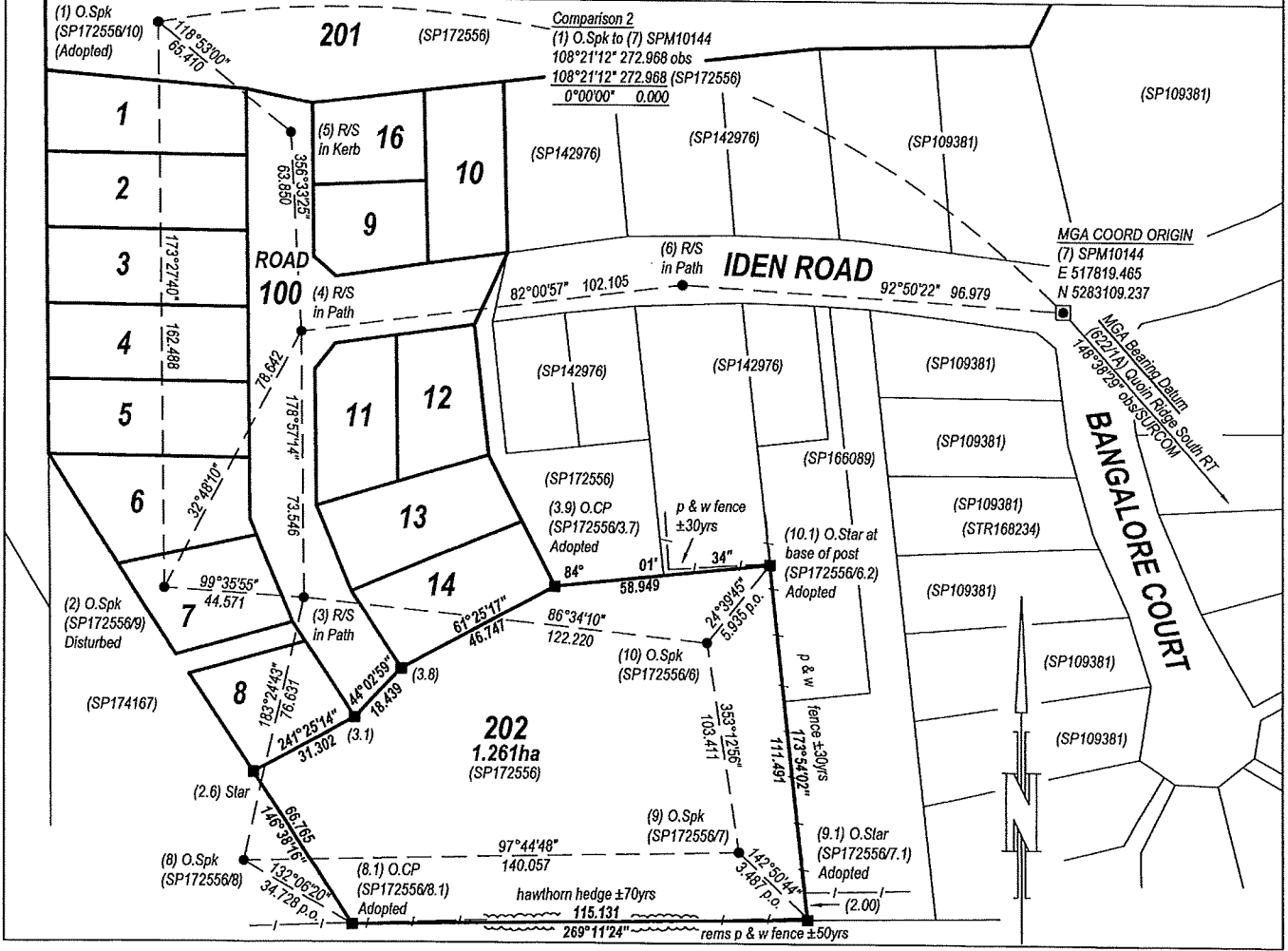
Single base station CORS CORS provider:	Local comparison information SURCOM Check Mark ID:	SURCOM: E	N	EPU
		Measured: E	N	EPU
		Δ E	Δ N	
	Local coordinated mark:	E	N	EPU

**MGA94 BEARING ORIGIN**

MGA Bearing Datum  
(7) SPM10144 to (622/1A) Quoin Ridge South RT  
148°38'29" obs/SURCOM

**BOUNDARY REINSTATEMENT REPORT**

(Where not documented in the body of these survey notes, describe all evidence, (including statements by interested parties), comparisons and other information relevant to the reinstatement of boundaries)





# SURVEY NOTES

## ANNEXURE SHEET

SHEET 3 OF 3 SHEETS

CROSS REFERENCE PLAN NUMBERS USED AS PART OF THIS SURVEY

OWNER: ELLIOTT ARTHUR BOOTH  
FOLIO REFERENCE: C.T.172556/1

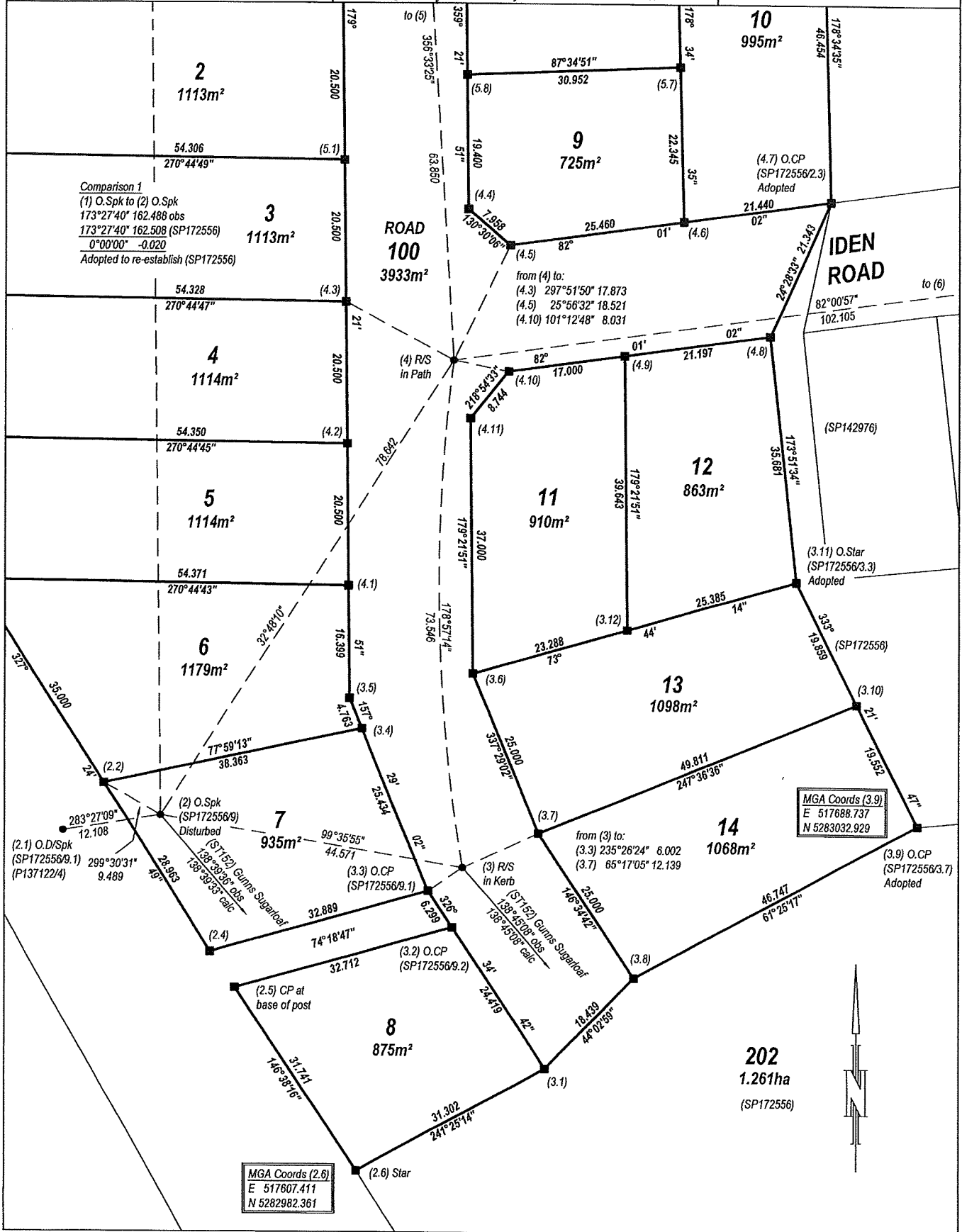
THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED SURVEY NOTES.

# SP 179101

Registered Land Surveyor

Date 20-4-2020

LENGTHS IN METRES



**SCHEDULE OF EASEMENTS**

**NOTE:** THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.

Registered Number

SP 179101

PAGE 1 OF 8 PAGES  
8**EASEMENTS AND PROFITS**

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

**FENCING COVENANT:**

The owner of each lot on the Plan covenants with Elliott Arthur Booth (the Vendor) that the Vendor shall not be required to fence.

**EASEMENTS:**

Lots 12, 13, 14 and 202 on the Plan ("the Lots") are each SUBJECT TO a Pipeline and Services Easement (as defined herein) in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the area marked "PIPELINE AND SERVICES EASEMENT 'C' & DRAINAGE EASEMENT 'C' 3.50m WIDE" on the Plan ("the Easement Land").

Lots 9 and 16 on the Plan ("the Lots") are each SUBJECT TO a Pipeline and Services Easement (as defined herein) in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the area marked "PIPELINE AND SERVICES EASEMENT 'B' & DRAINAGE EASEMENT 'B' 3.00m WIDE" on the Plan ("the Easement Land").

Lot 201 on the Plan ("the Lot") is SUBJECT TO a Pipeline and Services Easement (as defined herein) in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the area marked "PIPELINE AND SERVICES EASEMENT 'A' & DRAINAGE EASEMENT 'A' 4.00m WIDE" on the Plan ("the Easement Land").

T-T0929802-2

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Elliott Arthur Booth  
FOLIO REF: Volume 172556 Folio 1  
SOLICITOR  
& REFERENCE: Butler, McIntyre & Butler: BW200245

PLAN SEALED BY: Southern Midlands Council

DATE: 18<sup>th</sup> May 2020

SA1986/102-68

REF NO.

Council Delegate

**NOTE:** The Council Delegate must sign the Certificate for the purposes of identification.

<b>ANNEXURE TO SCHEDULE OF EASEMENTS</b> PAGE 2 OF <del>7</del> PAGES <del>8</del>	Registered Number <b>SP 179101</b>
SUBDIVIDER: Elliott Arthur Booth FOLIO REFERENCE: Folio of the Register Volume 172556 Folio 1	

Lots 9 and 10 on the Plan are each SUBJECT TO a Wayleave Easement (as defined herein) in gross in favour of Tasmanian Networks Pty Ltd and its successors and its and their servants, agents, invitees and contractors ("TasNetworks") over the area marked "WAYLEAVE EASEMENT 2.50m WIDE" on the Plan.

Lot 201 on the Plan is SUBJECT TO a Right of Drainage (appurtenant to Lots 50, 51 & 52 on SP142976) over the Drainage Easement 4.00 Wide marked "H" "A" on the Plan.

Lot 201 on the Plan is SUBJECT TO a Right of Drainage (appurtenant to Lots 53-54 on SP109381) over the Drainage Easement 3.00 and 4.00 Wide marked "A" "B" "C" on the Plan.

Lot 201 on the Plan is SUBJECT TO a Right of Drainage (appurtenant to Lots 53-~~54~~<sup>55</sup> on SP109381) over the Drainage Easement 3.00 Wide marked "D" "E" on the Plan.

Lot 201 on the Plan ("the Lot") is SUBJECT TO a Pipeline and Services Easement (as defined herein) in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the area marked "PIPELINE EASEMENT 6.00m WIDE (P45685)" on the Plan ("the Easement Land").

Lot 201 on the Plan ("the Lot") is SUBJECT TO a Pipeline and Services Easement (as defined herein) in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the area marked "DRAINAGE EASEMENT 4.00m WIDE (SP142976)" on the Plan ("the Easement Land").

Lot 201 on the Plan ("the Lot") is SUBJECT TO a Pipeline and Services Easement (as defined herein) in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the area marked "DRAINAGE EASEMENT 4.00m WIDE (SP109381)" on the Plan ("the Easement Land").

T-T0929802-2

**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

<b>ANNEXURE TO SCHEDULE OF EASEMENTS</b> PAGE 3 OF 8 PAGES	Registered Number <b>SP 179101</b>
SUBDIVIDER: Elliott Arthur Booth FOLIO REFERENCE: Folio of the Register Volume 172556 Folio 1	

Lot 201 on the Plan ("the Lot") is SUBJECT TO a Pipeline and Services Easement (as defined herein) in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the area marked "DRAINAGE EASEMENT 3.00m WIDE (SP109381)" on the Plan ("the Easement Land").

### EASEMENTS CONTINUED ON PAGE 8

#### RESTRICTIVE COVENANTS:

The owner of each lot on the Plan covenants with the Vendor and the owner of each and every other lot on the Plan and to the intent that the burden of the covenant will run with and bind the covenantor's lot and every part thereof and that the benefit thereof may be created in favour of each and every other lot on the Plan to observe the following stipulations:

other than in respect of lot 10, not to erect or permit to be erected on the lot or any part thereof more than one (1) dwelling.

The Vendor reserves the right to sell any lot on the Plan free and exempt from any one or more of the covenants set forth in relation to any lot shown on the Plan and/or to waive modify alter or extinguish any one or more of the covenants set forth above as to any lot not transferred. The exercise of this right by the Vendor in relation to any lot shall not release the owner of any other lot from any other covenants imposed upon such lot or give the owner of any lot any right of action against the Vendor or any person or persons.

#### DEFINITIONS:

**"Pipeline and Services Easement"** means:-

THE FULL RIGHT AND LIBERTY for TasWater at all times to:

- (1) enter and remain upon the Easement Land with or without employees, contractors, agents and all other persons duly authorised by it and with or without machinery, vehicles, plant and equipment;
- (2) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorised to do or undertake;
- (3) install, retain, operate, modify, relocate, maintain, inspect, cleanse and repair the Infrastructure;
- (4) remove and replace the Infrastructure;
- (5) run and pass sewage, water and electricity through and along the Infrastructure;

T-T0929802-2

**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.



<b>ANNEXURE TO SCHEDULE OF EASEMENTS</b> PAGE 4 OF 8 PAGES	Registered Number <b>SP 179101</b>
SUBDIVIDER: Elliott Arthur Booth FOLIO REFERENCE: Folio of the Register Volume 172556 Folio 1	

- (6) do all works reasonably required in connection with such activities or as may be authorised or required by any law:
- (1) without doing unnecessary damage to the Easement Land; and
  - (2) leaving the Easement Land in a clean and tidy condition; and
- (7) if the Easement Land is not directly accessible from a highway, then for the purpose of undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and all other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lots from the highway at any then existing vehicle entry and cross the Lots to the Easement Land; and
- (8) use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lots.

PROVIDED ALWAYS THAT:

- (1) The registered proprietors of the Lots in the folio of the Register ("the Owner") must not without the written consent of TasWater first had and obtained and only in compliance with any conditions which form the consent:
- (a) alter, excavate, plough, drill or otherwise penetrate the ground level of the Easement Land;
  - (b) install, erect or plant any building, structure, fence, pit, well, footing, pipeline, paving, tree, shrub or other object on or in the Easement Land;
  - (c) remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land;
  - (d) do any thing which will or might damage or contribute to damage to any of the Infrastructure on or in the Easement Land;
  - (e) in any way prevent or interfere with the proper exercise and benefit of the Easement Land by TasWater or its employees, contractors, agents and all other persons duly authorised by it; or
  - (f) permit or allow any action which the Owner must not do or acquiesce in that action.
- (2) TasWater is not required to fence any part of the Easement Land.

T-T0929802-2

**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

<b>ANNEXURE TO SCHEDULE OF EASEMENTS</b> PAGE 5 OF 8 PAGES 8	Registered Number <b>SP 179101</b>
SUBDIVIDER: Elliott Arthur Booth FOLIO REFERENCE: Folio of the Register Volume 172556 Folio 1	

- (3) The Owner may erect a fence across the Easement Land at the boundaries of the Lots.
- (4) The Owner may erect a gate across any part of the Easement Land subject to these conditions:
- (a) the Owner must provide TasWater with a key to any lock which would prevent the opening of the gate; and
  - (b) if the Owner does not provide TasWater with that key or the key provided does not fit the lock, TasWater may cut the lock from the gate.
- (5) If the Owner causes damage to any of the Infrastructure, the Owner is liable for the actual cost to TasWater of the repair of the Infrastructure damaged.
- (6) If the Owner fails to comply with any of the preceding conditions, without forfeiting any right of action, damages or otherwise against the Owner, TasWater may:
- (a) reinstate the ground level of the Easement Land; or
  - (b) remove from the Easement Land any building, structure, pit, well, footing, pipeline, paving, tree, shrub or other object; or
  - (c) replace any thing that supported, protected or covered the Infrastructure.

"Infrastructure" means infrastructure owned or for which TasWater is responsible and includes but is not limited to:

- (a) sewer pipes and water pipes and associated valves;
- (b) telemetry and monitoring devices;
- (c) inspection and access pits;
- (d) power poles and lines, electrical wires, electrical cables and other conducting media (excluding telemetry and monitoring devices);
- (e) markers or signs indicating the location of the Easement Land, the Infrastructure or any warnings or restrictions with respect to the Easement Land or the Infrastructure;
- (f) any thing reasonably required to support, protect or cover any of the Infrastructure;
- (g) any other infrastructure whether of a similar nature or not to the preceding which is reasonably required for the piping of sewage or water, or the running of electricity, through the Easement Land or monitoring or managing that activity; and
- (h) where the context permits, any part of the Infrastructure.

T-T0929802-2

**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

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<b>ANNEXURE TO SCHEDULE OF EASEMENTS</b> PAGE 6 OF 7 PAGES <b>8</b>	Registered Number <b>SP 179 101</b>
SUBDIVIDER: Elliott Arthur Booth FOLIO REFERENCE: Folio of the Register Volume 172556 Folio 1	

**“Wayleave Easement”** means:

**FIRSTLY** the full and free right and liberty for TasNetworks at all times:

(a) **TO** clear the lands marked “WAYLEAVE EASEMENT 2.50m WIDE” on the Wayleave Easement Identification Plan annexed (described as “the servient land”) and to lay, erect, construct, inspect, install, maintain, repair, modify, add to, replace, remove and operate in, upon, through, over, along and under the servient land the following:

(i) Towers, poles, wires, cables, apparatus, appliances, and all other ancillary and associated equipment which includes telecommunication equipment (described collectively as “electricity infrastructure”)

for, or principally for, the transmission and distribution of electrical energy and for any incidental purposes.

(b) **TO** operate and maintain electricity infrastructure on the servient land.

(c) **TO** cut away remove and keep clear of the electricity infrastructure all trees and other obstructions or erections of any nature whatsoever which may at any time:

(i) overhang, encroach upon or be in or on the servient land; or

(ii) which may in the opinion of TasNetworks endanger or interfere with the proper operation of the electricity infrastructure.

(d) **TO** enter the servient land for all or any of the above purposes and to cross the remainder of the land with any and all necessary plant, equipment, machinery and vehicles for the purpose of access and egress to and from the servient land, and where reasonably practicable, in consultation with the registered proprietor/s (except when urgent or emergency repair work is needed).

**SECONDLY** the benefit of a covenant for TasNetworks and with the registered proprietor/s for themselves and their successors not to:

(i) erect any buildings; or

(ii) place any structures, objects or vegetation;

within the servient land without the prior written consent of TasNetworks. TasNetworks may rescind their consent if in the opinion of TasNetworks there are safety, access or operational concerns.

T-T0929802-2

**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

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<b>ANNEXURE TO SCHEDULE OF EASEMENTS</b> PAGE 7 OF 8 PAGES 8	Registered Number <b>SP 179101</b>
SUBDIVIDER: Elliott Arthur Booth FOLIO REFERENCE: Folio of the Register Volume 172556 Folio 1	

SIGNED by ELLIOTT ARTHUR BOOTH in )  
 The presence of: )

*E Booth*  
 ELLIOTT ARTHUR BOOTH

Witness: *M Oakley*

Name: *Sandra Oakley*

Address: *19 Iden Road, Bagdad, TAS, 7030*

Occupation: *Triage Clerk*

T-T0929802-2

**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

<b>ANNEXURE TO SCHEDULE OF EASEMENTS</b> PAGE 8 OF 8 PAGES	Registered Number <b>SP179101</b>
SUBDIVIDER: Elliott Arthur Booth FOLIO REFERENCE: Folio of the Register Volume 172556 Folio 1	

**EASEMENTS (continued):**

Lots 12, 13, 14 and 202 on the Plan are each SUBJECT TO a right of drainage in gross in favour of Southern Midlands Council over the area marked "PIPELINE AND SERVICES EASEMENT 'C' & DRAINAGE EASEMENT 'C' 3.50m WIDE" on the Plan.

Lots 9 and 16 on the Plan are each SUBJECT TO a right of drainage in gross in favour of Southern Midlands Council over the area marked "PIPELINE AND SERVICES EASEMENT 'B' & DRAINAGE EASEMENT 'B' 3.00m WIDE" on the Plan.

Lot 201 on the Plan is SUBJECT TO a right of drainage in gross in favour of Southern Midlands Council over the area marked "PIPELINE AND SERVICES EASEMENT 'A' & DRAINAGE EASEMENT 'A' 4.00m WIDE" on the Plan.

**201**

Lot ~~102~~ on the Plan is SUBJECT TO a pipeline easement in favour of Her Majesty the Queen over the area marked "PIPELINE EASEMENT 6.00m WIDE (P45685)" on the Plan and as created by and more fully set forth in Notification No. B386291.

T-T0929802-2

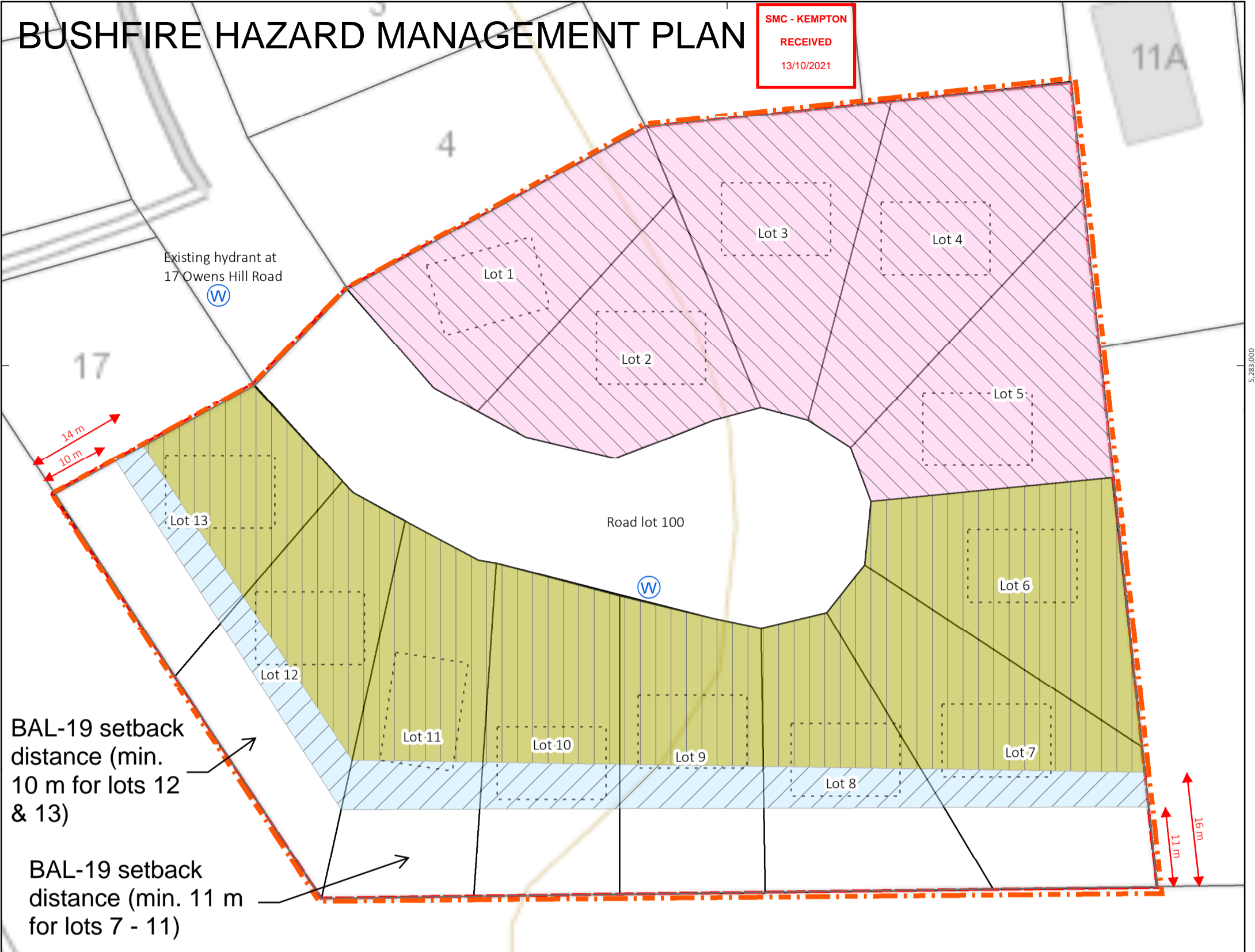
**NOTE:** Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

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# Appendix C Bushfire Hazard Management Plan

# BUSHFIRE HAZARD MANAGEMENT PLAN

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BAL-19 setback distance (min. 10 m for lots 12 & 13)

BAL-19 setback distance (min. 11 m for lots 7 - 11)

### BHMP NOTES

- The proposed development is subdivision of land into 13 residential lots and 1 road lot as shown on the proposed plan of subdivision (BOOTE01 8500-01) prepared by Rogerson & Birch Surveyors dated 30/09/21.
- This BHMP must be read in conjunction with the Bushfire Hazard Report, ERA Planning and Environment, October 2021.
- This BHMP has been prepared to satisfy the requirements of the Bushfire-Prone Areas Code under the *Southern Midlands Interim Planning Scheme 2015*.

### BAL construction standards

- **Lots 1 - 5:** Buildings are to be constructed to a minimum of BAL-LOW standard in accordance with AS 3959:2018.
- **Lot 6:** Building classes 1 - 3, 8, 9 and class 10a buildings located within 6m of a habitable building are to be constructed to a minimum of BAL-12.5 standard in accordance with AS 3959:2018.
- **Lots 7 - 13:** Building classes 1 - 3, 8, 9 and class 10a buildings located within 6m of a habitable building are to be constructed to a minimum of BAL-19 standard in accordance with AS 3959:2018, unless they are located wholly within the area marked as BAL-12.5.

### Hazard Management Area (HMA)

- The entirety of all lots are to be maintained as a HMA.
- The HMA must be established prior to titles being sealed and maintained in a minimum fuel load condition, as outlined on sheet 3 of this BHMP, and as specified in section 4.1 of the bushfire hazard report.

### Access

- Road lot 100 must be constructed in accordance with the requirements of Table E1 of the Bushfire-Prone Areas code, as specified in section 4.3 of the Bushfire Hazard Report.
- The access must be constructed prior to titles being sealed.
- The building areas on all lots within the subdivision will be defended from the new road reserve.

### Water supply

- A fire hydrant must be installed on Road Lot 100, prior to titles being sealed.
- The fire hydrant must be located so that the furthest part of the building area on all lots is within 120 m of the fire hydrant, measured as a hose lay. An indicative location is shown on this BHMP.
- The fire hydrant must be constructed in accordance with the requirements of Table E4 of the Bushfire-Prone Areas code, as specified in section 4.4 of the Bushfire Hazard Report.

### Bushfire Hazard Practitioner Details

Frances Beasley  
BFP-156  
Accredited to scopes 1, 2, 3B & 3C

the LIST © State of Tasmania

0 5 10 20 30 40 50  
Meters

Map Projection: Transverse Mercator  
Horizontal Datum: GDA 1994  
Grid: GDA 1994 MGA Zone 55

Project: Lot 202 Owens Hill Road Bagdad (CT179101/202)  
Client: Booth Family Trust

Job Number: 2021-131  
Revision: A  
Date: 12 Oct 2021

Paper Size A3  
1 cm = 6 m

- Building envelopes
- Firefighting water supply (fire hydrant)
- BAL setback dimensions
- Hazard Management Area
- BAL 12.5
- BAL 19
- BAL LOW



# BUSHFIRE HAZARD MANAGEMENT PLAN

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## E1.0 Bushfire-Prone Areas Code

### Table E1 Standards for roads

#### A. Roads

Unless the development standards in the zone require a higher standard, the following apply:

- (a) two-wheel drive, all-weather construction;
- (b) load capacity of at least 20t, including for bridges and culverts;
- (c) minimum carriageway width is 7m for a through road, or 5.5m for a dead-end or cul-de-sac road;
- (d) minimum vertical clearance of 4m;
- (e) minimum horizontal clearance of 2m from the edge of the carriageway;
- (f) cross falls of less than 3 degrees (1:20 or 5%);
- (g) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads;
- (h) curves have a minimum inner radius of 10m;
- (i) dead-end or cul-de-sac roads are not more than 200m in length unless the carriageway is 7m in width;
- (j) dead-end or cul-de-sac roads have a turning circle with a minimum 12m outer radius; and
- (k) carriageways less than 7m wide have 'No Parking' zones on one side, indicated by a road sign that complies with *Australian Standard AS1743-2001 Road signs-Specifications*.

### Table E4 Reticulated water supply for fire fighting

#### A. Distance between building area to be protected and water supply.

The following requirements apply:

- (a) the building area to be protected must be located within 120m of a fire hydrant; and
- (b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.

#### B. Design criteria for fire hydrants.

The following requirements apply:

- (a) fire hydrant system must be designed and constructed in accordance with *TasWater Supplement to Water Supply Code of Australia WSA 03 - 2011-3.1 MRWA 2nd Edition*; and
- (b) fire hydrants are not installed in parking areas.

#### C. Hardstand

A hardstand area for fire appliances must be:

- (a) no more than 3m from the hydrant, measured as a hose lay;
- (b) no closer than 6m from the building area to be protected;
- (c) a minimum width of 3m constructed to the same standard as the carriageway; and
- (d) connected to the property access by a carriageway equivalent to the standard of the property access.

#### Bushfire Hazard Practitioner Details

Frances Beasley

BFP-156

Accredited to scopes 1, 2, 3B & 3C





# BUSHFIRE HAZARD MANAGEMENT PLAN

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## Prescriptions for hazard management area

Within 10m of habitable buildings.

- No storage of flammable materials (e.g. firewood).
- Avoid locating flammable garden materials near vulnerable building elements such as glazed windows/doors, decks and eaves (e.g. non-fire retardant plants and combustible mulches).
- Non-flammable features such as paths, driveways and paved areas are encouraged around habitable buildings.

Trees within HMA

- Maintain canopy separation of approximately 2m.
- Ensure no branches overhang habitable buildings.
- Remove tree branches within 2m of ground level below.
- Locate any new tree plantings 1.5 x their mature height from the house.
- Avoid planting trees with loose, stringy or ribbon bark.

Understorey vegetation within HMA

- Maintain grass cover at <100mm.
- Maintain shrubs to <2m height.
- Shrubs to be maintained in clumps so as to no form contiguous vegetation (i.e. clumps up to 10sqm in area, separated from each other by at least 10m).
- Avoid locating shrubs directly underneath trees.
- Periodically remove dead leaves, bark and branches from underneath trees and around habitable buildings.

### Bushfire Hazard Practitioner Details

Frances Beasley

BFP-156

Accredited to scopes 1, 2, 3B & 3C



# Appendix D Planning Certificate

**BUSHFIRE-PRONE AREAS CODE****CERTIFICATE<sup>1</sup> UNDER S51(2)(d) LAND USE PLANNING AND APPROVALS ACT 1993****1. Land to which certificate applies**

The subject site includes property that is proposed for use and development and includes all properties upon which works are proposed for bushfire protection purposes.

**Street address:**

Lot 202 Owens Hill Road, Bagdad

**Certificate of Title / PID:**

CT 179101/202; PID 9178324

**2. Proposed Use or Development****Description of proposed Use and Development:**

Subdivision of land into 13 residential lots and 1 road lot.

**Applicable Planning Scheme:***Southern Midlands Interim Planning Scheme 2015***3. Documents relied upon**

This certificate relates to the following documents:

<b>Title</b>	<b>Author</b>	<b>Date</b>	<b>Version</b>
Proposed subdivision (BOOTE01 8500-01)	Rogerson & Birch	30/09/2021	Rev A
Bushfire Hazard Report	ERA Planning & Environment	October 2021	-
Bushfire Hazard Management Plan	ERA Planning & Environment	12/10/2021	-

<sup>1</sup> This document is the approved form of certification for this purpose and must not be altered from its original form.

#### 4. Nature of Certificate

The following requirements are applicable to the proposed use and development:

<input type="checkbox"/> <b>E1.4 / C13.4 – Use or development exempt from this Code</b>	
Compliance test	Compliance Requirement
<input type="checkbox"/> E1.4(a) / C13.4.1(a)	Insufficient increase in risk

<input type="checkbox"/> <b>E1.5.1 / C13.5.1 – Vulnerable Uses</b>	
Acceptable Solution	Compliance Requirement
<input type="checkbox"/> E1.5.1 P1 / C13.5.1 P1	<b><i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i></b>
<input type="checkbox"/> E1.5.1 A2 / C13.5.1 A2	Emergency management strategy
<input type="checkbox"/> E1.5.1 A3 / C13.5.1 A2	Bushfire hazard management plan

<input type="checkbox"/> <b>E1.5.2 / C13.5.2 – Hazardous Uses</b>	
Acceptable Solution	Compliance Requirement
<input type="checkbox"/> E1.5.2 P1 / C13.5.2 P1	<b><i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i></b>
<input type="checkbox"/> E1.5.2 A2 / C13.5.2 A2	Emergency management strategy
<input type="checkbox"/> E1.5.2 A3 / C13.5.2 A3	Bushfire hazard management plan

<input checked="" type="checkbox"/> <b>E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas</b>	
Acceptable Solution	Compliance Requirement
<input type="checkbox"/> E1.6.1 P1 / C13.6.1 P1	<b><i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i></b>
<input type="checkbox"/> E1.6.1 A1 (a) / C13.6.1 A1(a)	Insufficient increase in risk
<input checked="" type="checkbox"/> E1.6.1 A1 (b) / C13.6.1 A1(b)	Provides BAL-19 for all lots (including any lot designated as 'balance')
<input type="checkbox"/> E1.6.1 A1(c) / C13.6.1 A1(c)	Consent for Part 5 Agreement

<input checked="" type="checkbox"/>	<b>E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access</b>	
	<b>Acceptable Solution</b>	<b>Compliance Requirement</b>
<input type="checkbox"/>	E1.6.2 P1 / C13.6.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.6.2 A1 (a) / C13.6.2 A1 (a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.2 A1 (b) / C13.6.2 A1 (b)	Access complies with relevant Tables

<input checked="" type="checkbox"/>	<b>E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes</b>	
	<b>Acceptable Solution</b>	<b>Compliance Requirement</b>
<input type="checkbox"/>	E1.6.3 A1 (a) / C13.6.3 A1 (a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.3 A1 (b) / C13.6.3 A1 (b)	Reticulated water supply complies with relevant Table
<input type="checkbox"/>	E1.6.3 A1 (c) / C13.6.3 A1 (c)	Water supply consistent with the objective
<input type="checkbox"/>	E1.6.3 A2 (a) / C13.6.3 A2 (a)	Insufficient increase in risk
<input type="checkbox"/>	E1.6.3 A2 (b) / C13.6.3 A2 (b)	Static water supply complies with relevant Table
<input type="checkbox"/>	E1.6.3 A2 (c) / C13.6.3 A2 (c)	Static water supply consistent with the objective

**5. Bushfire Hazard Practitioner**

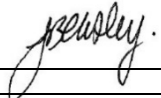
<b>Name:</b>	Frances Beasley	<b>Phone No:</b>	0422 079 274
<b>Postal Address:</b>	125a Elizabeth Street, Hobart, TAS, 7000	<b>Email Address:</b>	<a href="mailto:frances@eraplanning.com.au">frances@eraplanning.com.au</a>
<b>Accreditation No:</b>	BFP – 156	<b>Scope:</b>	1, 2, 3B & 3C

**6. Certification**

I certify that in accordance with the authority given under Part 4A of the *Fire Service Act 1979* that the proposed use and development:

- Is exempt from the requirement Bushfire-Prone Areas Code because, having regard to the objective of all applicable standards in the Code, there is considered to be an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures, or
- The Bushfire Hazard Management Plan/s identified in Section 3 of this certificate is/are in accordance with the Chief Officer's requirements and compliant with the relevant **Acceptable Solutions** identified in Section 4 of this Certificate.

**Signed:**  
certifier



**Name:**

Frances Beasley

**Date:** 12 October 2021

**Certificate Number:** 2021-131 v1

(for Practitioner Use only)

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13/10/2021

SA2021/10 Lot 202 Owens Hill Road  
13 Lot Subdivision  
Representation Received



## Louisa Brown

---

**From:**  
**Sent:** Wednesday, 20 October 2021 11:40 AM  
**To:** Louisa Brown  
**Subject:** Re: FW: opposition to development application. SA2021/10 Subdivision (13 lots)

Hi Louisa.

I am pleased to report that I did in fact receive a letter notifying me as an adjacent property owner from the council yesterday afternoon. Thankyou.

I have checked the website and can now access the documents in relation to the proposed development.

I have a few concerns / objections to the development as I believe it will negatively impact the current privacy, outlook, views and therefore value of my property.

I purchased my home in Bagdad as it has excellent views, it is private, it has solid fences where needed for privacy and privacy screens separating the close neighbours from view,

The land subject to development has been used for the purpose of horse breeding / horse storage for many years.

I see that the owner intends to split the land into a new subdivision, he has included a fencing covenant stating he takes no responsibility for fencing, I strongly oppose this fencing covenant as the current fencing on my boundary adjacent to the proposed development is suitable for livestock, however it is not suitable to ensure my privacy is not degraded from two new boundary properties, multiple new neighbours and the new subdivision.

The new subdivision will negatively impact the outlook from my property, degrade the views and leave me with a lot less privacy than I once had.

I believe it is unfair that this proposed development can negatively impact my property and other adjacent properties whilst the developer wants to avoid ensuring minimal impact is caused to neighbouring properties via the inclusion of a fencing covenant within the development proposal. I believe the developer should be responsible to provide new suitable fencing to ensure this development will only cause minimal negative impact to the adjacent properties.

I hope we can work towards resolving these issues and therefore minimize the impact to the properties neighbouring this proposed development

kind regards

SA2021/10 Lot 202 Owens Hill Road  
13 Lot Subdivision  
SPAN TasWater

## Submission to Planning Authority Notice

<b>Council Planning Permit No.</b>	SA 2021 / 00010	<b>Council notice date</b>	10/06/2021
<b>TasWater details</b>			
<b>TasWater Reference No.</b>	TWDA 2021/00963-STM	<b>Date of response</b>	12/07/2021
<b>TasWater Contact</b>	Phil Papps	<b>Phone No.</b>	0474 931 272
<b>Response issued to</b>			
<b>Council name</b>	SOUTHERN MIDLANDS COUNCIL		
<b>Contact details</b>	mail@southernmidlands.tas.gov.au		
<b>Development details</b>			
<b>Address</b>	OWENS HILL RD, BAGDAD	<b>Property ID (PID)</b>	9178324
<b>Description of development</b>	Subdivision - 13 Lots		
<b>Schedule of drawings/documents</b>			
<b>Prepared by</b>	<b>Drawing/document No.</b>	<b>Revision No.</b>	<b>Date of Issue</b>
Rogerson & Birch	Plan of Subdivision / BOOTE01 8500-01	--	10/05/2021
<b>Conditions</b>			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p><b>CONNECTIONS, METERING &amp; BACKFLOW</b></p> <ol style="list-style-type: none"> <li>1. A suitably sized water supply with metered connections and sewerage system and connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.</li> <li>2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.</li> </ol> <p><b>ASSET CREATION &amp; INFRASTRUCTURE WORKS</b></p> <ol style="list-style-type: none"> <li>3. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains.</li> <li>4. Prior to applying for a Permit to Construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and sewerage to TasWater's satisfaction.</li> <li>5. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.</li> <li>6. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.</li> <li>7. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.</li> </ol>			

8. After testing/disinfection, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
9. At practical completion of the water and sewerage works and prior to TasWater issuing a Consent to a Register Legal Document, the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
  - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
  - b. A request for a joint on-site inspection with TasWater's authorised representative must be made;
  - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
  - d. Work As Constructed drawings and documentation must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
10. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for the defects liability period.
11. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
12. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.

#### **FINAL PLANS, EASEMENTS & ENDORSEMENTS**

13. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made.  
*Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.*
14. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions and requirements.
15. Prior to the issue of a Consent to Register a Legal Document from TasWater, the applicant must submit a copy of the completed Transfer for the provision of a Pipeline and Services Easement(s) to cover existing/proposed TasWater infrastructure as required by condition 14. All costs and expenses related to the transfer of easement(s)/lots to TasWater are to be paid by the developer.

#### **DEVELOPMENT ASSESSMENT FEES**

16. The applicant or landowner as the case may be, must pay a development assessment fee of \$699.36 and a Consent to Register a Legal Document fee of \$154.42 to TasWater, as approved by the

Economic Regulator and the fees will be indexed, until the date paid to TasWater.

The payment is required within 30 days of the issue of an invoice by TasWater.

17. In the event Council approves a staging plan, a Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.

### Advice

#### General

For information on TasWater development standards, please visit <http://www.taswater.com.au/Development/Development-Standards>

For application forms please visit <http://www.taswater.com.au/Development/Forms>

#### Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

A copy of the GIS is included in email with this notice and should aid in updating of the documentation.

The location of this infrastructure as shown on the GIS is indicative only.

- (a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure.

Further information can be obtained from TasWater

- (b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit [www.taswater.com.au/Development/Service-location](http://www.taswater.com.au/Development/Service-location) for a list of companies.

### Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

#### Authorised by



**Jason Taylor**

Development Assessment Manager

### TasWater Contact Details

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au