

SOUTHERN
MIDLANDS
COUNCIL



ATTACHMENTS

ORDINARY COUNCIL MEETING

Wednesday, 27th October 2021
Kempton Municipal Offices, 85 Main Street, Kempton
10.00 a.m.

Item 5.1	Draft Council Meeting Minutes (Open) – 22 nd September 2021
Item 5.2.1	Minutes – Lake Dulverton & Callington Park Management Committee – 11 th October 2021 Minutes – Kempton Streetscape Committee – 25 th October 2021
Item 12.2.1	26 Main Street, Kempton Subdivision – Development Application Documents Representation Heritage Tasmania Decision TasWater SPAN
Item 12.4.1	Tasmanian Planning Scheme – Draft Southern Midlands Local Provisions Schedule Received During Public Exhibition Period - Representations

SOUTHERN
MIDLANDS
COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

Wednesday, 22nd September 2021
10.00 a.m.

Oatlands Municipal Offices
71 High Street, Oatlands

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OPEN COUNCIL MINUTES

MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL
HELD ON WEDNESDAY, 22nd SEPTEMBER 2021 AT THE OATLANDS
MUNICIPAL OFFICES COMMENCING AT 10:00 A.M.

1. PRAYERS

Rev Dennis Cousens recited prayers.

2. ACKNOWLEDGEMENT OF COUNTRY

Mayor A O Green recited Acknowledgement of Country.

3. ATTENDANCE

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

Mr T Kirkwood (General Manager), Mr A Benson (Deputy General Manager), Mrs W Young (Manager Community & Corporate Development), Mr D Richardson (Manager, Infrastructure & Works), Mrs A Burbury (Finance Officer), Mr D Mackey (Special Projects Officer), Mr B Williams (Manager Heritage Projects), Mrs L Brown (Planning Officer) Mrs J Crosswell (Executive Assistant)

4. APOLOGIES

Clr A E Bisdee OAM

DECISION

Moved by Clr R McDougall, seconded by Clr K Dudgeon

THAT the apology from Clr A E Bisdee OAM be received.

CARRIED

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

5. MINUTES

5.1 Ordinary Council meeting

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 25th August 2021, as circulated, are submitted for confirmation.

DECISION

Moved by Deputy Mayor E Batt, seconded by Clr R McDougall

THAT the Minutes (Open Council Minutes) of the previous meeting of Council held on the 25th August 2021, as circulated, be confirmed.

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
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 – 6th September 2021
- Woodsdale Community Memorial Hall General and AGM Minutes – 6th September 2021
- Facilities and Recreation Committee Minutes – 8th September 2021

RECOMMENDATION

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

DECISION

Moved by Clr D Fish, seconded by Clr K Dudgeon

THAT the minutes of the above Special Committee of Council be received.

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
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 – 6th September 2021
- Woodsdale Community Memorial Hall General and AGM Minutes – 6th September 2021
- Facilities and Recreation Committee Minutes – 8th September 2021

RECOMMENDATION

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

DECISION

Moved by Clr R McDougall, seconded by Clr K Dudgeon

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

CARRIED

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

THAT the information be received and the outcomes of the workshop noted and endorsed.

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Cllr A Bantick	✓	
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 A Bantick – Commented that the bus shelters at Mangalore and Bagdad were poorly designed and unsuitable for the prevailing weather conditions.

Resolved that Council provide this feedback to the Department of State Growth.

Clr R McDougall – Midland Highway Signage – ‘Market Sign’ damaged.

It was confirmed that the sign was damaged during recent high winds. It is to be replaced following any changes to design/graphics.

Clr R McDougall – Bus Stop – High Street, Oatlands – line marking required.

Manager Infrastructure & Works advised that following consultation with the Bus Operator, the bus stop area only requires to be sign-posted (i.e. no line marking). Standard signage to be provided by the Department of State Growth.

Clr R McDougall – Wellington Street – Sign – faded sign requires replacement and orientation fixed.

To be actioned.

Clr R McDougall – Covid-19 – Ongoing management of issues (ventilation of public areas / meeting rooms in Council buildings to minimise risk).

To be assessed.

Clr K Dudgeon – Levendale Community Centre – Progress with securing occupant(s).

Deputy General Manager confirmed ongoing discussions but no firm arrangements to date.

Clr K Dudgeon – Grant Application – Electric Car Charging Station

Deputy General Manager confirmed that grant submitted and awaiting outcome.

Clr K Dudgeon – Oatlands Aquatic Centre – timeframe for completion and conduct of site inspection by Councillors.

Deputy General Manager confirmed still aiming for practical completion by 4 March 2022 and inspection can be arranged with Contractors.

Deputy Mayor Batt – Bagdad Community Club Precinct Plan – any progress to date?

General Manager advised that this will project will be initiated following the conduct of the Club's Annual General Meeting scheduled for 26 September 2021 (i.e. following the appointment of the new Management Committee).

Deputy Mayor Batt – Council Chambers, Kempton – replacement of Chairs within the Chambers.

To be progressed.

Deputy Mayor Batt – Melton Mowbray Historic Trough – plan for reinstatement?

Manager Heritage Projects confirmed that he has been consulting with Heritage Tasmanian to finalise the heritage listing and preparation of 'Statement of Significance'. Relocation of the Trough to be deferred pending completion of this process.

Deputy Mayor Batt – 'Skate Park', Kempton – onsite meeting to be held 23rd September 2021 with the contractor who will be engaged to construct the facility. Requested a representative from Council's Infrastructure & Works section attend the meeting.

Confirmed.

Mayor Green – Marstrand Bridge, Elderslie Road, Broadmarsh – sign missing on the western side.

To be replaced.

Mayor Green – Walkway (Broadmarsh Township) – requires an extension to the hand rail (i.e. between the rail and the fence) – significant gap and noted there is no street lighting in this vicinity.

To be actioned.

Mayor Green – Lake Dulverton Water Level – Council to provide information for inclusion in Southern Midlands News (requires Council consent).

To be listed as a Supplementary Agenda Item.

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*.

Clr Karen Dudgeon declared a pecuniary interest in relation to item 16.2.1 – Southern Midlands Community Small Grants Program 2021, specifically in regard to the grant application for the Mount Pleasant Football Club.

Clr A Bantick declared a pecuniary interest in relation to item 16.2.1 – Southern Midlands Community Small Grants Program 2021, specifically in regard to the grant application for the Brighton Equestrian Club Inc.

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.

RECOMMENDATION

THAT the Council resolve by absolute majority to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

- 1. Workplace Equality and Respect Policy (draft)
- 2. Lake Dulverton – Report on Water Levels

DECISION

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

THAT the Council resolve by absolute majority to deal with the above supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

CARRIED

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

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.

Julia Jabour (Southern Midlands Regional News) – Questioned whether the existing Pool will be opened this coming 2021/22 season?

Mayor Green confirmed that the existing Pool will not be opened primarily for budget and operational reasons.

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

12.1.1 Development Application (DA2020/145) for Alterations to Bridge, Blackman River Bridge, Tunbridge applicant Pitt & Sherry on behalf of the Department of State Growth

DECISION

Moved by Deputy Mayor E Batt, seconded by Cllr R McDougall

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 (DA 2020/145) Blackman River Bridge Tunbridge, Alterations to Bridge and that a permit be issued with the following conditions:**

CONDITIONS

General

- 1) The use 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, whichever is later, in accordance with section 53 of the Land Use Planning and Approvals Act 1993.

Heritage

- 3) That the installation of a **concrete deck is not approved**. Specifications for a timber deck must be provided to the satisfaction of Council's Planning Officer prior to the commencement of works. If possible, this is to be constructed by traditional methods using Australian hardwood, however an alternative methodology may be considered provided that timber is the predominant material.
- 4) That the steel railings must be of a specification which resembles timber and an assessment of their potential to negatively impact upon the stone bridge abutments and pylons must be undertaken further to Section 3.5 of the Blackman River Bridge Structural Assessment (Pitt & Sherry 13/5/2021). Specifications to achieve this must be provided to the satisfaction of Council's Planning Officer prior to the commencement of works.

- 5) The recommendations for sandstone repair/conservation of Section 6 of the Blackman River Bridge, Tunbridge, Detailed Fabric Assessment (Peter Spratt, 14/4/2021) must be implemented as part of any superstructure renewal works.

Heritage Tasmania

- 6) Compliance with any conditions or requirements of the Tasmanian Heritage Council in the attached 'Notice of Heritage Decision' No. 6420 dated 24 August 2021 (as attached).

Environmental Management Plan

- 7) The applicant shall provide Council with an approved copy of the Environmental Management Plan.
- 8) The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the development. Any work required is to be specified or undertaken by the authority concerned.

Protection of Water Quality

- 9) Before any work commences a soil and water management plan (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 Development and Environmental Services before development of the land commences (refer to advice below). The SWMP shall form part of this permit when approved.
- 10) Before any work commences install temporary run-off, erosion and sediment controls in accordance with the recommendations of the approved SWMP and maintain these controls at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's Development and Environmental Services.

Construction Amenity

- 11) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 6.00pm
Sunday and Statewide public holidays	10.00am to 6.00pm

- 12) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or 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 of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - b) The transportation of materials, goods and commodities to and from the land.
 - c) Obstruction of any public footway or highway.
 - d) Appearance of any building, works or materials.
 - e) 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 Manager of Development and Environmental Services.
- 13) 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.
- 14) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manger of Works and Technical Services.

The following advice applies to this permit:

- A) This Planning Permit is in addition to the requirements of the *Building Act 2016*. Approval in accordance with the *Building Act 2016* may be required prior to works commencing. A copy of the *Directors Determination – categories of Building Work and Demolition Work* is available via the Customer Building and Occupational Services (CBOS) website.
- B) If you notify Council that you intend to commence the use or development before the date specified above you forfeit your right of appeal in relation to this permit.
- C) This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.
- D) Appropriate temporary erosion and sedimentation control measures during construction include, but are not limited to, the following –
- a. Minimise site disturbance and vegetation removal;
 - b. Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (e.g. temporarily connected to Council's storm water system, a watercourse or road drain);

- c. Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
- d. Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains; and
- e. Rehabilitation of all disturbed areas as soon as possible.

CARRIED

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

12.2 Subdivisions

Nil.

12.3 Municipal Seal (Planning Authority)

Nil.

12.4 Planning (Other)

Nil.

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

Mayor A O Green left the meeting at 10.49 a.m. and Deputy Mayor Batt took the Chair.

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.

13.8.1 Southern Waste Joint Authority and Recycling Tender

DECISION

Moved by Clr A Bantick, seconded by Clr K Dudgeon

- a) the update on the Council's arrangements for the acceptance and processing of its co-mingled recyclable materials be received and noted;
- b) Authority be provided to the General Manager to proceed with the procurement of a new contract for the processing of con-mingled recyclable materials.

In doing so:

- i) The General Manager be authorised to work with other councils in Southern Tasmania to develop specifications, call tenders and award the tender in accordance with the assessment of the submissions received by the Tender Review Committee.
- ii) The General Manager be authorised to work with other councils in Southern Tasmania to secure ACCC approval to proceed with a joint tender.
- c) In accordance with Section 30 of the Local Government Act 1993, the Council resolve to establish a Joint Authority with other Southern Tasmanian councils to progress waste related issues; and
- d) The General Manager be authorised to work with other councils in Southern Tasmania to progress the establishment of a new Joint Authority including the development of rules and governance arrangements for the new Joint Authority; and
- e) A further report be provided to Council detailing the outcome of the tender process and seeking formal approval of the membership of the Joint Authority, within the next 6-months.

CARRIED

DECISION (by Absolute Majority)		
Councillor	Vote FOR	Vote AGAINST
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

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: 14 SEPTEMBER 2021

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 storm-water culvert 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.

Gravel re-sheeting works have been completed on sections of roads in the Yarlington area.

Road Rehabilitation programme 2021/22

Councils 2021/2022 road stabilisation programme tender closed on 27th August 2021 (refer separate report).

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 spring 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

A section of kerb and footpath has been renewed in High Street Oatlands opposite the IGA Supermarket. Parallel parking line-marking has been installed.

New kerb and footpath is completed in Wellington Street Oatlands.

Stanley Street footpath works have commenced.

Installation of kerb and gutter, footpath and associated storm water upgrade works has commenced in 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 all playground equipment is compliant with the relevant standards. Any potential defects identified as a result of the inspections will be rectified as a priority. The recent wet weather has created favourable growing conditions with grass 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
- Footpath and kerb installation Oatlands to continue
- East Bagdad Road complete small section of footpath

QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS

Clr A Bantick – East Bagdad Road – wire rope barrier (approx. 300m past bridge) has been damaged and requires reinstatement.

Manager confirmed that the work has already been scheduled.

Clr R McDougall – Tunnack Main Road – Road has deteriorated further and requires urgent maintenance, noting that it is not a Council maintained Road.

Manager provided details to enable these type of complaints to be ‘logged’ with the Department of State Growth. The Manager also confirmed that he has corresponded with the Maintenance Manager at DSG.

Clr D Fish – wheelchair access to the Oatlands Council Chambers (off Stutzer Street).

General Manager confirmed that the design is being considered as part of the overall preparation of the Conservation Management Plan for the property.

Clr K Dudgeon – Update on Woodsdale Road.

Manager provided an update, including comment that he would be meeting with the Contractors when cartage of the material has been completed to negotiate some form of compensation (noting that the trucks are within the normal load capacity).

Clr K Dudgeon – relayed positive comments received from the community in response to the recent footpath improvement works in the Oatlands Township.

Clr K Dudgeon – restricted time parking outside the Oatlands Post Office (e.g. two 15 minute parking bays).

To be investigated.

Deputy Mayor Batt – Lower Marshes Road (western end) – requires maintenance grading.

Manager confirmed that the work is currently being undertaken.

RECOMMENDATION

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

DECISION

Moved by Clr D Fish, seconded by Clr R McDougall

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

CARRIED

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

DECISION

Moved by Clr K Dudgeon, seconded by Clr R McDougall

THAT the meeting be adjourned for morning tea at 11.05 a.m.

CARRIED

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

DECISION

Moved by Clr R McDougall, seconded by Clr K Dudgeon

THAT the meeting reconvene at 11.26 a.m.

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
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 Project Program Report**DECISION**

Moved by Clr D Fish, seconded by Clr R McDougall

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

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
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 R McDougall

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

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
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.

15.5.1 Woodsdale Cemetery (2003 Woodsdale Road, Woodsdale PID 5840316) – Proposed Transfer of Ownership from Crown to Southern Midlands Council (5384-17)

DECISION

Moved by Clr K Dudgeon, seconded by Clr R McDougall

THAT, in order to progress this matter in a timely manner, Council agree to contribute a maximum amount of \$2,000 toward the cost of engaging Wise, Lord and Ferguson to undertake an independent audit of the cemetery against the requirements of the Burial and Cremation Act 2019.

Three Councillors voted in favour of the Motion, with two Councillors being against.

Noting that the Decision required an absolute majority, the Motion was declared Lost.

DECISION (by Absolute Majority)		
Councillor	Vote FOR	Vote AGAINST
Deputy Mayor E Batt		✓
Clr A Bantick	✓	
Clr K Dudgeon	✓	
Clr D F Fish		✓
Clr R McDougall	✓	

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 Clr R McDougall, seconded by Clr K Dudgeon

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

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr 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 Southern Midlands Council Community Small Grants Program 2021

Clr A Bantick declared an interest and left the meeting at 11.40 a.m.

DECISION

Moved by Clr R McDougall, Seconded by Clr K Dudgeon

THAT the financial allocations for the fifteenth round of the Southern Midlands Council Community Small Grants Program 2021 to the following organisation be approved:

\$3,000.00 Brighton Equestrian Club

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Deputy Mayor E Batt	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

Clr A Bantick returned to the meeting at 11.41 a.m.

Clr K Dudgeon declared an interest and left the meeting at 11.41 a.m.

DECISION

Moved by Clr D Fish, seconded by Clr R McDougall

THAT the financial allocations for the fifteenth round of the Southern Midlands Council Community Small Grants Program 2021 to the following organisation be approved:

\$2,500.00 Mount Pleasant Football Club Inc

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

Clr K Dudgeon returned to the meeting at 11.42 a.m.

DECISION

Moved by Clr D Fish, seconded by Clr R McDougall

THAT the financial allocations for the fifteenth round of the Southern Midlands Council Community Small Grants Program 2021 to the following organisation be approved

\$3,000.00	<i>Oatlands Ex Services & Community Club Inc</i>
\$2,950.00	<i>Brighton & Green Ponds RSL Sub Branch Inc</i>
\$3,000.00	<i>Oatlands Community Assn Inc</i>
\$2,790.00	<i>Campania Football Club Inc</i>
\$2,000.00	<i>Levendale Hall Committee Inc</i>
\$3,000.00	<i>Central Hawks Junior Football Club Inc</i>
\$3,000.00	<i>Oatlands Rural Youth</i>
\$3,000.00	<i>Campania Volunteer Fire Brigade</i>
\$1,760.00	<i>Green Ponds Progress Association Inc</i>

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Deputy Mayor E Batt		
Clr A Bantick		
Clr K Dudgeon		
Clr D F Fish		
Clr 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.

16.7.1 Sale of Public Land – 27 Church Street, Oatlands (PID 7559499 – Total Area 5053m2 -; CT 39750/1)

DECISION

Moved by Clr K Dudgeon, seconded by Clr D fish

THAT

- a) the information be received;
- b) Council proceed to subdivide a strip of land (width of 8 Metres) off the western side of the property for the purpose of facilitating access to the lots at the rear of the IGA Supermarket and High Street shops;
- c) in accordance with section 178 of the *Local Government Act 1993*, Council resolve (by absolute majority) to sell 27 Church Street, Oatlands (PID 7559499 – Total Area 5053m2 less subdivided strip -; CT 39750/1) direct to the Department of Health; and
- d) a Contract of Sale be prepared following completion of the subdivision process

CARRIED

DECISION (by Absolute Majority)		
Councillor	Vote FOR	Vote AGAINST
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

15.7.2 Sale of Public Land – 27 Church Street, Oatlands (PID 7559499 – Total Area 5053m2 -; CT 39750/1)

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 16 JUNE 2021

Enclosure(s):

Certificate of Title

Location Plan – Extract from LIST System

ISSUE

Council to formally make a decision regarding its intent to sell (i.e. transfer of ownership) 27 Church Street, Oatlands (PID 7559499) to the Tasmanian Government (Department of Health).

BACKGROUND

This matter was initially considered by Council at its meeting held in December 2020. It was resolved as follows:

“THAT:

- a) the information be received;***
- b) Council confirm that there is merit in progressing the proposal to transfer ownership of the Council owned land at 27 Church Street, Oatlands (PID 7559499 – CT 39750/1);***
- c) Council to retain an access strip to facilitate access to the ‘land-locked’ lots at the rear of the IGS Supermarket and High Street shops;***
- d) Council proceed to obtain a fresh Valuation which can then be referred to the Department of Health for its consideration to provide ‘in-principle approval to purchase’; and***
- e) Subject to the outcome of the above, Council then formally make a decision regarding its intention to dispose of the land and proceed through the public notification process.”***

In reaching the decision, the following background information and detail was provided.

This property (CT 39750/1) situated at 27 Church Street, Oatlands is owned by the Southern Midlands Council. It adjoins the property owned by the Department of Health upon which the majority of the Midlands Multi-Purpose Health Centre (MMPHC) is built.

In reference to the attached locality plan, it can be seen that the sections of the existing MMPHC which are located on this Council owned land include:

- The previous Day Centre Centre (now Meeting and Activity Room);
- part of the Nursing Home section;
- the Palliative Care unit;
- the new Day Care Centre; HACC and CRC services building; and
- the Car Park.

It is evident from the above that the land is already wholly occupied by the Department of Health and therefore transfer of ownership is considered appropriate.

Whilst transfer of property ownership was considered at the time that the Southern Midlands Council passed on management responsibility of the MMPHC to the State Government (late 1990's), it was not pursued at that stage as there was some concern within Council regarding the State Government's commitment to the long-term future of the facility. It was thought that at some stage in the short-term the State Government may consider closure of the MMPHC.

Based on recent capital investment by the State Government at the MMPHC, it could reasonably be determined that the future of the facility is secure.

There are a number of issues (and problems) associated with the present arrangement. These include:

- existing buildings that currently extend across separate Titles (and different ownership);
- whilst Council has ownership of the land, it is included in Council's property schedule for public liability purposes (to ensure no liability exposure);
- A Value of \$1.2m is included for the buildings that are situated on Council owned land in Council's Property Insurance Schedule. This is the current value provided by the Valuer-General as part of the normal municipal valuation process; and
- Based on the present insurance arrangements, Council recharges the MMPHC a percentage of Council's total property insurance premium based on an insured value of \$1.2 million (out of a total property portfolio of \$24.60 million).

In addition to resolving the above issues, the possible sale proceeds from this property could be used to offset the proposed purchase cost of the Barrack Street property owned by Tasmania Police.

Note: The sale price would only be the value of the land. The majority of the buildings have been funded by the Federal/State Governments with the exception of community donations for the Palliative Care Unit and other improvements within that part of the facility).

Possibly related to this proposal is the Oatlands Structure Plan, which is considering car-parking options in the vicinity of the High Street shops (i.e. IGA Supermarket). One possibility that has been flagged is providing an access off Church Street at the rear of the Kentish Hotel leading to the rear of the Roxy Supermarket. If this option is pursued it would be appropriate to retain a strip of land (i.e. max. of 10 metres) on the western side of the lot. This strip, which would be classified as 'public roadway' or similar, would be achieved through a subdivision process and precede the sale process. If necessary, this would not impact on the present use of the land.

In terms of sale process, the following is an extract from the relevant sections of the *Local Government Act 1993* relating to 'Sale and Disposal of Land', and in particular, the provisions relating to 'Public Land':

"Section 177. Sale and disposal of land

- (1) *A council may sell, lease, donate, exchange or otherwise dispose of land owned by it, other than public land, in accordance with this section.*

- (2) Before a council sells, leases, donates, exchanges or otherwise disposes of any land, it is to obtain a valuation of the land from the Valuer-General or a person who is qualified to practise as a land valuer under [section 4 of the Land Valuers Act 2001](#) .
- (3) A council may sell –
 - (a) any land by auction or tender; or
 - (b) any specific land by any other method it approves.
- (4) A council may exchange land for other land –
 - (a) if the valuations of each land are comparable in value; or
 - (b) in any other case, as it considers appropriate.
- (5) A contract pursuant to this section for the sale, lease, donation, exchange or other disposal of land which is public land is of no effect.
- (6) A decision by a council under this section must be made by absolute majority.

177A. Public land

- (1) The following land owned by a council is public land:
 - (a) a public pier or public jetty;
 - (b) any land that provides health, recreation, amusement or sporting facilities for public use;
 - (c) any public park or garden;
 - (d) any land acquired under [section 176](#) for the purpose of establishing or extending public land;
 - (e) any land shown on a subdivision plan as public open space that is acquired by a council under the [Local Government \(Building and Miscellaneous Provisions\) Act 1993](#) ;
 - (f) any other land that the council determines is public land;
 - (g) any other prescribed land or class of land.
- (2) The general manager is to –
 - (a) keep lists or maps of all public land within the municipal area; and
 - (b) make the lists and maps available for public inspection at any time during normal business hours.

178. Sale, exchange and disposal of public land

- (1) A council may sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with this section.
- (2) Public land that is leased for any period by a council remains public land during that period.
- (3) A resolution of the council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority.
- (4) If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to–
 - (a) publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and
 - (ab) display a copy of the notice on any boundary of the public land that abuts a highway; and
 - (b) notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.
- (5) If the general manager does not receive any objection under [subsection \(4\)](#) and an appeal is not made under [section 178A](#) , the council may sell, lease, donate, exchange or otherwise dispose of public land in accordance with its intention as published under [subsection \(4\)](#) .
- (6) The council must –
 - (a) consider any objection lodged; and
 - (b) by notice in writing within 7 days after making a decision to take or not to take any action under this section, advise any person who lodged an objection of –
 - (i) that decision; and
 - (ii) the right to appeal against that decision under [section 178A](#) .
- (7) The council must not decide to take any action under this section if –
 - (a) any objection lodged under this section is being considered; or
 - (b) an appeal made under [section 178A](#) has not yet been determined; or
 - (c) the Appeal Tribunal has made a determination under [section 178B\(b\)](#) or [\(c\)](#) .

(8)

DETAIL

Subsequent to the decision made by Council at its meeting held in December 2020, the following update is provided:

1. A fresh Valuation has been obtained and the property has been valued at \$110,000. This is the entire property and the value has not been adjusted to take into account the removal of a strip of land to facilitate access to the rear of the IGA Supermarket and High Street shops. It is envisaged that the value would only be reduced marginally and an adjustment to the valuation can be made upon completion of the subdivision process.
2. The Department of Health has provided 'in-principle' approval to purchase the land; and
3. In relation to the access strip, whilst there are a range of options, it is recommended that Council retain a strip of 8 metres which would be subdivided and dedicated as Public Road.

Note: the absolute minimum would be 8.0 metres and could extend to width of 15 metres depending on the extent of landscaping or services to be placed within the roadway.

As referred to above, the property is classified as Public Land. It follows that the process involves an initial decision (to be passed by an absolute majority) that Council intends to dispose of 'public land'. This intention is then advertised on two separate occasions to notify the public and allow a 21 day period for objection.

Council then makes a final decision based on the outcome of this notification process, and any final decision is subject to appeal.

Human Resources & Financial Implications – Noting the comments provided above, the property has been valued at \$110,000.

Community Consultation & Public Relations Implications – Refer comment above.

Policy Implications – N/A

Priority - Implementation Time Frame – N/A.

RECOMMENDATION

THAT:

- e) the information be received;
- f) Council proceed to subdivide a strip of land (width of 8 Metres) off the western side of the property for the purpose of facilitating access to the lots at the rear of the IGA Supermarket and High Street shops;
- g) in accordance with section 178 of the *Local Government Act 1993*, Council resolve (by absolute majority) of its intent to sell 27 Church Street, Oatlands

(PID 7559499 – Total Area 5053m2 less subdivided strip -; CT 39750/1) to the Department of Health; and

- h) Council proceed to publish this intention on at least 2 separate occasion in the Mercury Newspaper and comply with the other legislative requirements relating to the sale of public land.

DECISION (by Absolute Majority)		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

[END EXTRACT FROM COUNCIL MEETING 23 JUNE 2021]

16.7.2 Proposed Disposal of Public Land: A Portion of the “Campania Bush Reserve”, Water Lane/Native Corners Road, Campania

DECISION

Moved by Clr R McDougall, seconded by Clr D Fish

THAT Council:

1. Determine that the submission received pertaining to the disposal of the subject land, being a portion of the land known as the Campania Bush Reserve, PID 3140690, F.R. 162947/5, as indicated on the attached plans and being approximately 1.95 hectares, is not of sufficient weight to warrant a reversal of Council’s decision to dispose of the land.
2. Proceed with arrangements, as outlined in this report, to dispose of the subject land in accordance with the relevant sections of the *Local Government Act 1993*, once the period in which persons who made objections can lodge an appeal under Section 178A of the Act has lapsed and it is clear that no appeal has been lodged or, if an appeal has been lodged, once any such appeal has been determined in favour of Council’s decision.
3. Reaffirm its existing policy position that, if the disposal of the subject land progresses, the net proceeds are to be reinvested into the local community.
4. Re-commit to consulting with the local community to identify and prioritise the needs and desires of the community for expending the net sale proceeds.

CARRIED

DECISION (by Absolute Majority)		
Councillor	Vote FOR	Vote AGAINST
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

16.8 Safety

Strategic Plan Reference 4.8

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

16.8.1 Southern Midlands Council – Emergency Management Act 2006 - Nomination to the Position(s) of Municipal Coordinator and Deputy Municipal Coordinator

DECISION

Moved by Clr K Dudgeon, seconded by Clr A Bantick

THAT Council nominate:

- a) Tim Kirkwood (General Manager) as the Municipal Coordinator; and
- b) Wendy Young (Manager Community & Corporate Development) as the Deputy Municipal Coordinator).

CARRIED

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

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

- a) Email correspondence from Eleanor Bjorksten dated 29th August 2021 Re: Oatlands Structure Plan
- b) Letter received from Marie and Kerrie Lee dated 13th September 2021 Re: Oatlands Structure Plan.
- c) Department of State Growth Re: Tea Tree Junction Upgrade

Copy of correspondence (dated 10/9/2021) in response to the issues raised by Council on behalf of the community.

DECISION

Moved by Clr R McDougall, seconded by Clr K Dudgeon

THAT the information be received and noted.

CARRIED

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

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 – Congratulated the Grade 10 Science students from Oatlands District High School on winning the Australian Science Award once again.

Would also like to acknowledge Denise Smith’s efforts in organising ‘Pink up Oatlands’ again for October.

Clr R McDougall – Attended the Radio Station Quiz Night at Oatlands RSL. The event was well attended and it was a great support to radio station.

Deputy Mayor E Batt – Attended ‘Artlands’ at Kempton Distillery, a well-run and enjoyable exhibition.

DECISION

Moved by Clr A Bantick, seconded by Clr R McDougall

THAT the Elected Member Statements be received and noted.

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
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 31 August 2021)

DECISION

Moved by Clr K Dudgeon, seconded by Clr R McDougall

THAT the Financial Report be received and the information noted.

CARRIED

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

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

DECISION

Moved by Clr D Fish, seconded by Clr A Bantick

THAT the Financial Report be received and the information noted.

CARRIED

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

18. MUNICIPAL SEAL

Nil.

19. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

19.1 Workplace Equality & Respect Policy

DECISION

Moved by Cllr K Dudgeon, seconded by Cllr R McDougall

THAT Council adopt the Workplace Equality & Respect Policy (to be reviewed following the outcome regarding the development of a model policy for the local government sector).

CARRIED

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

19.2 Lake Dulverton Water Report re: Water Level**DECISION**

Moved by Cllr R McDougall, seconded by Cllr D Fish

THAT the General Manager be authorised to release relevant information relating to the Lake Dulverton water level and provide this information to the Southern Midlands Regional News.

CARRIED

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

DECISION

Moved by Clr R McDougall, seconded by Clr D Fish

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.

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Closed Council Minutes - Confirmation</i>	15(2)
<i>Applications for Leave of Absence</i>	15(2)(h)
<i>Audit Panel Minutes</i>	15 (2)
<i>Tenders – Annual Reseal & Road Reconstruction Program</i>	15(2)(c)
<i>Southern Midlands Council - Enterprise Bargaining Agreement</i>	15(2)(a)
<i>Request for Ownership of Land – Campania Bush Reserve</i>	15(2)(c)

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
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 Bantick

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

DECISION (MUST BE BY ABSOLUTE MAJORITY)		
Councillor	Vote FOR	Vote AGAINST
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
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 Audit Panel Minutes

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.

20.4 Tender – Annual Road Stabilisation Program

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.

20.5 Southern Midlands Council - Enterprise Bargaining Agreement (No 11 of 2021)

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) (a) of the Local Government (Meeting Procedures) Regulations 2015.

The General Manager exited the meeting at 12.41 p.m.

20.6 Request for Ownership of Council Land: A Portion of the “Campania Bush Reserve”, Water Lane / Native Corners Road, Campania

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.

OPEN COUNCIL MINUTES

21. CLOSURE

The meeting closed at 12.57 p.m.

LAKE DULVERTON & CALLINGTON PARK MANAGEMENT COMMITTEE

MINUTES

Monday 11th October 2021

Council Chambers, Oatlands 3.30 p.m.

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LAKE DULVERTON & CALLINGTON PARK MANAGEMENT COMMITTEE

MINUTES

Monday 11th October 2021

3.30 p.m. Council Chambers
Oatlands

MEMBERS:

Chairman:

Councillor Don Fish (Proxy: Cllr R McDougall)

Parks & Wildlife Rep:

To be advised (Proxy rep: t.b.c)

Resident Representatives:

Mrs Maria Weeding, Mr Athol Bennett, Dr Robert Simpson,
Mrs/Cllr Karen Dudgeon, Ms Helen Geard, Mrs Jenni Muxlow

The meeting opened at 3.30 p.m.

1. ATTENDANCE

Councillor Don Fish, Cllr Rowena McDougall, Athol Bennett, Maria Weeding, Karen Dudgeon, Jenni Muxlow, Robert Simpson, Ian Marmion (Parks & Wildlife Rep), Helen Geard.

Chairman Cllr Don Fish welcomed Ian Marmion to the meeting – representing Parks and Wildlife (for this meeting only).

2. APOLOGIES

Nil.

3. CONFIRMATION OF MINUTES

The Committee to confirm the 6th September 2021 minutes.

RECOMMENDATION

That the Committee confirm the minutes of the Lake Dulverton & Callington Park Management Committee meeting held on 6th September 2021.

SUB COMMITTEE RECOMMENDATION TO COUNCIL:

MOVED Mrs Jenni Muxlow

SECONDED Mrs Karen Dudgeon

THAT the Committee confirm the minutes of the Lake Dulverton & Callington Park Management Committee meeting, held on 6th September 2021.

CARRIED

4. BUSINESS ARISING FROM PREVIOUS MEETING

4.1 LAKE DULVERTON WATER LEVELS

The ‘winter take’ supplementary water added to the lake from the Midlands Water Scheme (MWS) has now ceased. The Council allocation of 215 ML plus the additional 100ML added in August/Sept has now been delivered to the lake. The water level marker indicated an average depth of 1.55 metres (1550mm) when the MWS tap was turned off in just prior to the end of September.

Over the MWS winter take period (1st March to 30th Sept) the lake water level had commenced at 930mm and finished at 1550mm. The amount of water from the MWS water (attributed to the 315ML) increased the 51 Ha area of the lake by 617mm. Adding natural rainfall less evaporation gave an overall result of a water level increase of 620mm.

This demonstrates that additional water being added in to the lake is vital if the community wish to retain water in the section of the lake adjacent to the township each year.

RECOMMENDATION

That the information be noted.

SUB COMMITTEE RECOMMENDATION TO COUNCIL:

RESOLVED

THAT the information be noted.

4.2 CALLINGTON PARK

2 English Oak trees were planted at the site on Tuesday 28th Sept by Maria and Helen, who also made the tree guards the previous week. The proposed surveillance cameras/ light poles. have been ordered.

RECOMMENDATION

That the information be noted and the work associated with the proposed surveillance cameras/ light poles continue to be progressed.

SUB COMMITTEE RECOMMENDATION TO COUNCIL:

RESOLVED

THAT the information be noted.

4.3 FORESHORE PATHWAY - NEW PLUS EXISTING PATH UPGRADE (SECTION)

Following the last meeting of the committee the following has occurred:

- Specialist Landscape Services (SLS) are planning to do some further surface work on the existing and they will also recommence works on the balance of the path in the next few weeks.

- Parks have extended the Permit Authority for Works.

RECOMMENDATION

That the information be noted and new path and the upgrade of the existing path continued to progress.

SUB COMMITTEE RECOMMENDATION TO COUNCIL:

RESOLVED

THAT the information be noted.

4.4 LAKE DULVERTON & DULVERTON WALKWAY ACTION PLAN 2017 - REVIEW

The committee confirmed the changes made to the 2017 plan.

It was agreed that the draft document go to Council, requesting that the draft go out for public consultation. See attached.

RECOMMENDATION

That the draft Action Plan be forwarded to Council with a recommendation that the draft plan to go out to the public for consultation and comment.

SUB COMMITTEE RECOMMENDATION TO COUNCIL:

MOVED K Dudgeon

SECONDED J Muxlow

THAT the *Lake Dulverton & Dulverton Walkway Action Plan (Draft) 2021* go out to the community for comment.

4.5 FLAX MILL SITE

At the last meeting, member Jenni Muxlow brought to the attention of the committee that the area was quite overgrown with tall rank long grass. Jenni was concerned by the fire hazard that the area posed for the coming summer as well as the number of snakes living in the area. The Works Department are aware of the concerns. It was agreed that this will be followed up with the Works Dept.

RECOMMENDATION

That the information be noted.

SUB COMMITTEE RECOMMENDATION TO COUNCIL:

RESOLVED

THAT the information be noted.

4.6 BATS / WILDLIFE AND THE IMPACT OF ARTIFICIAL LIGHTS

At the July meeting Rowena, the Parks and Wildlife Representative offered to investigate if there is any research / best practice principles in relation to the installation of lights in wildlife areas (like Lake Dulverton). Rowena Hannaford indicated that she had sent information to the Conservation Management section of DPIPWE. Information has now been received. This provides recommendations as to managing light for wildlife with an emphasis on the impact of marine environments where there is an interface with urban or industrial areas. (penguins, seals, shore nesting birds etc). A company that can provide the lights has been in touch with Council. Information and the cost for solar lights that meet the criteria as per the information provided by Conservation Management was discussed further at the meeting. See attached.

It was noted that the minimal blue light LED lights were very expensive. It was decided that given that the lights would be of low intensity and not constantly on during the night that the committee would proceed with the standard LED lights. The lights would activate on movement. The bridge at Hawthorn Bay would be one area targeted and the other is likely to be at Mahers Point cottage area. Both sites are owned by Council.

RECOMMENDATION

That the committee note the information.

SUB COMMITTEE RECOMMENDATION TO COUNCIL:

MOVED Dr Robert Simpson

SECONDED Karen Dudgeon

THAT the two LED lights be purchased with poles to place on the walking track.

4.7 VISITOR BROCHURE

It was noted at the last meeting that the Interpretation and Communications section of Parks & Wildlife will be able to assist with the compilation of the brochure once we have more information as to what we want included on the brochure. The inclusion of the content that makes up the information was discussed. It was decided that bird species and some flora information would be included. A page on lake uses and water level history could be useful. An A5 folded or a double sided A4 may be the options to pursue.

RECOMMENDATION

That the committee note the information and that work to progress the brochure proceed.

SUB COMMITTEE RECOMMENDATION TO COUNCIL:

RESOLVED

THAT the committee note the information and that work to progress the brochure proceed.

4.8 COMMITTEE MEMBERSHIP

This was discussed briefly at the last meeting. Under the roles and functions of the committee there is a nominated number of Community Representatives set at 6 people. Currently there are 6 community representatives on the Committee. There is an option (under the roles and functions) for the committee to increase the number of community representatives if Council determine that there is a need to expand the committee. After discussion it was decided that no change be pursued at the moment. The Chair of the committee is likely to change after the next Council elections, so it may be worth revisiting the idea then – in twelve months time.

SUB COMMITTEE RECOMMENDATION TO COUNCIL:

RESOLVED

THAT to note the information.

5.0 TREASURER'S REPORT

A statement detailing Receipts and Expenditure for the financial year to date was tabled at the meeting.

RECOMMENDATION

That the statement detailing Receipts and Expenditure for the 2020/2021 financial year to date be received and noted.

SUB COMMITTEE RECOMMENDATIONS TO COUNCIL:

MOVED Mrs Jenni Muxlow

SECONDED Dr Robert Simpson

THAT the statement detailing Receipts and Expenditure for the financial year to date be received and noted.

CARRIED

{Jenni Muxlow and Karen Dudgeon left the meeting at 5.30 p.m.}

SOUTHERN MIDLANDS COUNCIL
LAKE DULVERTON / CALLINGTON PARK MANAGEMENT COMMITTEE

STATEMENT OF RECEIPTS AND PAYMENTS

FOR THE PERIOD 1 JULY 2021 TO 7 OCTOBER 2021

RECEIPTS

Opening Balance 01.07.21 Commonwealth Bank Account *	\$ 20,541.69		
Lake Dulverton - Foreshore Improvements New	\$ 85,000.00	Project G3020006 (Lake Dulverton Pathway)	\$ 121,583.30 WIP 30.06.21 \$121,583.30
Lake Dulverton - Foreshore Improvements Upgrade	\$ 135,000.00		
Callington Park - two seats with back & arm rests	\$ 7,000.00	Project C3020002	\$ -
Callington Park - lighting and surveillance	\$ 6,000.00	Project C3020002	\$ -
Lake Dulverton - Committee Budget	\$ 2,000.00	Project 302 - 7053 (Lake Dulverton)	\$ -
Lake Dulverton foreshore - solar Lights	\$ 1,800.00	Project 302- 5015 (Dulverton Corridor)	\$ -
Lake Dulverton Brochures (Tourism)	\$ 5,000.00	Project 407 - 7057 (Callington Park)	\$ 287.68 <small>Blubber</small>
Tas Irrigation - Water Operational Costs	\$ 25,800.00	Operational Charge (Oct/Nov)	\$ -
Callington Park - repairs to well	\$ 2,000.00	Asset Renewal Levy (Oct/Nov)	\$ -
Interest	\$ -	Water Usage (Dec)	\$ -
Donations	\$ -	Bank Charges	\$ -
		Total Expense to date	\$ 121,870.98
		Funds on hand	\$ 168,270.71
	<u>\$ 290,141.69</u>		<u>\$ 290,141.69</u>

PAYMENTS

Funds on hand are represented by:

Comm. Bank Account No.06 7004 28003859 - 01.07.21	\$ 20,541.69
Special Projects - Unexpended Budget	\$ 147,729.02
	<u>\$ 168,270.71</u>

6.0 OTHER MATTERS

6.1 FISHING IN LAKE DULVERTON – SUGGESTIONS FOR FUTURE ACTIVITY

An email (dated Mon 4th Oct 2021) has been sent to the Southern Midlands Council from an interested fisherman in Launceston that would like to see more activity in regard to fishing in Lake Dulverton. See email attached.

The email was discussed. Comment was made that comparing the management of aquatic plants in the lake at Ballarat was of interest. It was also noted that the Committee had discussed activities and management at this lake in previous years. Comment was made the Lake Wendouree was located in a town that has a very large human population in comparison to Oatlands, this giving much greater resources to their Council to support activities. The Ballarat lake had Olympic rowing occur at one stage and the town is the third largest city in Victoria. It was noted that even if a weed cutter for large areas was secured for Dulverton, large scale cutting of plants in the 51 Hectare lake would require considerable on going resources of Council. It was noted that in the former times when a cutter was used on the full 233 Ha lake, there was a lot more water in the lake – that is it was consistently deeper. In the period up to the 1980's when there was a large weed cutter, summer was the main time for managing the aquatic vegetation. Given our limited supplementary water allocation, it is clear that it is not a given that the lake level will be adequate each year to support a weed cutter irrespective of the season. It was advised that before any large area weed cutting activity could occur it would need an evaluation as to the impact on the ecosystem. Work on the hydrology has been undertaken in recent times. The lake has changed in respect to the management of the area as a consequence of the bund walls being in place. Lake Dulverton was proclaimed a Wildlife Sanctuary in 1929 and is now termed a Conservation Area, with implications for uses being directed / guided under the Parks & Wildlife Act and Nature Conservation Act.. This is a point of difference to Lake Wendouree. The current Lake Dulverton Management Plan supports fishing and limited cutting of the plants for a fishing patch is permissible. A small weed cutter is available for such, which is currently held/ stored with local community fishing persons in Oatlands.

Ensuring that water remains in the 51 Hectare area of Lake Dulverton in the long term and the overall management of the water levels in Lake Dulverton continue to be the priorities for Council. Given the level of the water, Council has indicated that cutting of the aquatic vegetation is not a priority.

It was suggested that a fact sheet could be made on Lake Dulverton that could be made available to people to understand the ecology, hydrology (including water levels and the changes in recent decades) and history of the lake. Parks & Wildlife would assist with some expert advice.

In the mean time – a reply would need to be sent to the fisherman that sent the email.

SUB COMMITTEE RECOMMENDATIONS TO COUNCIL:

RESOLVE

THAT the email be noted and a reply email be sent to the fisherman from Launceston.

CARRIED

6.2 SUGGESTION OF SEATS IN MEMORY OF EARLY FAMILIES IN THE DISTRICT

An email was received from a person that has a history with families that have been in the district for many decades. See suggestion re seats being placed to recognise such families.

The ideas suggested in the email was discussed. It was decided that it was a very difficult task to make decisions on which family would be worthy of a seat. It was noted that Members had had experience in this very same issue with other organisations. This included a policy that Parks had adopted for some of their areas that they manage. The result was that it was agreed that the best place to ensure families were recognised was to provide information to the Oatlands District Historical Society, where the full extent of the family history information could be managed and preserved for future reference.

RESOLVE

THAT the email be noted and a reply be sent.

CARRIED

7.0 NEXT MEETING

29th November 2021 – 3.30 p.m Oatlands Council Chambers

The meeting closed at 5.57 p.m.

* * * * *

CONFIRMED THIS DAY OF....., 2021

.....CHAIRMAN

Maria Weeding

From: Ian Travers <ian.travers@mmem.com.au>
Sent: Friday, 8 October 2021 4:10 PM
To: Maria Weeding
Subject: RE: GFS Solar Light

Hi Maria, I have a price for the lights as discussed with two options

Please find below prices for two options on this project;

- 1) STEALTH5-3K (3000K light output) with a pole mount bracket to suit 60mm post (existing?), \$3009.00+gst+freight ea
- 2) STEALTH5-TF (turtle friendly light output as per spectrum information below) with a pole mount bracket to suit a 60mm post, \$3360.00+gst+freight ea

Freight for 3 units is \$715.00+gst

We can modify our lights to produce a specific wavelength light to remove the blue light that can attract wildlife. This is often required in turtle breeding regions for example. Providing Turtle LEDs drastically reduces the lumen output per Watt, so spacings between lights needs to reduce accordingly.

Compliance with the lighting standards and the guidelines for wildlife are not particularly compatible. Guidelines call for minimising lighting levels and areas of coverage, positioning lights down low etc. Ultimately a compromise between good lighting for people and reduced lighting level to minimise wildlife disruption needs to be achieved.

To show the difference in wavelengths, see the colorimetric graphs below. Figure 1 shows a 3000K LED - some other suppliers claim this as a turtle luminaire, however you can see that there is still blue and green light present (although lower compared to 4000K/5000K). Figure 2 shows the colorimetric from our Stealth Turtle LED PCB which is a mono wavelength with no blue/green.

Figure 1 – 3000K CCT LED

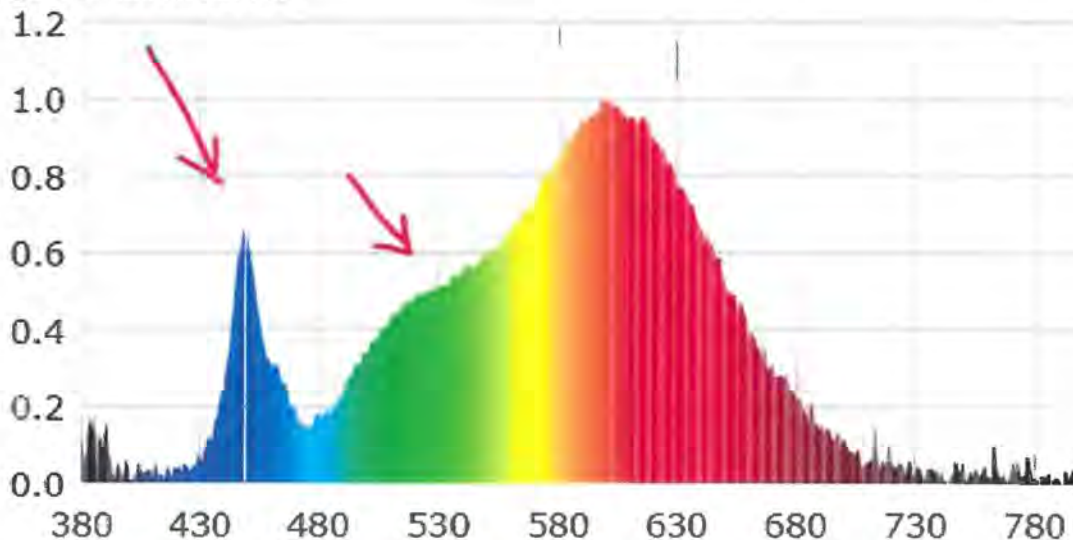
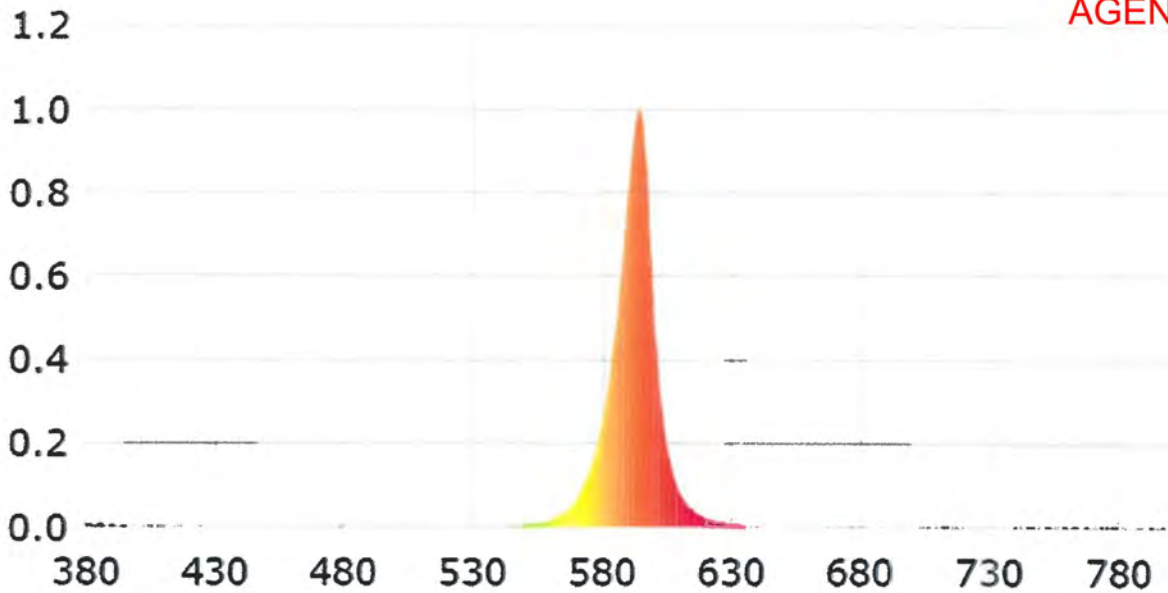
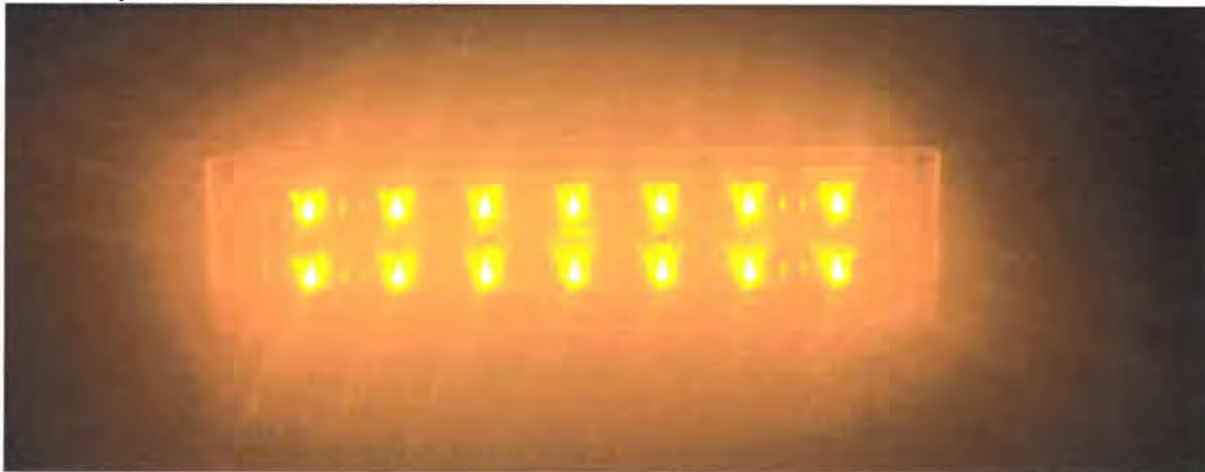


Figure 2 – GFS STEALTH Turtle LED



In house photo of the Stealth Turtle LED



Let me know if you require anything further on this one.

]

Regards

Ian Travers

D & W Hobart

From: Maria Weeding <mweeding@southernmidlands.tas.gov.au>

Sent: 27 September 2021 14:39

To: Ian Travers <ian.travers@mmem.com.au>

Subject: RE: GFS Solar Light

Hello Ian

Thank you for your email early this morning.

I send the following information:

The following is an extract from an email sent from Parks that had originally come from their Conservation Assessment Section. See the cut and paste below.

From: Paul B. <pboer@iinet.net.au>
Sent: Monday, 4 October 2021 6:18 PM
To: Jemma Crosswell <jcrosswell@southernmidlands.tas.gov.au>
Subject: Lake Dulverton

Hi Jemma

I am sure you are aware of the Forum being held by the Tasmanian Community Fund at Oatlands on Thursday 5pm at the Community Centre.

Lake Dulverton has the potential to be a premier water sport and recreation Centre ie water skiing, fishing, sailing, kayaking, rowing etc. The problem is weed as I am sure you know. Lake Wendouree in Ballarat has the same problem. They have solved the problem by using a weed cutter which was made in Tasmania!

Actually they have two, one which cost \$300,000 and a smaller one which cost \$80,000. I discovered this by talking to the person on Ballarat Council responsible for the lake. He gave me the name of the Tasmanian firm which made the cutters, which I did not keep.

I understand that a Power Boat Racing Club built a weed cutter in the 60's or 70's and power boat races were conducted after the weed was kept under control.

I believe also that a problem exists with depth in the heat of summer. Even if water activities were conducted in Spring, early Summer and Autumn, I believe the effort of weed cutting would be more than worthwhile until the level got too low,

I am from Launceston but every time I pass through Oatlands I see this fantastic opportunity going begging. If only somebody or group would take the initiative and apply for a grant - I suggest the Tasmanian Community Fund as I applied for a grant for the Northern Tasmania Croquet Centre and was successful in receiving \$45,000 for a new mower.

Please pass this on to a councillor who may be able to stimulate some interest or even attend!

Regards
Paul Boer

Maria Weeding

From: Glen <dianne.curran@gmail.com>
Sent: Wednesday, 6 October 2021 10:26 AM
To: Maria Weeding
Subject: Family seating

Hi Maria

Following on from our conversation this morning I am emailing my thoughts re the creation of seats and family names in Oatlands. This has come about from tracking my family ancestry on my mother's (Margaret) lineage being Espie. Amongst my many members of family ancestry, for this purpose would include Espie, Lyall, Bevan and Brock, all of whom have significantly contributed to the development of Oatlands and the surrounding districts. Time is moving on and we are losing our history concerning amazing people of all cultures, who, through foresight and hard work created what we have today. For me it is a way of honouring my lineage and persevering it for the future.

- Suggestion – creation of seats in memory of families that have contributed to the early development of Oatlands
- Seats location – around the lake, streets, cemeteries, etc. Could be placed where their houses were/are etc
- Funding – potentially apply from business, local, state and federal organisations
- Event – possibly launch at the Oatlands Bullock Festival

I am excited with the above possibility and apologies for 'treading on toes'.

Don't hesitate to contact me to answer any questions or concerns.

Thankyou for your time.

Cheers
Dianne
04999 80246

Sent from Mail for Windows

LAKE DULVERTON and DULVERTON WALKWAY ACTION PLAN

Draft



Edition 5

2021

Lake Dulverton and Dulverton Walkway Action Plan - 2021

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INTRODUCTION

In 2002 a Lake Dulverton Management Strategy was developed to assist with maintaining the long term sustainability of the lake and the recreational opportunities it presents. The Strategy outlines the overall management of four zones identified within the lake area to the high water mark, plus the surrounding foreshore. (See map - Appendix A). The Lake Dulverton Action Plan was also developed in 2002 and it was expected that regular reviews would be conducted. The Plan details specific proposals and actions to improve the lake and its surroundings, with actions guided by the overall intent and direction of the higher level Management Strategy document.

The 2013 Action Plan (Edition 3) was broadened to include the Dulverton Walkway that was completed in 2011, due to the fact that the bulk of the 7km Oatlands to Parattah walkway is associated with the foreshore area of the lake. The Action Plan 2017 (Edition 4) is due for review. It is timely in that elements in the new Oatlands Structure Plan 2021 can also be reflected in Edition 5.

A number of new actions have been listed. These actions have been recorded in categories related to their activity or issue. The final plan is endorsed by Council and sets the direction for the Lake Dulverton and Callington Park Management Committee to pursue in the immediate future.

The Lake Dulverton and Callington Park Management Committee is a Special Committee of the Southern Midlands Council. The Committee is predominantly made up of volunteer community members, who oversee the implementation of the Action Plan, - guided by the higher level Management Strategy. Members on the Committee are listed on the Southern Midlands Council web site – www.southernmidlands.tas.gov.au.

The ability to implement proposals will in many cases be dependent on appropriate funding sources, most likely over an extended time. The action recommendations of more significant impact will require both economic and environmental analysis prior to proceeding to a detailed stage. The Action Plan describes such proposals and examines their initial feasibility for implementation together with a recommended outcome.



*This Plan was endorsed by the Southern Midlands Council at the Council meeting held on
XX.XXX.XXXX.*

ENVIRONMENT

LAND TENURE

Lake Dulverton Conservation Area and Foreshore

The former Lake Dulverton Wildlife Sanctuary was declared a Conservation Area in 1998 pursuant to Regional Forest Agreement with its name formally altered to the 'Lake Dulverton Conservation Area' in 1999.

The Lake Dulverton Conservation Area covers an area of 231.54 hectares which comprises the lake and sections of foreshore, with the foreshore sections having been added into the Conservation Area in 2007. More specifically the Conservation Area includes the water area to the high water mark, with the exception of some 16ha that are in private ownership. These are the bays on the north eastern side, and a block at the southern end of the lake. The land area that forms part of the Conservation Area is mainly confined to the foreshore area adjacent to the township through to the Tunnack Road, however there are parcels of land within this section that are in private or Local Government ownership. This includes Mahers Point and a section of Hawthorn Bay, which are all owned by the Southern Midlands Council. Mahers Point cottage is now privately owned, having been sold by Council in 2016. All the north eastern, eastern and south eastern foreshore is in private ownership. The foreshore of the lake has a perimeter of nearly 10kms.

The managing authority of the Lake Dulverton Conservation Area is the Southern Midlands Council, which is guided by the advice of the Tasmanian Parks & Wildlife Service (Parks & Wildlife). Southern Midlands Council, through a lease arrangement with Parks & Wildlife, is charged with overseeing the overall day to day management of the lake together with the longer term actions as guided by this Action Plan, the Lake Dulverton Management Strategy (2002) and the statutory Lake Dulverton Management Plan (1980). Parks & Wildlife and the Inland Fisheries Service have a statutory role in the on-going management of the lake.

Council and Parks & Wildlife have entered into a Memorandum of Understanding that commits each organisation to the aims and objectives within the Lake Dulverton Management Strategy - 2002 and the 1980 Lake Dulverton Management Wildlife Sanctuary Plan.

Of the above three organisations that have a role in the on-going management of the lake, Council currently contribute the greatest proportion of on-ground works funds to enable delivery of the desired management outcomes.

The remaining area of management relates to the role and responsibilities of the various private landowners who abut the lake. Management of those properties has the potential to impact on the quality and quantity of lake waters. It is important

that private land owners recognise the values of the lake and sympathetically manage the environs to ensure there are no long term detrimental effects.

The lake provides a wealth of information and opportunities for inclusion in curriculum activities for the local school. The Oatlands District High School (ODHS) has / is able to provide a number of levels of learning on fauna and flora in the lake. The school also regularly use the foreshore for walking, running/cross country events throughout the year.

Dulverton Walkway

Much of the Dulverton Walkway follows the Lake Dulverton foreshore and more often than not, the walkway follows the original rail line route that linked Parattah and Oatlands townships. Several years after the rail line closed in 1949, the sections of line were placed into the ownership of the adjoining landholders. Therefore, the walkway passes over a number of private properties. The Council has formalised arrangements with the landholders to enable the continued use of the track by the public.

RECOMMENDATION

1. Council in consultation with Parks & Wildlife, continue to manage the Lake Dulverton Conservation Area and the associated foreshore as recognised in the lease.
2. Council and the Committee continue to manage the Dulverton Walkway.
3. Council encourage the school to integrate where possible activities associated with the lake, surrounding public foreshore area and the Dulverton Walkway into the education programs being offered.

LAKE MANAGEMENT

Water

Lake Dulverton Conservation Area

The natural catchment of the lake is around 3430 hectares with the Parattah and Netting Creeks being the main source of water inflow. For the 233 hectare lake to remain full, it is estimated that around 700mm of annual rainfall is required per year, however average annual rainfall per year for Oatlands is around 550mm. Historically intermittent years of above average rainfall have occurred once every eight years allowing for water to remain in the lake, although there have been periods where it has been completely dry. The most recent dry period dated from 1993 when the lake dried up and then remained virtually dry for the next 15 years. This is because Oatlands received average or above average rainfall for only three of the 15 years in the period 1993-2009. In 2009 a very heavy rainfall event saw

much of the lake refill. Although not deep, the water covered the entire 233 ha area. This was further enhanced with heavy rainfall occurring in 2011 and 2016, although the lake was still far from being full.

The desire to retain water in the lake has been a high priority for environmental, social and economic reasons. With the announcement of the Midlands Water Scheme (MWS), an ongoing winter season allocation was secured for Lake Dulverton in 2011. This 2011 allocation is used to assist in maintaining water in the 2.2 Ha (Fountain Zone) and 51 Ha (Recreation and Conservation Zones), which are formed by the bunded walls within the lake. Through monitoring of the water levels, it has become apparent that additional water over and above this allocation is required to sustain the lake level over the long term. Apart from limited street frontage surface area run off, there is no natural catchment flow in to the lake in the 51Ha area.

Additionally, the Council holds a 560ML water right on the Blackman River which is held specifically for Lake Dulverton. This water can be augmented to Lake Dulverton via a share of the town supply water line from the Blackman to the town supply treatment plant, and then through a dedicated untreated water line from the treatment plant to Lake Dulverton. The latter line was put in by the community. The common use/ share of the town supply line between the Blackman River and the water treatment plant was an approved arrangement for use of the line by the Southern Midlands Council, on the basis that the water needs of the town take priority. With TasWater now being the responsible entity for the management of town water supplies, the arrangement, as a pre existing arrangement has passed to TasWater. The supplementary water continues to be delivered to the lake when conditions permit and through the local TasWater staff making it possible. The current infrastructure (storage dam, plant and pipeline) and the operating requirements of the treatment plant only provides a limited the opportunity to utilise only a small portion of the volume of water available through the Water Right.

A groundwater bore exists just beside High Street at the dam wall of the Lake. Ever since the establishment of this bore, the management of this water supply has rested with Southern Midlands Council.

Of the two bund wall areas, the 2.2ha area (Fountain Zone) has been maintained with water, either from the MWS, bore water and/or the Blackman River supplement water. These sources of water have been vital in maintaining the water level in this area as there is no natural stream flow into this section of the lake.

A 300mm poly pipe was installed within the large bund wall when it was built. A butterfly valve was installed in 2015, replacing a one way flap. This is vital infrastructure to maintain any supplementary water in the 51Ha or the 2.2 Ha lake water areas. When the natural water levels in the 189 Ha area is higher than the 51 Ha area levels, the pipe allows for transfer of water through into the 51 Ha area.

Weekly water monitoring of the lake levels in the 51 Ha area occurs by taking readings at the water marker installed near the small bund wall.

Dulverton Walkway

The Parattah and Netting Creeks run into Lake Dulverton. On a number of occasions both creeks flow through culverts associated with the walking track. Extensive flooding of these creeks occurred in 2009 and twice in 2011. In 2011 large culvert pipes were placed to better cope with increased water flow periods in three of the four crossing points. A bridge is at the upstream point at Hilly Park. However, it is recognised that in excessive flood times both the bridge and the culverts are unable to cope with flow requirements. The track has been concreted in the locations to allow for water to flow over the track surface in the short term high flow periods. It is important that the culverts be kept free of soils and vegetation to cope with water flows that occur under non flood conditions. The culverts were tested during the 2016 floods and protected the track from significant damage.

Should major flooding events begin to occur on a regular basis, there is an option that could be considered for the track area at the Bellevue and Manning properties which is where the water flows into Lake Dulverton. The option is:

Creating an additional water flow channel in the form of a V drain that takes water when a certain level is reached. This would ideally be the level just before the water begins to flow over the track at the large culvert pipe. The V drain would cut across the Bellevue paddock to take the excess flow water straight to Lake Dulverton rather than having the track flooded. This type of drain would need to be formed outside of the winter months, and once formed – would need to be heavily planted with poa grasses that are relatively deep rooted and can withstand periodic flooding. This option would be intermittently inconvenient for the Bellevue property whilst the drain was in operation, but of no concern outside this time period.

RECOMMENDATION

1. That the Lake continue to be managed to maximise the opportunities for water to be retained in the Lake, with the 2.2ha and 51ha bunded sections of the lake being the priority areas as there are no natural flows into these sections of the Lake.
2. The Blackman River water supply continue to be delivered with Southern Midlands Council and TasWater continuing to liaise to ensure this continues to occur when required and the water quantities are recorded.
3. The underground bore water supply at High Street Oatlands continues to be managed by Southern Midlands Council.

4. The water pipe through the large bund wall be maintained and managed to ensure water levels in the lake give priority to the 51ha area of the Lake.
5. Council and the Committee continue to work on opportunities to have additional water available for the 2.2Ha and 51Ha area of the lake, including but not limited to utilising water from the Midlands Water Scheme and working with TasWater to achieve better delivery of the Water Right resource held by Council.

Aquatic Flora & Fauna

Lake Dulverton

The specific objectives of the Lake Dulverton Management Strategy are to maintain the long term sustainability of the fauna and flora habitat of the lake with the recreational opportunities it presents.

Recreational fishing has been a feature of Lake Dulverton for many decades when there are sufficient water levels in the lake. The Inland Fisheries Service (IFS) stock the lake with trout and eel when appropriate.

Eels are harvested under a commercial arrangement with Inland Fisheries Service (IFS).

Environmental conditions such as aquatic plant growth and changes to water level determine fishing activity that varies from nil to being a popular pursuit at times of the year.

Increased reliability of the water level in the recreation, conservation and fountain zones through the addition of water from the MWS has had a positive impact upon fishing activities.

RECOMMENDATION

1. When dry conditions prevail, the Fountain, Conservation and Recreation Zones continue to be maintained as the highest priority sites in terms of providing for the flora and fauna of the area.
2. The IFS continue to manage the Lake in terms of the fish stock.

TREES AND NATIVE VEGETATION

Lake Dulverton



The foreshore is one of the most important areas of the lake in terms of intensity of use by visitors and local residents. The area continues to be enhanced in terms of facilities such as the walking track, seating and picnic tables. Establishment of sections of native vegetation has also been ongoing since 1984. Native vegetation has been favoured in place of the older conifer trees that are now in

their final mature years, particularly on the town side of the foreshore.

Establishment of mainly native vegetation on the steep slopes has also served to make use of ground areas that are difficult to maintain in a tidy state. These areas are also a relatively safe environment for wildlife to use, as they are not easily accessed by humans. The tree and shrub planted areas have not only improved the amenity of the area, but are now providing important habitat for wildlife.

The conifers (mainly *Macrocarpa*), are in varying stages of health, with some having been removed over the past twenty years due to falling limbs. These trees are historic in the sense of the length of time that they have been established, and provide opportunity for shade over the summer months. They are continuing to be monitored and removed as and when required. The intention is not to remove the trees until absolutely necessary and that the option of tree sculpture be considered at the time of removal.

Dulverton Walkway



The Dulverton Walkway follows the old rail line route for the majority of the 7km Oatlands to Parattah walk. Creation of a native vegetation corridor along sections of the track has been the adopted as a long term strategy. The establishment of the native vegetation is gradually improving the environment for fauna habitat. The vegetation also enhances the experience for users of the track in terms of the landscape amenity.

The first planting of native plants in order begin forming a 'corridor' on the former rail line occurred in 1995, next to the Bellevue property. Since that time there has been ongoing planting and maintenance of previous plantings. The work has been co-ordinated by the NRM Unit of Southern Midlands Council, the plants provided each year through the Midlands Tree Committee and funded grants (when available) with the planting and plant maintenance work sometimes done by volunteers.

The tree and understory plantings have been done with consideration to adjoining properties in terms of views of the lake and surrounding landscape, sight lines for traffic on the road where the track is close to road intersections, overhead power lines, drainage lines and soil conditions, particularly fragile soils.

It should be noted that there is a section of foreshore just prior to the Manning land, which has several established Elderberry trees. These plants were commonly found around areas where early colonial settlers established dwellings. Although there appears to be no obvious indication of a previous settlement at this point in the track, given the number of these trees in this location they should be retained at this stage.

~~A map showing locations for future plantings along the foreshore is attached for reference — see Appendix C.~~

RECOMMENDATION

1. That the pockets of native vegetation established on the foreshore and walking track be maintained. This will assist to provide wildlife habitat and shade/shelter for users of the walking track.
2. The historic *Macrocarpa* trees on the town foreshore continue to be monitored, with any removal being undertaken only as absolutely deemed necessary due to safety issues. The option of using the tree stump for sculpture is to be considered/investigated by the Committee prior to removal.

WEEDS

Lake Dulverton Conservation Area

There is a continued need to address the issue of introduced exotic weeds that are detected in the lake.



Small outbreaks of Cumbungi (*Typha latifolia*) and patches of duck weed have been found in Lake Dulverton from time to time. The cumbungi is by far the more serious of the two. Efforts to ensure this weed remains out of Lake Dulverton should continue to be a high priority. There has been an outbreak of this weed in the past and there are waterholes not far from the lake that need to be continually checked and managed to minimise the chance of this weed entering the lake.

Elodeia canadensis (Canadian pond weed) is another weed that has potential to establish in the lake. Given that it is not present as at 2016, monitoring for this weed should occur at the same time monitoring occurs for the cumbungi weed.

Water from the Midlands Irrigation Scheme is discharged into the small 2.2ha bund wall area of the lake, before spilling into the 51ha bund area. It is not likely that any aquatic weed will infiltrate the lake via this water. Filtering of the water as it enters the 51ha area is an option if deemed necessary.

Lake Dulverton Foreshore and Dulverton Walkway

The foreshore area is generally maintained by Council to ensure an attractive and accessible adjunct to the lake environs. In general this management approach is fully endorsed.

Gorse, broom and horehound are the main land based weeds that have been managed and continue to be managed on the foreshore of the lake as funds permit.

The foreshore around the Oatlands township urban area to Mahers Point is close to being free of gorse and broom. Gorse and some broom on the foreshore on private land immediately opposite the town continues to be controlled and is decreasing in its intensity.

RECOMMENDATION

1. That the foreshore and walking track continue to be managed for weeds with the removal of gorse, broom and horehound being the priorities in that order.
2. That the Lake Dulverton aquatic zone be vigilantly monitored for any outbreak of Cumbungi and if found then removal of plants is a priority action.
3. That the Lake Dulverton aquatic zone be continually monitored for Elodeia and Duck weed and if found then options for management of such be considered.

INFRASTRUCTURE

Development of the lake foreshore is concentrated around the western shores where toilets, a BBQ, seats, picnic tables and a camping area are the main facilities. There are a number of other buildings and infrastructure items around the Lake foreshore. The following suggestions have been made for some of these facilities:

AQUATIC BUILDING



This building was originally built to service the extensive rowing activity that occurred on the 2 Km long rowing course. Hence the building is referred to as the aquatic club building. Schools from all over the State would compete at the venue. The top floor section was used as the judges box to call races and determine final placings in each race. The lake was totally full in 1986, before the water levels went into a trend of continual decline. The last competition rowing race was held in the late 1980's. The lake was totally dry by 1992. To date the lake water level has never ever again reached the full mark.

Currently the front area of the ground floor of the aquatic building is used as a meeting centre and a portion is dedicated to the local community radio station. The rear area is a shower facility, used by local camping/motor home visitors and occasionally by local community members during dry times. Access to the shower facility is by a code entry sent to the user's mobile phone at the time of entry. The building is managed under Councils' Hall and Recreation Committee.

The roof-top room on the second level, although weather proof, is not in particularly good order and currently has no access. Originally this small confined area was used to judge boat races, mainly when rowing regattas were held. The views obtained of the lake at this point are magnificent and present a unique tourist drawcard to enable the qualities of the lake and its various habitats to be appreciated.

If access to the room (external stairs?) is resolved, then visitors could visit the room to view the lake environs through a click send code system via the phone (similar to the current shower access in the same building), or it could be through a key system whereby a tourist visitor key would be obtained by the visitor (with a deposit held). This key system would be linked to an existing key system used to access other public historic buildings in the Oatlands area. The deposit would be returned when the key is returned.

The exterior of the building has had periodic episodes of maintenance and upgrading in terms of access to the ground floor section.

The building is principally managed through the Council Committee – the Hall and Recreational Facilities Committee. However the Lake Dulverton & Callington Park Management Committee and Parks & Wildlife have an interest in the building given its location on the foreshore.

RECOMMENDATION

1. Options be considered, initially by the relevant authorities, for future development of the building should a proposal be tabled that fully utilized the balance of the building that is currently underutilized in this prime location site. Future use would need to recognise the existing use of a portion of the building in terms of the radio station and the visitor shower facility.
2. The exterior of the building in general be upgraded and the surrounding area be further landscaped.

INFRASTRUCTURE AMENITY IMPROVEMENTS

The popularity of the lake foreshore with both tourists and local citizens continues to place demands on the foreshore area. Lunch is a popular time at the lakeside. There is a need to continue the strategic location of seats and litter bins most notably along the route of the Dulverton walking track. For new infrastructure, consult with Parks & Wildlife.

Cost implications are minimal and can be integrated into a number of progressive annual budgets to enable strategic implementation.

RECOMMENDATION

As required and as budgets permit, the installation of foreshore infrastructure continue and existing infrastructure including the walking track surface be upgraded as approved.

Appendix B provides details of identified minor works. Each year, the works to be undertaken will be updated.



MAHERS POINT AND OTHER AREAS – VEHICLE ACCESS



Mahers Point provides one of the most attractive viewing points on the lake given it overlooks Marys Island. Views are available to either end of the lake and the particular aspect towards the town centre provides a picturesque landscape.

Vehicle access to Mahers Point and other areas that adversely affect the foreshore identified to be limited to reduce any impact on the foreshore.

Other areas that occasionally have had vehicles driven through the area include the section of the stop over area between the picnic table area to the toilet car park area, which is a pathway intended for pedestrian use only. (See picture below).



The other area of note is the foreshore near the aquatic centre. Occasionally vehicles have been noted parked on the foreshore which has included campers using the location. (See picture below).



RECOMMENDATION

1. Mahers Point continues to be maintained and vehicular access is prohibited on to the point area of the land.
2. Preclude vehicular access from areas where necessary if the committee determine that there is a need.

FORMER FLAX MILL SITE AND LAIRMAIRENEPAIR PARK

The Lairmairenepair Park and remnants of the Flax Mill site are both located on the Freds Point headland.

The Lairmairenepair Park is located on the tip of the headland and is so named after the Big River Tribe aborigines whose tribal lands encompassed the Oatlands District. This site shows signs of past occupation and contains several caves. The area was possibly a favoured campsite due to the easterly aspect, with access to water and a seasonal food source around the lake.

The Flax Mill was established by the Federal Government during the Second World War and was a major part of the Oatlands' District War effort. Work on construction of the site office, men's messroom, store rooms, deseeding shed and scutching shed was completed in April 1941.



A total of 132 employees worked at the mill between 1941 and 1945. Flax was grown within the Oatlands, Ross and Bothwell districts to supply the mill.

Today only the foundations of the buildings previously on the site remain, many having been relocated a short distance from the mill site over the past 30 years.

RECOMMENDATION

1. That the Flax Mill continues to be conserved.
2. That signage at the Lairmairenepair Park be placed that gives a brief history of the Big River Tribe and explains the relevance of the Lairmairenepair name.

RECREATION AND TOURIST SERVICES

It is recognised that recreational opportunities can provide people with a better appreciation of the lake environment and its features. Improvements include the following suggestions:-

ACCESSIBLE BOARDWALK

The notion of having an accessible boardwalk that traverses into the wetland is an option that could be considered. It would create the opportunity to allow a closer experience with the variety of birdlife that inhabit the lake. The location and direction and distance of the path would need further consultation and approvals from Parks and Wildlife which would include reports on environmental assessment and impacts of any such proposal. Designs and construction of such infrastructure would need careful consideration. Ongoing operation and maintenance of such a structure and associated infrastructure (such as a small car park area), would also need to be addressed. Interpretation of the cultural and natural values of the lake could be incorporated at this facility, making for a modern and unique all access visitor experience for the lake in general.

MARY'S ISLAND ACCESS BRIDGE

Another project that could be considered is the development of a walkway bridge to link Mary's Island and Mahers Point.

The development of this proposal would require a clear design and location that can be agreed with Parks & Wildlife. Wildlife disturbance, vandalism, public risk and environmental protection are all relevant issues.

RECOMMENDATION

1. A preliminary feasibility, cost benefit and design study be undertaken of the development of a Mary's Island access bridge, to enable further consideration by Council, Parks & Wildlife and the community members of the desirability of the projects outlined.

Map 1: Location of bridge



DULVERTON WALKING TRACK

Walking is one of the most popular recreational pursuits linked with the lake area. There is an established 7km gravel track from the Esplanade through to Parattah following the old railway line. The Dulverton walking track was developed over many years with the majority of work done by volunteers. The Committee along with Council will continue to monitor the track and suggest changes or upgrades as appropriate. Counters at two locations have been installed to gauge the use of the track.

RECOMMENDATION

That the Dulverton walking tracks and associated paths continue to be upgraded and developed as resources and budgets permit.

BIRD WATCHING PLATFORM- (FORMER JETTY)

This structure was previously part of a jetty structure. Originally a floating jetty was fixed to buttress section. The floating jetty fell into disrepair when the lake dried up, so has since been removed, leaving only the main buttress formation. The structure has since been developed into a bird watching platform, with railings placed around and a seat provided. It is proposed to investigate the feasibility of installing interpretation signage.



RECOMMENDATION

1. It is proposed that interpretation signage be investigated and if feasible developed.

STOP OVER AREA

The stop over area is used extensively during the year and the plan is maintain and gradually develop the facilities in the area.

There is an area on the bank that is currently unsuitable for the parking of motorhomes (see photo). It is proposed that this area be considered further develop in order to provide additional space for short term RV stays.



RECOMMENDATION

1. Explore development of this area to better utilize the space available for short term over night stop over use, including incorporating a BBQ facility for visitors to the area. This is to be in consultation with the stakeholders.

INTERPRETATION SIGNAGE

Signage detailing the environmental significance and history of the lake has been placed at the main stop over area for tourists. As budgets permit, it would be worthwhile duplicating this signage at one other key point on the lake foreshore. A free self-guided walk brochure has been developed, with over 34 points of interest having been identified and markers installed around the foreshore indicating the various locations.

Signage assisting campers at the stop over area has been installed. These signs inform campers of some of the facilities and services available within the immediate area (medical, eating places, golf course, RSL & Bowls Club, waste water dump point etc).

RECOMMENDATION

1. Continue to develop and look for opportunities to enhance interpretation signage on the foreshore.



VISITOR INFORMATION BROCHURES

The lake's heritage and environmental features are important and need to be promoted as part of any town marketing strategy.

The self-guided walk brochure is currently the main brochure available for tourists from various venues around Oatlands including the Council chambers.

It is recognised that the Lake should be included in any broader promotion and marketing of the township.

RECOMMENDATION

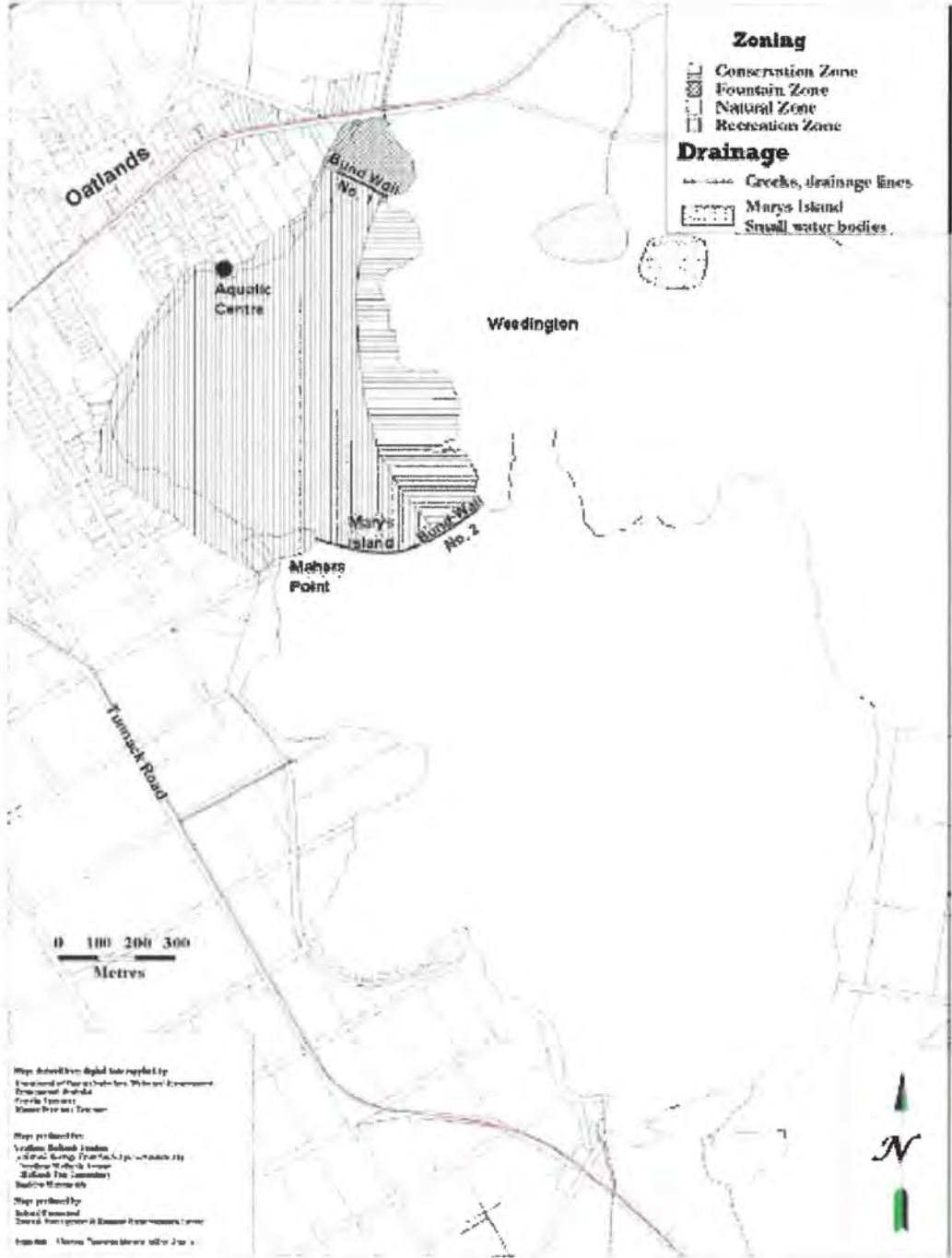
1. That the current brochures be periodically upgraded / reviewed as determined by the Committee.
2. That new brochures be developed including digital media be developed (for example an App).

* * * * *

Appendix A - Zoning

Extract from the Lake Dulverton Management Strategy 2002.

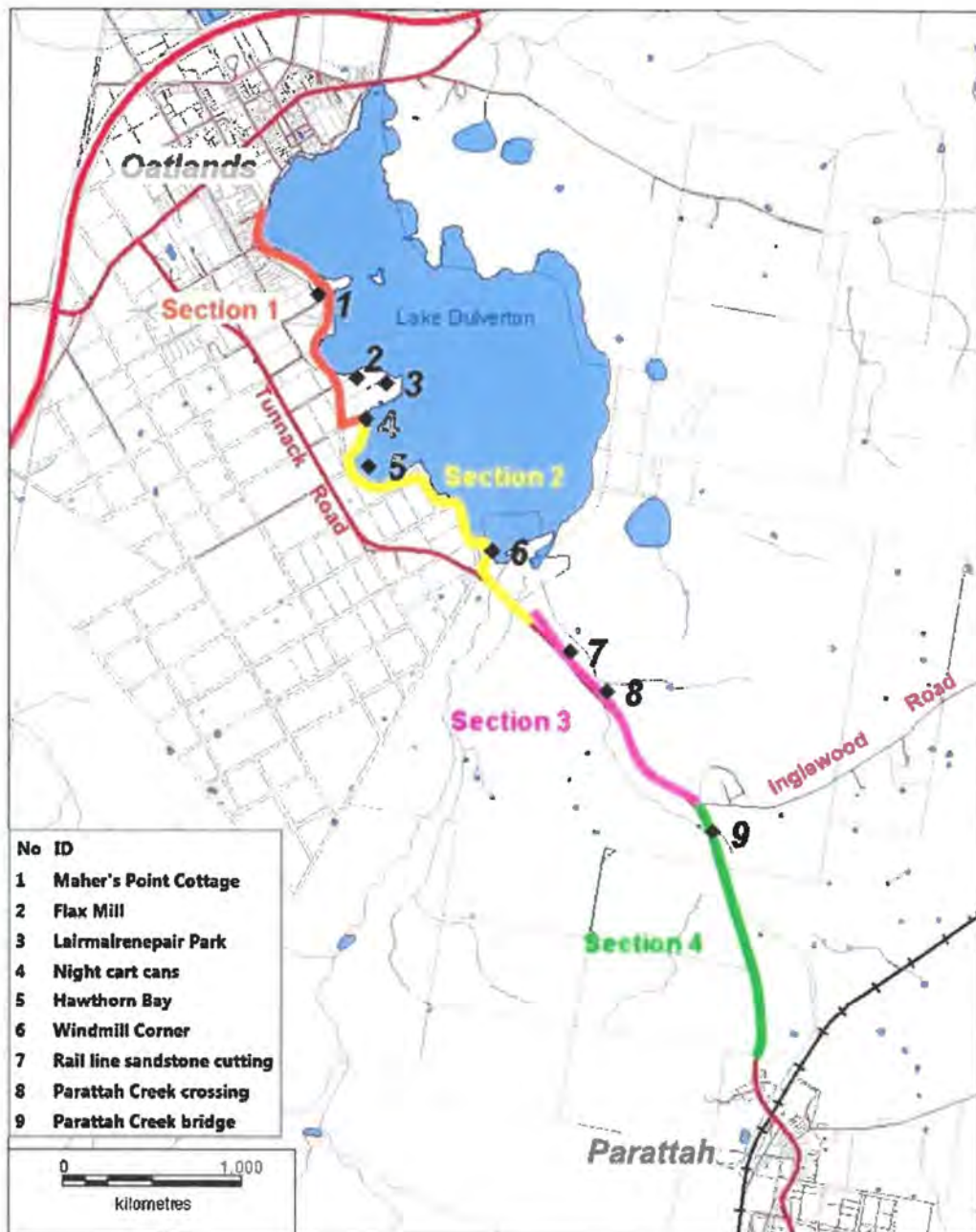
Lake Dulverton Zoning



APPENDIX B – Small scale works

Small scale works to be undertaken in the near future – subject to budget.

Map provided to identify sections and track reference points from Oatlands to Parattah. The sections and reference points are used to describe the location of the small scale works as detailed.



Works in all sections

- Continue weed control works (broom, gorse and rose hip) along the Dulverton walking track.
- Maintain existing tree plantings.
- Install seats and other infrastructure as funding becomes available.
- Continue to maintain trees along the Dulverton walking track.

“Oatlands” Section

- Mechanically remove old tree stump (dirt mound) from near the public toilet



- Plant poa grasses / plants on this bank near the stop over area (unable to mow).



- Old wading pool add soil next to concrete so it can be mowed.



- Tidy area under the established trees (next to the lake edge) and improve the low grade gravel path to the water marker from the main the pathway.



- Install bench seat near the Aquatic Centre and add more poa grasses to bank.



Section 1

- Renew 2 seats on the bank near Mahers Point cottage.



- New fencing required near the railway signal at the former Flax Mill site.



- Place existing old machinery located by night cart cans onto a gravel base to better preserve and display items.



Section 2

- Elderberry trees to be preserved and maintained.



**Kempton Streetscape Group meeting
2.10pm, Monday 25 October 2021 at the Kempton Council Chambers**

Present

Edwin Batt
Linda Cartledge
Catherine Johnson
Denise Booth
John Hay
Tim Kirkwood
Maria Weeding
Andrew Benson
Carolyn Bassett (from 2.53 p.m.)

Apologies

Helen Geard

Minutes

The minutes of the last meeting held on 3rd August 2021, had been previously circulated. It was resolved to accept the minutes.

Clock Tower

Members were informed that the clock face works (ink infusion into the glass) of the roman numerals was underway. This is being done in Sydney. The glass thickness has been increased to 10mm at the request of Maria. It has been subsequently confirmed by Xanderware that the glass that came out was 10mm. There will be no increase in the cost as a result of this change. It was also noted that there was two roman numeral twos on the glass – and number three was not there! This oversight will be relayed to Xanderware.

Seat near the silhouette

This follows on from the last meeting. It is proposed that a metal seat be placed on the footpath near the silhouette / mural. Paul Lang will be asked to liaise with Carolyn Bassett and / or Catherine Johnson as to the exact location prior to the seat going in.

Victoria Memorial Hall building and forecourt upgrade

The official opening was held on Tuesday 17th August 2021. Attended by endorsed Liberal candidate Suzie Bower in the absence of Senator Claire Chandler being able to attend due to Covid 19 restrictions (caught in Canberra and unable to fly to Tasmania as a result). The build works have been completed, signed off by the building surveyor ready for a Certificate of Completion to be issued. Resolved to note the information.

Recreation Ground and Adjoining Area - Master Plan

Following on from the last meeting, Peter Gaggin of Philp Lighton Architects met with members of the Streetscape Group and other community members to gain a broad overview of the area and thoughts for a Master Plan to be developed. The Master Plan was subsequently developed as a draft, ready for community consultation within the Kempton township. A flyer was posted to all residents. See attached.

A drop in session for questions was also held, just prior to the close of the period for survey response submissions.

The responses from the community and other information was summarised into a document ready for discussion at the meeting. The committee spent time discussing the various issues raised by the community. Comments from the committee were recorded into the summary document at the meeting. These comments are to be passed on to Council for further consideration at the Council meeting to be held Wednesday 27th October 2021 (as a late item).

Given the responses, the committee looked at options to move the skate park from the location proposed to a position that was not so close to the Main Road. This was to alleviate concerns that had been raised by some members of the community.

Two alternative location options for the skate park were flagged at the meeting. The first option had been drawn up – prior to the meeting (*in anticipation of the need to consider moving the skate park*). See attached 'Revised Plan- Option 1'. Further discussion resulted in a second option – drawn up on the white board. See below: 'Revised Plan – Option 2' .

Revised Plan – Option 2



The committee agreed that the Revised Plan Option 2 was the preference, and was most likely going to address / reduce the impact in relation to position of the skate park and other concerns that had been raised by the community.

The plan will be drawn up in a presentable form, and circulated for discussion as part of the information to go to the Council meeting on Wednesday 27th October 2021. The plan will also be circulated to the committee members in addition to the minutes.

Next step is to submit the skate park plans to the Council as a formal Development Application. Andrew will progress this.

Other Matters

Nil

Next meeting

Date to be determined

Meeting closed 3.45pm.

SOUTHERN
MIDLANDS
COUNCIL



Kempton Recreation Ground Master Plan

Community Consultation

October 2021

Kempton Recreation Ground and Adjoining Areas – Master Plan

The Kempton Recreation Ground, including the adjacent property, are important recreation and community assets that are being considered for development in the short to medium term.

The development of Public Open Space within a township is an important issue. Council would like to give Kempton residents the opportunity to provide input and comment.

In reference to the attached Master Plan, this has been developed based on community input and local knowledge to date. Whilst the intent of the Plan is not to be too specific in terms of exact location and design (with the exception of the skate park), it is intended to indicate the type of developments that are anticipated.

In relation to the skate park proposal, additional detail is included as an attachment to the overall Master Plan. This proposal has been progressed by local community representatives (in conjunction with the Green Ponds Progress Association) and funding has been secured through the Tasmanian Community Fund. It is also noted that the dog park area (as shown) was the subject of community consultation earlier in the year. The dog park (in part of the 'Gymkhana Paddock') was overwhelmingly supported by the community, and subsequently endorsed by Council. Funding for the development of this area is secured. The specific dimensions of the dog park areas are yet to be finalised.

Public Consultation Survey Response dates: 5th – 19th October 2021

Drop In Session: Speak with a Council Officer re the Master Plan on Tuesday 19th October, Kempton Council Offices 4.00 – 5.30 p.m.

Prior to advancing these projects, members of the community are invited to provide comment via the survey questions outlined below:

1. From your perspective, are there any key components missing in the Plan?
2. Are the proposed 'uses' as shown on the Plan appropriate? If not – why not?
3. Are there other uses that need to be catered for?

4. Are there any impacts on current uses at this location?

5. Are there any specific on site traffic / parking considerations that need to be taken into account?

6. Any other general comments?

To assist with assessing the feedback received, it would be greatly appreciated if you could tick one or more of the following that applies to you:

Dog owner – that may wish to use the dog exercise area from time to time.

Parent/Guardian of children that may use the playground.

Grandparent – that may bring grandchildren to use the area.

Person that plays sport who may use the facility at times- i.e. football or cricket.

Person interested in using the skate park.

Person that uses the area for passive recreation – walking / general exercise.

Representative of an organisation/ community group that use the area at times. Name of group _____

Resident that lives in the area, but does not actively use the grounds for activities.

Resident who lives directly opposite the Recreation Ground or 'Gymkhana Paddock'.

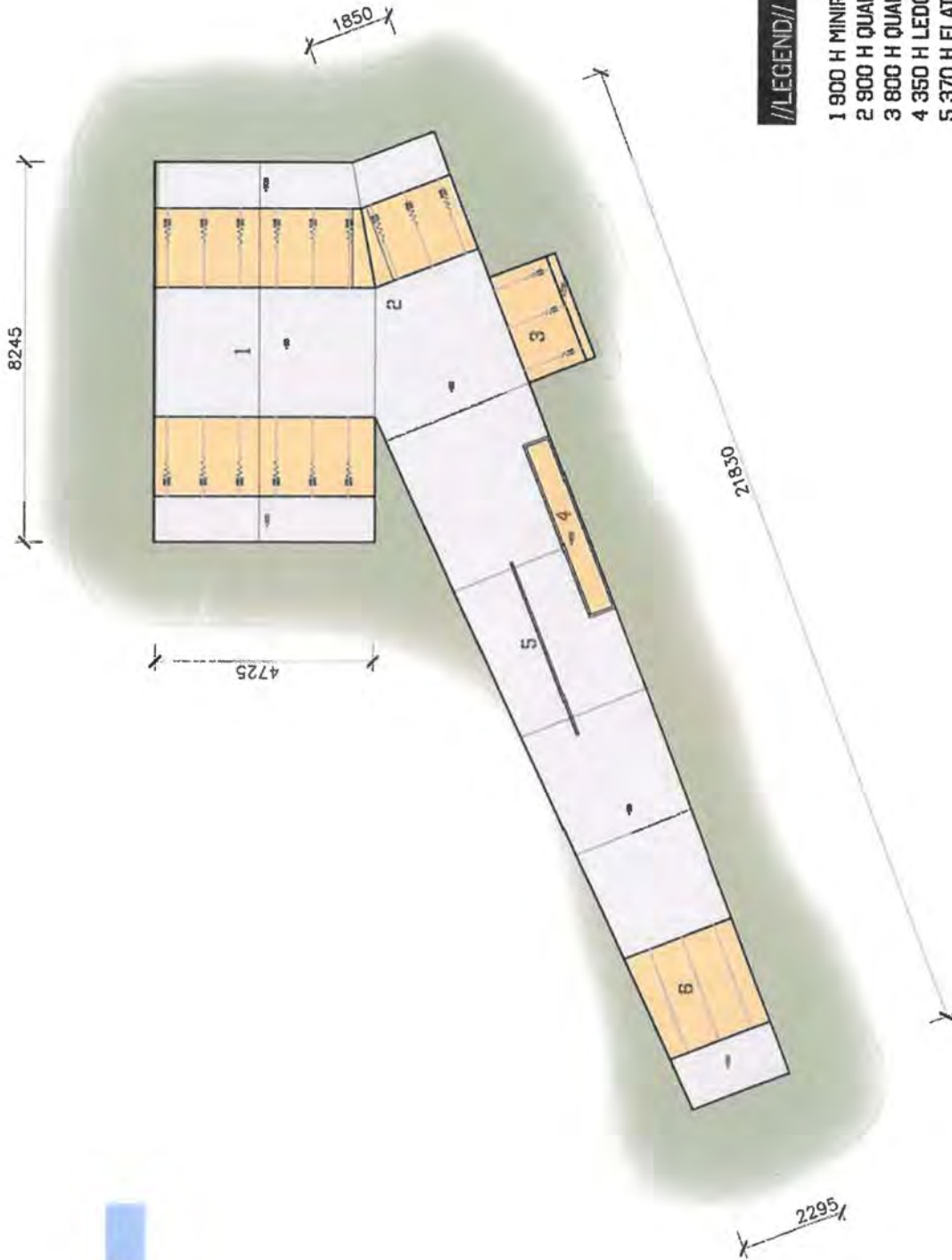
Survey responses: Please drop your response in to the Council Office at Kempton or scan and email to mail@southernmidlands.tas.gov.au or post to Southern Midlands Council, 85 Main Road Kempton 7030. Survey period closes Tuesday 19th October 2021.

Note: should you require a second copy of the survey response page, this can be collected from the Southern Midlands Council - Kempton Office, or you may choose to make a copy.



M A S T E R P L A N
KEMPTON RECREATION GROUND
SOUTHERN MIDLANDS COUNCIL

CONCEPT PLAN



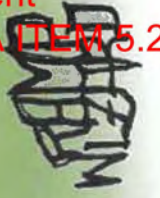
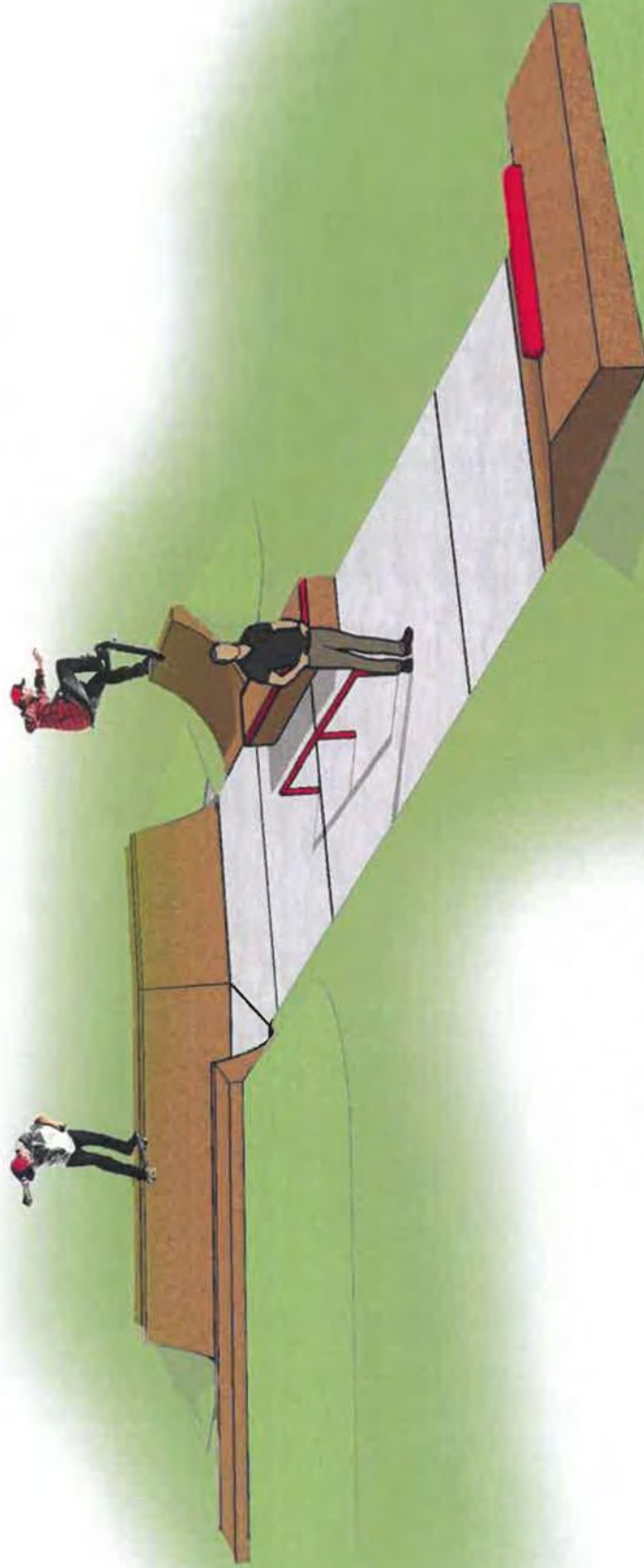
//LEGEND//

- 1 900 H MINIRAMP
- 2 900 H QUARTER HIP
- 3 800 H QUARTER NOPING
- 4 350 H LEDGE
- 5 370 H FLAT RAIL
- 6 600H H FLAT BANK WITH PARKING BLOCKS

	Client	KEMPTON COMMUNITY GROUP	Project Title	Skate space kempton	Drawn	CC	Date	17.05.2020
	Location	KEMPTON (Tas)		SK00 Draft Plan			Scale	1:100 @ A3

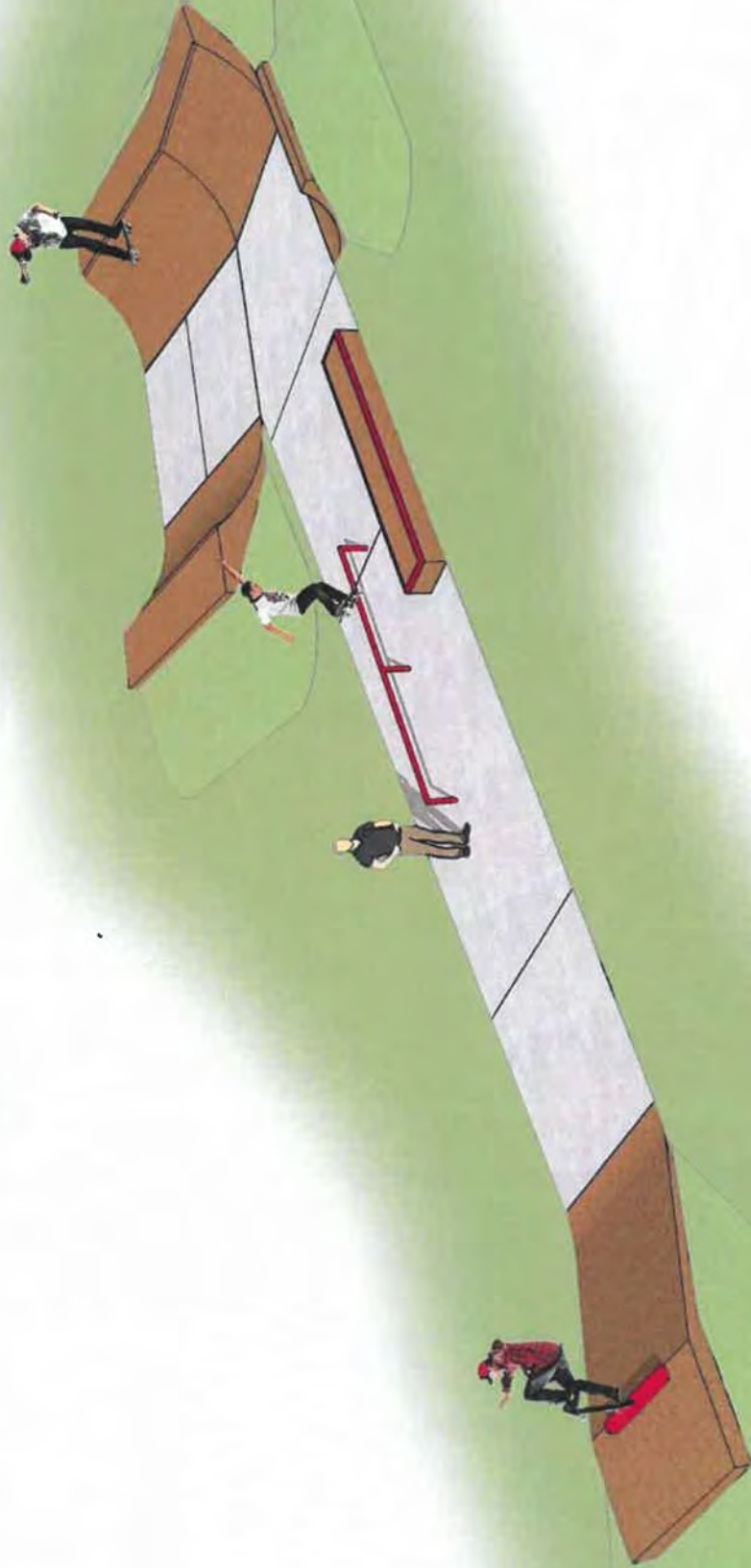


Skate Space





Skate Space



Comments / feedback were received from the following persons:

- J Cooke – Email dated 12th October 2021
- P & P Cleaver – Email dated 13th October 2021
- P & P Cleaver – Email dated 18th October 2021
- P Cleaver – Email dated 19th October 2021
- A Booth – Completed survey form dated 19th October 2021
- S Saunders – Email dated 19th October 2021
- E Cole – Email dated 20th October 2021
- S Brown – Email dated 13th October 2021
- S Brown & G Francis – Completed survey (plus attachment) - dated 19th October 2021
- D Newman – Completed survey form - hand delivered consultation session held 12th October 2021
- V Hughes – Email dated 20th October 2021
- J Quarry (nee Sproule) – Email dated 21st October 2021
- Dr M Ponsonby (submission hand delivered – meeting held 19th October 2021)
- Unknown (Marked AAA) – Completed Survey form.
- Unknown (Marked BBB) – Completed Survey form.

The following summary of issues need to be read in conjunction with the full submission(s):

Use	Key Issue	Detail	Comments from Community	Questions Raised?	Committee's Comments
Master Plan	General	General	Due to significant importance and impact, public consultation period of less than a fortnight is not long enough.		The Master Plan was distributed through the Post Office on 5 th October 2021 with the period for comment / feedback closing on 19 th October 2021.
			Fully supportive of Skate Park but positioning is an issue.		Refer comment below.
			Need for a covered space – pergola / shelter		Allowance to be made for a shelter (or similar) to be constructed on the land adjacent to the Recreation Ground.
			Trees – additional tree planting(s)		Noted. To be included as part of landscape plan.
			Protection of the Oak Tree in the corner of the property (i.e. vicinity of the toilets)		No issue
			Need designated parking in the area of toilets; cricket nets; Skate park and Dog Park – will be well utilised.		
			Fully supportive of Skate Park.		
			Consider additional play equipment in the expanded play area.		Noted and agreed
			Fully supportive of entire proposal.		

Use	Key Issue	Detail	Comments from Community	Questions Raised?	Committee's Comments
Skate Park	Location	General	Lack of thorough community consultation before deciding on the location and design components.	Has planning approval been sought to erect a skate ramp? Has there been a risk assessment?	Need for a Development Application to be determined following confirmation of preferred location (i.e. if it is to be located within the Heritage Precinct).
			Lack of transparency – Skate Park has already been purchased. These changes have already been approved. This community response is fait accompli!		The skate park is a community initiative and Council is now looking to facilitate the development
			There are several more appropriate locations for a Skate Park in Kempton.		Refer comment below.
			Fully supportive of proposed location as it enables passive surveillance; safe from traffic; and accessible.		Agree
			Potential to deter visitor's using town amenities and the Dog Park.		Disagree
			Proposed location doesn't lend itself to any future expansion.		
			Entry	Via existing gate or new gate(s) to be installed – access from Recreation Ground?	

Use	Key Issue	Detail	Comments from Community	Questions Raised?	Committee's Comments
Skate Park	Location	General	Supervision.	<p>Supervision is critical to prevent 'anti-social' behaviour.</p> <p>Adequate supervision is the cornerstone to their success or failure.</p> <p>Rules for Safe Use?</p> <p>Signage?</p> <p>Any 'on-site' first aid supplies to be made available?</p> <p>Consideration to 'one-way' traffic?</p> <p>Has an environmental impact study been done (particularly in relation to noise)?</p> <p>Type of construction materials to be used?</p>	<p>The grant application submitted by the community, which resulted in the funds being allocated, included a component of management / supervision to be provided by a peer group of young people in conjunction with the youth officer of Council. This committee supports that approach. The committee is not aware of any 'anti-social' behaviour issues in the area. Passive surveillance will occur.</p> <p>Yes there will be rules on signage.</p>
			<p>Health & Safety</p> <p>- Potential for litigation if there are serious injuries.</p>		
		Traffic Management			<p>Traffic movements will be influenced by final design / layout.</p>
		Noise	<p>Noise impact (particularly on three properties)</p>		<p>No study.</p> <p>It is confirmed that the structure will be concrete.</p>

Use	Key Issue	Detail	Comments from Community	Questions Raised?	Committee's Comments
Skate Park	Location	Noise cont.		Based on recent visits to other sites, solid concrete appears to be okay. Any use of plywood increases noise.	Noted Noted
	Ongoing Maintenance		Safety of the structure – ongoing maintenance. Maintenance of the landscaped area around the skate park/ramp. Removal of graffiti.	Who is responsible? Who will be responsible?	Not an issue due to the concrete construction material. The property is a Council maintained public open space and will be maintained by Council.
				Who is responsible for removal of graffiti and at who's cost?	Skate park management group in conjunction with Council – if applicable.
				Landscaping does not reduce the noise – is there additional funding to construct mounds (concrete or dirt)?	

Use	Key Issue	Detail	Comments from Community	Questions Raised?	Committee's Comments
Skate Park		Hours of Access	Hours of Access – early as 7.30 a.m. to 9-10 p.m.	Will the area be secured after hours?	No – consistent with other public space areas.
		Heritage	Not in keeping with the heritage focus of the town. Proposed skate park is in the middle of a significant historic area. If the Skate Park must be on a street, it should not be within the heritage precinct.	Have the Heritage Council been involved?	Disagree –as there will be soft landscaping included in the space/ area. Noted – comments sought from Council's Heritage Project Manager. Refer below. As above.
		Close proximity to the Hotel	Skating and alcohol do not mix. Creates the potential for young adults to drink and use the skate park/ramp resulting in more noise and potential injury Parents visiting hotel will leave children unsupervised. Become a 'hang-out' after the hotel closes.		Comment not supported.
		Parking and safety of the children going to and from the skate park/ramp.	Very limited parking along the Main Street in front of the proposed skate park/ramp and dog park area.		Comment not supported.

Use	Key Issue	Detail	Comments	Questions Raised?	Committee's Comments
Skate Park		Potential to devalue adjacent properties.			Committee takes the opposite view in that the development of the recreation precinct will potentially add value to the locality.
Dog Park		Reduction of the Dog Park Space	Locating the Skate Park/ramp in between the Dog Park and the Main Street has reduced the space allocated to the Dog Park.	Most research shows that an 'off-leash' Dog Park area should be at a minimum be 1 acre (i.e. 4,000m ²) in size.	
			Please don't shrink the Dog Park area.		
		'Poo Disposal' Bins	Need for bins to be installed in close proximity to 'off-lead' dog park area(s)		Agreed

Potential solutions	(provided through community feedback / comments)		Locate the Skate Park/ramp with the existing BMX Track near the RV overnight stay area.		
			Locate the Skate Park/ramp at the top end of the oval. There is unused space at the top end (Midland Highway end)		
			Locate the Skate Park/ramp in the area identified 'multi-use' space at the Highway end of the Dog Park.		
			Consult with Education Department	Are the school grounds an option for the Skate Park?	Not considered an appropriate alternative location.
General	(provided through community feedback / comments)	Are there other uses to be catered for?	Think the dog park area is a great idea and an area of maybe BBQ's or picnic tables might be nice.		
			Any allowance being made to install power outlet(s) – use of sound and lighting equipment?		

Kempton Recreation Ground Master Plan

Preliminary Comments – Heritage Issues (B Williams)

Council's Manager – Heritage Projects (Brad Williams) has provided the following preliminary comments associated with the possible outcomes of the concepts that currently constitute the Kempton Recreation Ground Master Plan.

As you are aware, the Rec ground is not listed as a Local Heritage Place on Table E.13.1 of the Southern Midlands Interim Planning Scheme 2015. It is however included within the Kempton Township Heritage Precinct under Table E.13.2 of the scheme, therefore is subject to the provisions of Part E.13.8 of the scheme (Development Standards for Heritage Precincts).

Whilst advice is required regarding the need for a DA for any part of the development, my feel would be that the following items may require a DA (depending on final design, and also noting that this is still in an early stage of public consultation). If they do require a DA, my comments below provide preliminary thoughts as to how the heritage code may be applied to their consideration:

Any tree removal. Whilst no tree removal is proposed, if it were then this would be highly scrutinised in terms of whether any particular tree has heritage value or makes a contribution to the heritage precinct. Any excavation works near to the trees will need to avoid root compaction or damage to branches during construction.

Toilet upgrades. If this included any enlargement or major changes to the building, this would need to be considered. I however feel that there is a lot of scope to do so given the modern nature of the building and that it is not in close proximity to any heritage building.

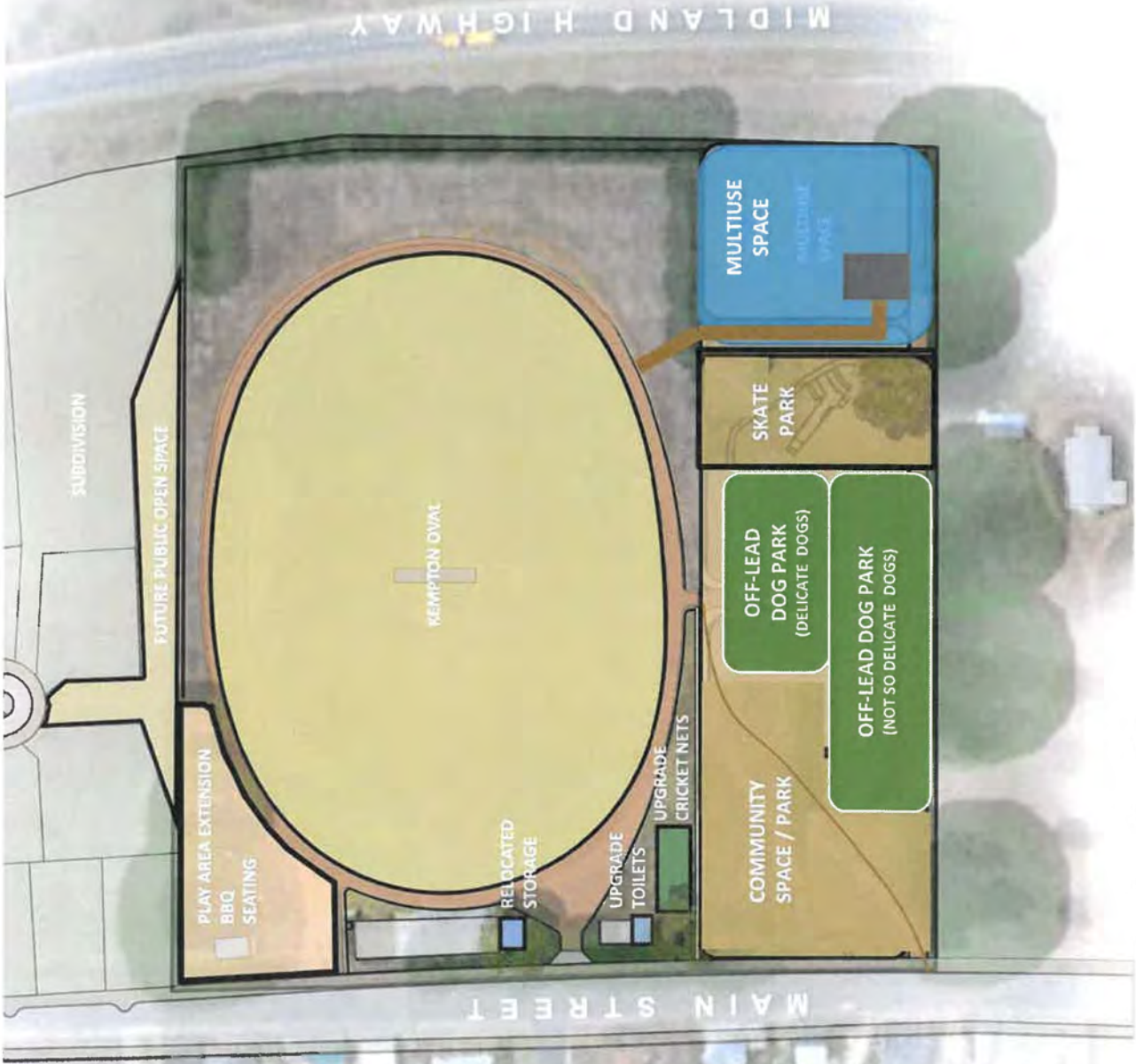
The 'relocated storage'. I'm not sure what this involves, but as per above if this included any enlargement or major changes to the existing building, this would need to be considered. I however feel that there is a lot of scope to do so given the modern nature of the building and that it is not in close proximity to any heritage building (similar to the recently approved extension to the facilities building).

The skate ramp. I note that this is only 900mm high therefore is probably unlikely to have a major impact upon the precinct. Any concerns may be alleviated by low screen planting or other landscaping (e.g. mounds). Note also that it does not appear that any particular front fencing has been proposed at this stage - which may assist in buffering any visual impact of the skate ramps. We would need a bit more detail on this at the DA stage.

Play area extension. It's not clear at this stage what this may involve, but I imagine that a good outcome can be gained by careful choice/placement of the play equipment, and as per above plantings and/or landscape treatments may assist in buffering any visual impact.

Whilst the responsibilities of maintaining the heritage values of the precinct will be carefully scrutinised, it will be balanced with the resulting good outcomes that improving this important public facility.

End – Comments (B Williams)



ALTERNATIVE
M A S T E R P L A N
KEMPTON RECREATION GROUND
SOUTHERN MIDLANDS COUNCIL

Revised Plan-Option 1



ALTERNATIVE
M A S T E R P L A N
KEMPTON RECREATION GROUND
SOUTHERN MIDLANDS COUNCIL

Revised Plan-Option 2.

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: [REDACTED]

Owner / s Name	J B Ibrahim		
Postal Address	DYSART HOUSE, 26 MAIN ST, KEMPTON, TAS - 7030	Phone No:	
		Fax No:	
Email address			

Applicant Name (if not owner)	N Leary – Leary Cox & Cripps			
Postal Address	4 / 40 Molle Street	Phone No:	61182030	
	Hobart	TAS	Fax No:	
Email address:	admin@learyandcox.com			

Description of proposed use and/or development: [REDACTED]

Address of new use and development:	26 Main Street, Kempton		
Certificate of Title details	CT 102388 - 1		
Description of proposed use or development:	SUBDIVISION		
Current use of land and buildings for each title:	Residential		

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

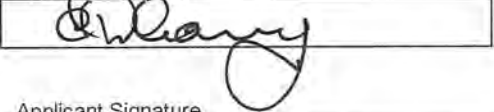
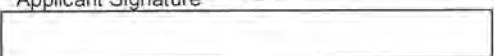


<input type="checkbox"/>	<input type="checkbox"/>	No	<input type="checkbox"/>
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Please attach any additional information that may be required by Part 8.1 Application Requirements of the Planning Scheme.

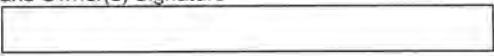
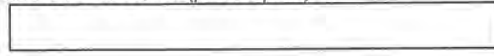
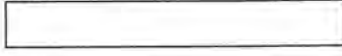



Signed Declaration

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) N. D. LEARY	Date 14-7-2020
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 

19th July 2020

Ref No 7959

The General Manager
Att: Jacqui Tyson
Senior Planning Officer
Southern Midlands Council
85 Main Street
KEMPTON Tas 7030

**RE: SUBDIVISION – ONE LOT PLUS BALANCE LOT
DYSART HOUSE 26 MAIN ROAD, KEMPTON
J G IBRAHAM (OWNER)**

PLANNING SUBMISSION

1. THE PROPOSAL

The intention is to subdivide the existing title into 2 lots as shown on the Plan of Subdivision.

2. SITE DESCRIPTION

There is a building under construction on the Balance Lot and the existing house "Dysart House" is located on Lot 1.

3. SOUTHERN MIDLANDS PLANNING SCHEME

The lots are within the Village Zone of the planning scheme.

Application for approval is under Sec 15.5.1 (P1) of the Planning Scheme:

- (a) Lot 1 containing the old sandstone residence (Dysart House) and outbuildings requires a significant area of land to provide the curtilage necessary for dwelling of this nature.
The Balance Lot containing the Distillery Building under construction can be further developed due to its size and frontage onto Main Road.
- (b) There are no Local Area Objectives or Desired Future Character Statements and this application is consistent with the Zone Purpose Statement.

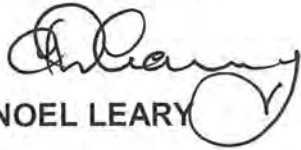
SERVICES

Sewer and water and stormwater are available to all Lots and will be provided as shown on the Plan of Subdivision.

5. SUMMARY

As the owners of this property seeks to separate the new Distillery Building from the existing residence this proposal represents a practical way of achieving this and not compromising the existing dwelling and providing potential for future development on the Balance Lot.

Yours faithfully



NOEL LEARY

LEARY, COX & CRIPPS

Email: admin@learyandcox.com

Office: 03 6118 2030

Mobile: 0418129303

Enclosed:

Application Form

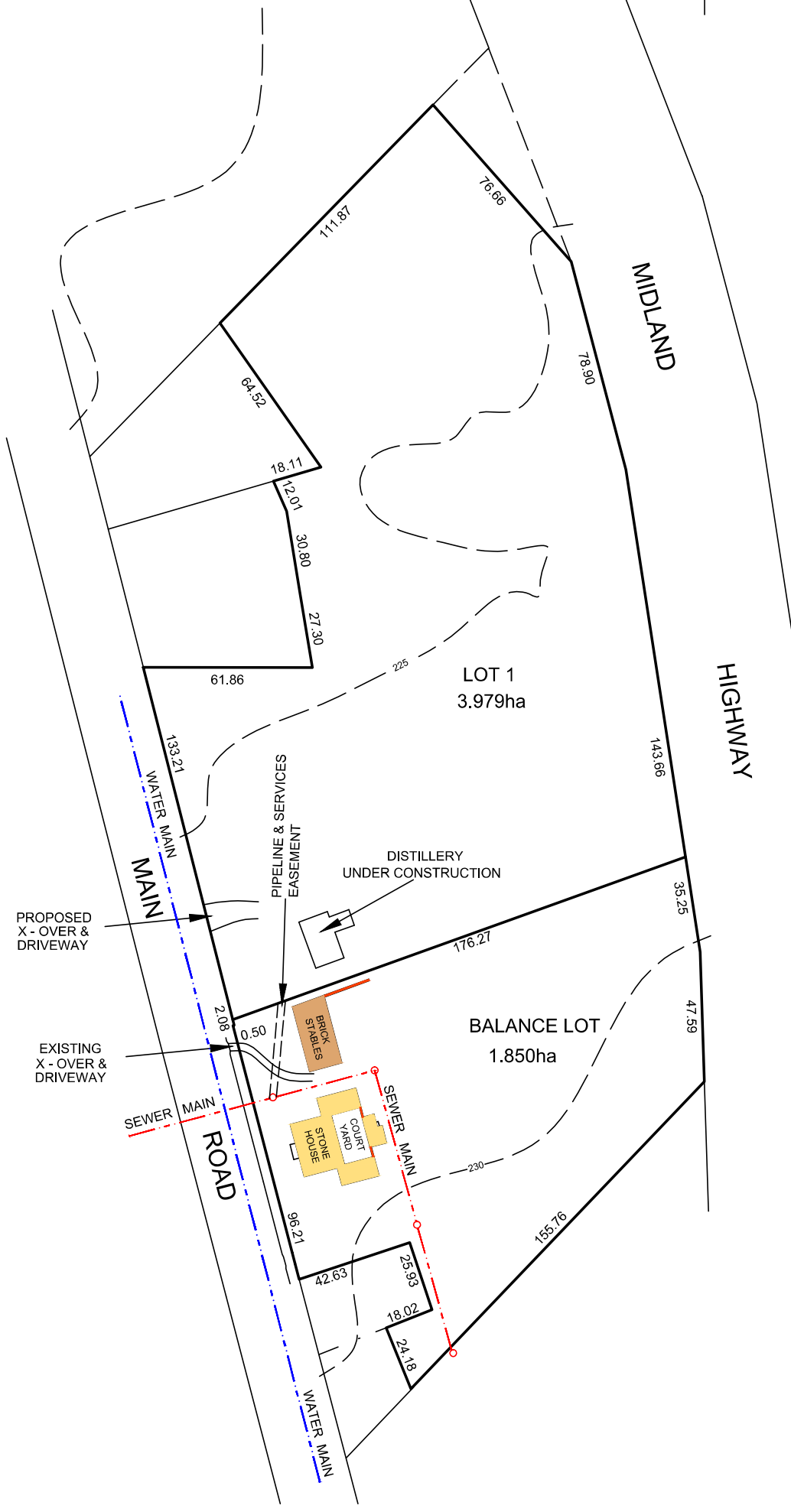
Plan of Subdivision

Certificate of Title

Application Fee \$ (to be advised)

IMPORTANT NOTE

This plan was prepared as a proposed subdivision to accompany a subdivision application to Southern Midlands Council and should not be used for any other purpose. The dimensions and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation. In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.



LEARY, Cox & Cripps

Unit G04 40 Mollie Street,
HOBART TAS 7000
P 03 6118 2030
E
admin@learyandcox.com

PLAN OF SUBDIVISION
26 MAIN ROAD
KEMPTON

Drawing Title
PLAN OF SUBDIVISION

Owner
J G IBRAHIM
CT102388 - 1

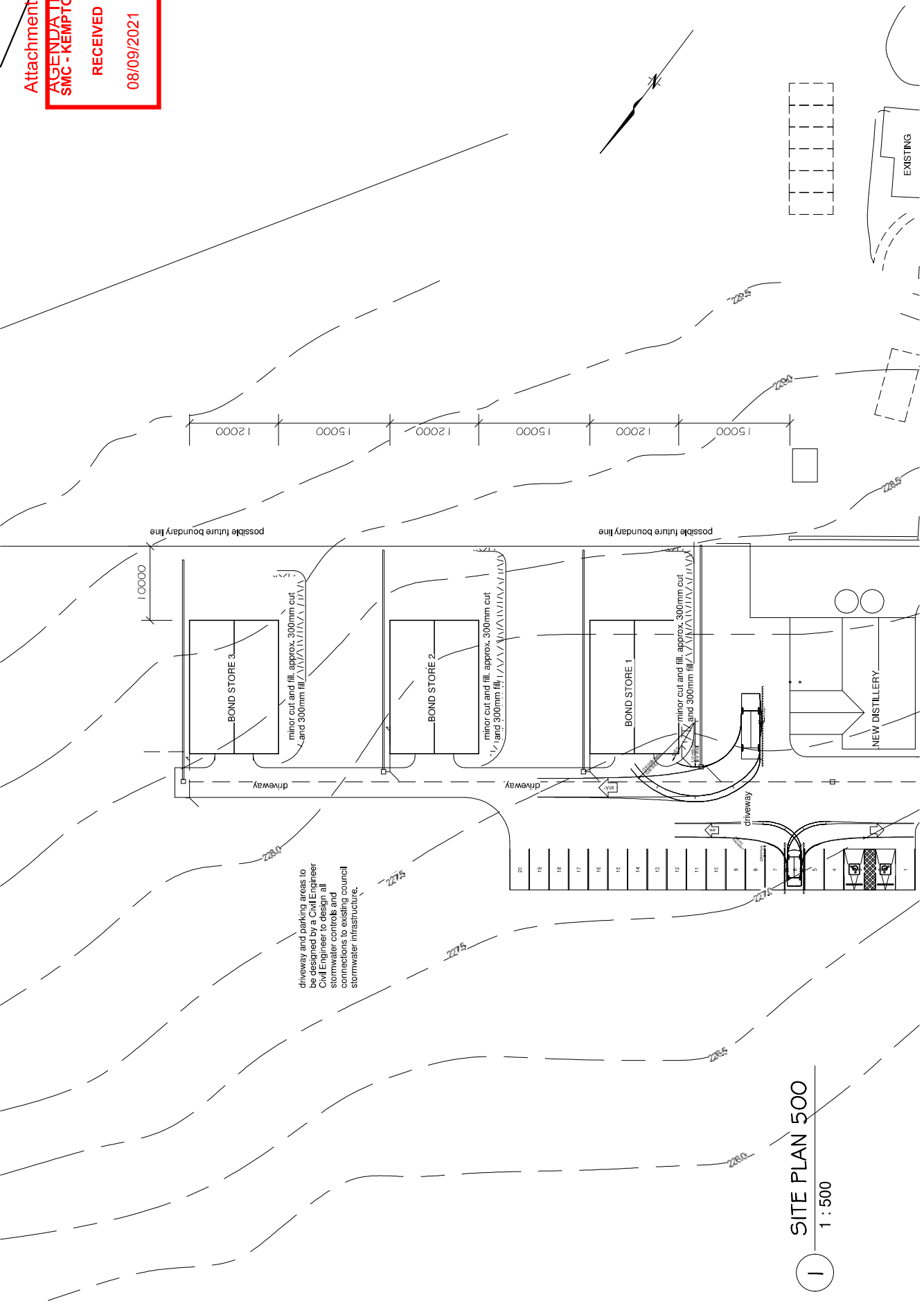
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SMC - KEMPTON
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8/07/2021

SA2020/12 26 Main Street

Attachment
AGENDA ITEM 12.2.1
SMC - KEMPTON
 RECEIVED
 08/09/2021

DATE PRINTED: 8/09/2021 10:58:17 AM



driveway and parking areas to be designed by a Civil Engineer to design all stormwater controls and connections to existing council stormwater infrastructure.

1 SITE PLAN 500
 1 : 500

CLIENT: Proposed Bond Stores Kempton Distillery		AMENDMENT		DATE	
TASTECH BUILDING SYSTEMS T 03 6263 5800 65 South Arm Road, Rokeby, 7019 E info@tastechbuildings.com.au W www.tastechbuildings.com.au		Site Plan 500		JOB / DRAWING No.	
PRINT REDUCTION BAR A3 SHEET <small>ALL RIGHTS RESERVED TASTECH BUILDING SYSTEMS. NO REPRODUCTION UNLESS WRITTEN CONSENT GIVEN</small>		Scale: 1 : 500		DATE: 25/08/21	
0 10 20 30 40 50mm		DRAWN: Author		REVISION	
				-A2	



Bushfire Hazard Management Plan Report
Subdivision & Hazardous Use - 26 Main Street, Kempton

Client: Old Kempton Distillery
Date: June 2021

Prepared by: Rhys Menadue
BUSHFIRE PRONE DEVELOPMENT SOLUTIONS — 14 Reynolds Court, Dynnyrne, TAS 7005
T: 0407 595 317 E: bpdstas@gmail.com

Contents

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Appendix A – Compliance Specification Notes

Appendix B – Topographic Map with Cadastral & Contour Overlay - indicates subject site

Appendix C – Site Images

Appendix D – Bushfire Hazard Management Plan; and Certificate of Qualified Person (Form 55) 2021.06 – 26 Main

Appendix E – Bushfire Emergency Plan & Bushfire Action Plan - DRAFT

1. Introduction

The intent of this report is to confirm the suitability of the bushfire prone parcel of land to be successfully further developed for a simple subdivision and address the Hazardous Use (the properties are deemed *Hazardous* as they have *The amount of hazardous chemicals used, handled, generated or stored on site exceeds the manifest quantity as specified in the Work Health and Safety Regulations 2012*) associated with the development in accordance with the Southern Midlands Interim Planning Scheme 2015 and the Building Regulations 2016.

The assessment describes the site and surrounding area, classifying the vegetation, assessing the slope and environmental features. This report and Appendices also address the Hazardous Use requirements in accordance with the Southern Midlands Interim Planning Scheme 2015 and the Building Regulations 2016.

This report should be included with approval documentation forming part of and in support of the Bushfire Hazard Management Plan and accompanying Certification.

2. Limitation of Report

This report has been prepared for the abovementioned clients for their use and distribution only. The intent of the report is to provide technical specification for the Bushfire Hazard Management Plan and to be used as supporting documentation for the Regulatory Application. Should submitted Regulatory Application Plans differ from the Certified Plans in this reports Appendix then an amended design review should be conducted to determine the suitability of any amendments in relation to the Bushfire Prone Area Requirements of the Building Regulations.

It is also to be noted that the site assessment been conducted in May 2021 and does not consider the possibility of altered site conditions either naturally occurring or where currently maintained or excluded vegetation conditions change due to a lack of ongoing maintenance.

It should be noted that compliance with the recommendations contained in this assessment does not mean that there is no residual risk to life safety or property as a result of bushfire. A residual level of risk remains which recognizes that removing the risk to life and property in absolute terms is not achievable while people continue to build in bushfire prone areas. This limitation is expressed in the following extract from AS 3959 (2018) which states (in the forward),

It should be borne in mind that the measures contained in this Standard cannot guarantee that a building will survive a bushfire event on every occasion. This is substantially due to the degree of vegetation management, the unpredictable nature and behavior of fire, and extreme weather conditions.

This level of residual risk is inherent in all bushfire standards and also applies to this assessment. Should the recommendations and requirements of this Report and accompanying Bushfire Hazard Management Plan be appropriately implemented the use/development is unlikely to cause or contribute to the occurrence or intensification of bushfire on the site or adjacent land.

3. Site Description and Background

The Property operated as "Old Kempton Distillery Tasmania" consists of the existing Dysart House, stables and the distillery building (under construction), all currently wholly located at 26 Main Street, Kempton. The proposed development seeks to subdivide the property to separate the new distillery building from the existing Dysart House and stables as a practical way of separation for future development without compromising the existing Dysart House and stables. This proposal has triggered the legislative need for a formalised *Bushfire Hazard Management Plan* and *Bushfire Emergency Response/Action Plan* in accordance with the Southern Midlands Interim Planning Scheme 2015 and the Building Regulations 2016.

The property is currently combination of grasses and landscaped areas within the allotment, a riparian strip; and adjacent to the property is the Midland Highway road corridor, municipal road corridor and developed maintained lots.

The site has direct access to a pre-approved public road – Main Street. The property is provided with a reticulated hydrant water supply for fire-fighting – the reticulated hydrant system coverage is municipal.

3.1 Property Details

Address: 26 Main Street, Kempton

Municipality: Southern Midland Council

Planning Scheme Overlay: 125.FRE Bushfire Prone Area; 125.HER Heritage Precinct

Zoned: 16.o Village

Title Reference: 102388/1

Type of Development/Use: Subdivision - Hazardous Use



Photo 1 - Aerial Photo with Cadastral Overlay – Subject site pinned and highlighted yellow

3.2 Classification of Vegetation

The vegetation affecting the site has been classified in accordance with Clause 2.2.3 of AS 3959-2018.

The site is surrounded by a combination of vegetation types, the highest of hazard levels being Riparian Woodland to the North and East and Grassland to the North, East and South (of the existing and proposed buildings). All other azimuths are currently well maintained, where with 100m of the site. The Bushfire-Prone vegetation affecting the site is predominantly the **Grassland** – Group G in accordance with AS3959-2018, as described above.

In this case, in accordance with Clause 2.2.2 of AS 3959-2018, the relevant Fire Danger Index for Tasmania of 50 (FDI 50).

When considering the definition of Bushfire Prone Area under the Building Regulations, it is evident the proposed development is located within a Bushfire-Prone Area Planning Scheme Overlay.

Note: in a bushfire there is a possibility of fire attack from any direction, not just the direction of the highest hazard.

Photo 1, above indicates the Bushfire Prone Vegetation described.

3.3 Slope

The Effective slope of the land under the classified vegetation is determined in accordance with Clause 2.2.5 of AS 3959-2018.

The *effective* slope under the bushfire prone vegetation is Upslope/Flatland 0°. Refer to Appendix A Image for topographic contour information.

4. Bushfire Attack Level (BAL) Assessment

The site Bushfire Assessment was undertaken in March 2021.

In accordance with Clause 2.2 of AS 3959-2018, the Simplified Procedure has been applied to determine the Bushfire Attack Level (BAL) for the proposed development site. In accordance with the Building Regulations 2016, fire-fighting water supply and vehicle access are also considered and discussed in the following sections.

Considering the current conditions, in accordance with AS3959-2009 the site is capable of achieving BAL-12.5 Hazard Management Area (HMA), which is the minimum standard required for a Hazardous Use. The accepted minimum standard for subdivision development is BAL-19, however in this case both lots are developed / to be developed for *Hazardous Use*, where the accepted minimum BAL rating / HMA is BAL-12.5.

Bush Fire Attack Level (BAL) AS3959-2018 Practical Workings (Table and figures below refer to AS3959-2018)**Assessed vegetation within 100m in all directions (denote relevant group)**

Note 1: Refer to Table 2.3 and Figures 2.3 & 2.4 for description and classification of vegetation.

Note 2: If there is no classified vegetation within 100 m of the site then the BAL is LOW for that part of the site.

Vegetation classification (see Table 2.3)	North <input checked="" type="checkbox"/>	South <input checked="" type="checkbox"/>	West <input checked="" type="checkbox"/>	East <input checked="" type="checkbox"/>
	North-West <input type="checkbox"/>	South-East <input type="checkbox"/>	South-West <input type="checkbox"/>	North-East <input type="checkbox"/>
Group G - Grassland	YES	YES	YES	YES

Exclusions (where applicable)	Highlight relevant paragraph descriptor from clause 2.2.3.2.			
	(b) (c) (d) (e) (f)	(b) (c) (d) (e) (f)	(b) (c) (d) (e) (f)	(b) (c) (d) (e) (f)

Distance to classified vegetation - Current	North	South	West	East
	>14m	>14m	>14m	>14m
Hazard Management Areas (HMA) distance to classified vegetation to achieve BAL-12.5	14m	14m	14m	14m
Required minimum HMA to be established under this BHMP	14m	14m	14m	14m

Effective slope - Slope under the classified vegetation	Upslope/0° <input checked="" type="checkbox"/>	Upslope/0° <input checked="" type="checkbox"/>	Upslope/0° <input checked="" type="checkbox"/>	Upslope/0° <input checked="" type="checkbox"/>
	Downslope			
	>0 to 5 <input type="checkbox"/>	>0 to 5 <input type="checkbox"/>	>0 to 5 <input type="checkbox"/>	>0 to 5 <input type="checkbox"/>
	>5 to 10 <input type="checkbox"/>	>5 to 10 <input type="checkbox"/>	>5 to 10 <input type="checkbox"/>	>5 to 10 <input type="checkbox"/>
	>10 to 15 <input type="checkbox"/>	>10 to 15 <input type="checkbox"/>	>10 to 15 <input type="checkbox"/>	>10 to 15 <input type="checkbox"/>
	>15 to 20 <input type="checkbox"/>	>15 to 20 <input type="checkbox"/>	>15 to 20 <input type="checkbox"/>	>15 to 20 <input type="checkbox"/>

BAL value for each side of the site	BAL-12.5	BAL-12.5	BAL-12.5	BAL-12.5
-------------------------------------	----------	----------	----------	----------

Determination of Bushfire Attack Level (BAL)

The Current BAL for this site is:	BAL-12.5
-----------------------------------	-----------------

NOTE:	<p>The BAL rating is based upon the condition of vegetation encountered at the time of inspection. The vegetation within the lot shall be maintained to a Low Threat Level (in accordance with AS3959-2018); and vegetation external to the site may be subject to change over time - this BAL rating does not account for any future change to the state of/hazard levels of vegetation within or external to the site.</p> <p>The BAL rating only applies to the addition as indicated below - <u>it is NOT a site generic BAL rating.</u></p>
--------------	---

5. Property Access

The primary access to the new and existing lot is from a sealed public road – Main Street.

It is currently expected the fire fighting vehicles would connect to the reticulated hydrant water supply on Main Street to defend the existing building on Lot 1 and the proposed Balance Lot.

Future proposed development on the Balance Lot would require provision of on-site hydrant or static water supply for fire-fighting, as the most disadvantaged part of the Balance Lot Building Area is greater than 120m from the existing fire hydrant which serves the Balance Lot Distillery Building.

Within the property boundaries, the access to the perimeter of the buildings will be adequately provided to facilitate fire-fighting to attempt to defend the building and to allow reasonable egress for occupants.

Emergency vehicle access is provided to the lots via the direct access to Main Street.

The proposed access shall satisfy the Deemed to Satisfy requirements of the Southern Midlands Interim Planning Scheme 2015, Part E Code, E1.0 Bushfire-Prone Areas Code, Development Standard E1.6.2 Subdivision: Public and fire-fighting access and the Directors Determination – Requirements for Building in Bushfire-Prone Areas (transitional) Table 4.2B – Refer to the Certified Bushfire Hazard Management Plan Specification Notes and/or **Appendix A** – for detailed requirements.

6. Water Supply

The development does have access to a reticulated water supply suitable for fire-fighting.

Fire-fighting water supply is provided by a reticulated municipal fire hydrant system – it is assumed the existing system is in accordance with the Southern Midlands Interim Planning Scheme 2015, Part E Code, E1.0 Bushfire-Prone Areas Code, Development Standard E1.6.3 Subdivision: Provision of water supply and the Deemed to Satisfy requirements of the Directors Determination – Requirements for Building in Bushfire-Prone Areas (transitional) Table 4.3A, all parts – Refer to the Certified Bushfire Hazard Management Plan Specification Notes and/or **Appendix A** – for detailed requirements.

The nominated Building Area on the Balance Lot allows for proposed future development. Should future development occur within the Building Area assessment must be undertaken to determine the suitability of fire-fighting water supply. It is likely future development would require provision of on-site hydrant or static water supply for fire-fighting, as the most

disadvantaged part of the Balance Lot Building Area is greater than 120m from the existing fire hydrant which serves the Balance Lot Distillery Building.

7. Hazard Management Areas

Within the lots the hazard management is required to be undertaken regularly and is to ensure that Hazard Management Areas within the development can be considered *low threat* in accordance with AS3959-2018. The Bushfire Hazard Management Plan (BHMP) indicates the area of the lot being managed to a low threat state and provides for suitable separation distances from the development building to hazard to achieve the BAL-12.5 Separation distances (the minimum *Hazardous Use* standard to be achieved is BAL-12.5). The Hazard Management Area (HMA) has/is to be established in accordance with the Bushfire Hazard Management Plan.

The BHMP specified HMA demonstrates compliance with the Southern Midlands Interim Planning Scheme 2015, Part E Code E1.0 Bushfire-Prone Areas, E1.6 Development Standards - 1.6.1 Subdivision: Provision of hazard management areas; and the Director's Determination – Requirements for Building in Bushfire-Prone Areas (transitional) Table 4.4E – Hazard management areas for new buildings and additions and alterations to existing buildings classified as *Hazardous Use* as defined in the *Bushfire-Prone Areas Code (Planning Directive 5.1)* - Refer to the Certified Bushfire Hazard Management Plan Specification Notes and/or **Appendix A** – for detailed requirements.

The HMA on lot 1 and the Balance Lot are partly co-dependent between the Distillery and the Brick Stables, therefore a Part 5 agreement is to be established for the HMA co-dependence.

Maintenance of the Hazards within the lot are to include (but are not limited to):

HAZARD MANAGEMENT AREAS - (HMA) –

Hazard Management Area includes the area to protect the buildings as well as the access and water supplies.

Vegetation in the Hazard Management Area (the entire site) is to be managed and maintained in a minimum fuel condition, *Low Threat* vegetation in accordance with AS3959-2018.

Maintenance Schedule

- Removal of fallen limbs, leaf & bark litter
- Cut lawns short (less than 100mm) and maintain
- Remove pine bark and other flammable garden mulch
- Complete under-brushing and thin out the understorey
- Prune low hanging trees to ensure separation from ground litter
- Prune larger trees to establish and maintain horizontal and vertical canopy separation
- Minimise storage of petroleum fuels
- Maintain road access to the buildings to be defended and water storage area
- Remove fallen limbs, leaf & bark litter from roofs, gutters and around the building

8. Emergency Plan

The Emergency Management Strategy is addressed by provision of a TFS approved *Bushfire Emergency Plan* and *Bushfire Action Plan*, also in accordance with Part 4.5 of the Director's Determination – Requirements for Building in Bushfire-Prone Areas (transitional).

It is also noted the Old Kempton Distillery is already active in its Emergency Management Strategy and going forward will integrate the *Bushfire Hazard Management Plan* and *Bushfire Emergency Plan* and *Bushfire Action Plan* into the Emergency Management Strategy.

9. Conclusion

The Bushfire Hazard Management Plan indicates BAL Rating requirements within the development lot and demonstrates the development will be able to achieve compliant Hazard Management and HMA.

The proposed Bushfire Hazard Management Plan, read in conjunction with this document, along with the Certification of referenced documents demonstrates likely compliance with the Building Regulations 2016 and associated Directors Determination – refer above sections 5 to 8 where applicable compliance is referenced.

10. Recommendations

It is recommended the following be included as conditions of the Regulatory Approval documentation.

- Should environmental conditions (internal and external to the development) change from the time of assessment, particularly where vegetation types change, reassessment shall be required to determine the effectiveness of the Certified Bushfire Hazard Management Plan. It may be necessary to update and approve the Bushfire Hazard Management Plan throughout the life of the development so that it remains effective as intended by the Building Regulations 2014.

11. References

- Building Regulations 2016 and its referenced documents;
- LIST map version. Aerial Photograph [online]. Available from: <http://www.thelist.tas.gov.au/listmap/listmap>; and
- Standards Australia 2018, *Construction of buildings in bushfire prone areas*, AS 3959-2018.

Appendix A – Compliance Specification Notes**Standards for Property Access shall be compliant with Directors determination – Requirements for Building in Bushfire-Prone Areas (transitional) Table 4.2B – where fire fighting vehicles are required to enter the properties to fight fire**

- B.** Property access length is 30 metres or greater; or access is for a fire appliance to a firefighting water point. The following design and construction requirements apply to property access:
- a) All-weather construction;
 - b) Load capacity of at least 20 tonnes, including for bridges and culverts;
 - c) Minimum carriageway width of 4 metres;
 - d) Minimum vertical clearance of 4 metres;
 - e) Minimum horizontal clearance of 0.5 metres from the edge of the carriageway;
 - f) Cross falls of less than 3° (1:20 or 5%);
 - g) Dips less than 7° (1:8 or 12.5%) entry and exit angle;
 - h) Curves with a minimum inner radius of 10 metres;
 - i) Maximum gradient of 15° (1:3.5 or 28%) for sealed roads, and 10° (1:5.5 or 18%) for unsealed roads; and
 - j) Terminate with a turning area for fire appliances provided by one of the following:
 - (i) A turning circle with a minimum outer radius of 10 metres;
 - (ii) A property access encircling the building; or
 - (iii) A hammerhead “T” or “Y” turning head 4 metres wide and 8 metres long.

Standards for Reticulated Water Supply for Fire Fighting shall be compliant with Directors determination – Requirements for Building in Bushfire-Prone Areas (transitional) Table 4.3A all parts

- A.** Distance between building area to be protected and water supply
The following requirements apply:
- k) The building area to be protected must be located within 120 metres of a fire hydrant; and
 - l) The distance must be measured as a hose lay, between the water connection 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 Edition 2.0; and
 - b) Fire hydrants are not installed in parking areas.
- C.** Hardstand
A hardstand area for fire appliances must be provided:
- a) No more than three metres from the hydrant, measured as a hose lay;
 - b) No closer than six metres from the building area to be protected;
 - c) With a minimum width of three metres 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.

Standards for Hazard Management Areas Requirements shall be compliant with Directors determination – Requirements for Building in Bushfire-Prone Areas (transitional) Table 4.4, Part E

- E.** Hazard management areas for new buildings and additions and alterations to existing buildings classified as vulnerable use as defined in the Bushfire- Prone Areas Code (Planning Directive 5.1)
A new building or an alteration or addition including change of use must:
- a. Be:
 - i. located on the lot so as to be provided with HMAs no smaller than the separation distances required for BAL 12.5; or

- ii. provided with a certificate from an accredited person that a bushfire hazard management plan provides, to the degree necessary, separation of the building from the bushfire hazard, appropriate resistance to ignition from bushfire, property access and water supply for fire fighting; and
- b. Have an HMA established in accordance with a certified bushfire hazard management plan.

Appendix B – Topographic Map with Cadastral & Contour Overlay - indicates subject site – Not to Scale



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Appendix C – Aerial Image depicting Site in yellow shading



www.thelist.tas.gov.au

Land Tasmania

Generated at: 15:16 on 23-June-2021

User: Public

Page: 1 of 1



www.thelist.tas.gov.au



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Appendix D

- Bushfire Hazard Management Plan; and
- Bushfire-Prone Areas Code Certificate & Certificate of Qualified Person (Form 55) 2021.06-26 Main

IMPORTANT NOTE

This plan was prepared as a proposed subdivision to accompany a subdivision application to Southern Midlands Council and should not be used for any other purpose. The dim. areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation. In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.



Certified By: Rhys McENDRUM
 Certificate No.: 2021.06-26 Main
 Date: June 2021

LEARY, Cox & Cripps

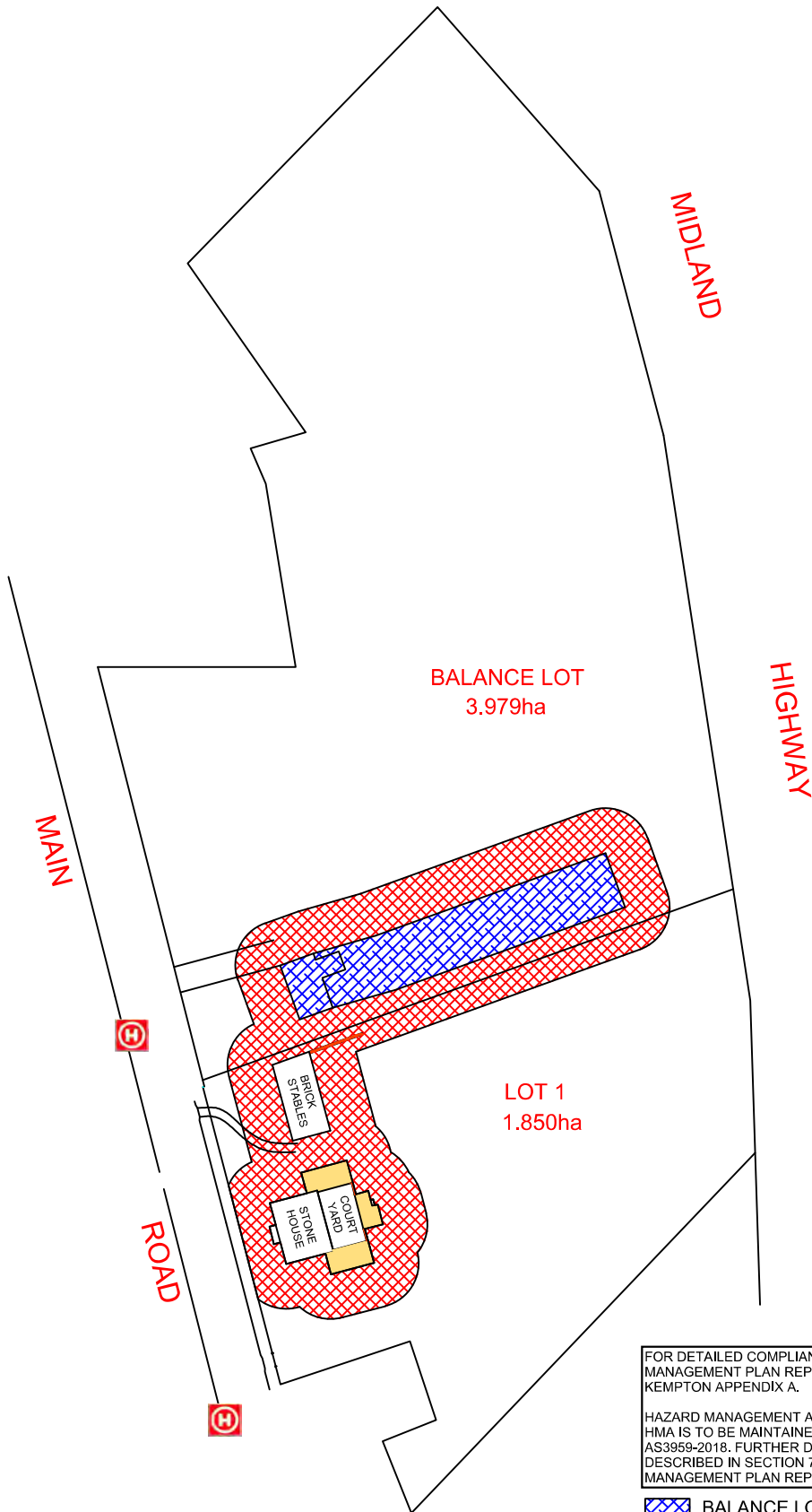
Unit G04 40 Mollie Street,
 HOBART TAS 7000
 P 03 6118 2030
 E
 admin@learyandcox.com

PLAN OF SUBDIVISION
 26 MAIN ROAD
 KEMPTON

Drawing Title
BUSHFIRE HAZARD MANAGEMENT PLAN

Owner
**J G IBRAHIM
 CT102388 - 1**

Contour Interval -	FILE No. 76901 7959
Date June 2021	SHEET 1 of 1
Scale 1:1500	Size A3
	DATUM Vert.
	DRAWN NL



FOR DETAILED COMPLIANCE SPECIFICATION NOTES REFER TO BUSHFIRE HAZARD MANAGEMENT PLAN REPORT - SUBDIVISION & HAZARDOUS USE - 26 MAIN STREET, KEMPTON APPENDIX A.

HAZARD MANAGEMENT ARE (HMA) IS INDICATED BY THE RED CROSS HATCH. THE HMA IS TO BE MAINTAINED TO A LOW THREAT LEVEL IN ACCORDACEN WITH AS3959-2018. FURTHER DETAILS REGARDING THE MAINTENANCE OF THE HMA IS DESCRIBED IN SECTION 7 OF THE ACCOMPANYING BUSHFIRE HAZARD MANAGEMENT PLAN REPORT.

- BALANCE LOT BUILDING AREA ALLOWS FOR EXISTING FUTURE & FUTURE DEVELOPMENT
- BAL-12.5 HAZARD MANAGEMENT AREA - TYPICALLY 14 METRES WIDE
- FIRE HYDRANT

BUSHFIRE-PRONE AREAS CODE**CERTIFICATE¹ 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:

26 Main Street, Kempton

Certificate of Title / PID:

102388/1

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

Subdivision & Hazardous Use

Applicable Planning Scheme:

Southern Midlands Interim Planning Scheme

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Bushfire Prone Area Development Report Subdivision & Hazardous Use – 26 Main Street, Kempton; and all referenced Appendices	Rhys Menadue	June 2021	1

¹ 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"/> E1.4 / C13.4 – Use or development exempt from this Code	
Compliance test	Compliance Requirement
<input type="checkbox"/> E1.4(a) / C13.4.1(a)	Insufficient increase in risk

<input type="checkbox"/> E1.5.1 / C13.5.1 – Vulnerable Uses	
Acceptable Solution	Compliance Requirement
<input type="checkbox"/> E1.5.1 P1 / C13.5.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<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 checked="" type="checkbox"/> E1.5.2 / C13.5.2 – Hazardous Uses	
Acceptable Solution	Compliance Requirement
<input type="checkbox"/> E1.5.2 P1 / C13.5.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<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 type="checkbox"/> E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas	
Acceptable Solution	Compliance Requirement
<input type="checkbox"/> E1.6.1 P1 / C13.6.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<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 checked="" type="checkbox"/> E1.6.1 A1(c) / C13.6.1 A1(c)	Consent for Part 5 Agreement

<input type="checkbox"/>	E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access	
	Acceptable Solution	Compliance Requirement
<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 type="checkbox"/>	E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes	
	Acceptable Solution	Compliance Requirement
<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

Name: Rhys Menadue

Phone No: 0407 595 317

Postal Address: 14 Reynolds Court, Dynnyrne 7005

Email Address: rhmenadue@gmail.com

Accreditation No: BFP – 106

Scope: 1, 2, 3A, 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: Rhys Menadue

Date: June 2021

Certificate Number: 2021.06 – 26 Main

(for Practitioner Use only)

**CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE
ITEM****Section 321**

To: *Owner /Agent*
 Address
 Suburb/postcode

Form **55****Qualified person details:**

Qualified person:
Address: *Phone No:*
 Fax No:
Licence No: *Email address:*

Qualifications and Insurance details: *(description from Column 3 of the Director of Building Control's Determination)*

Speciality area of expertise: *(description from Column 4 of the Director of Building Control's Determination)*

Details of work:

Address: *Lot No:*
 Certificate of title No:
The assessable item related to this certificate: *(description of the assessable item being certified)*
Assessable item includes –
- a material;
- a design
- a form of construction
- a document
- testing of a component, building system or plumbing system
- an inspection, or assessment, performed

Certificate details:

Certificate type: *(description from Column 1 of Schedule 1 of the Director of Building Control's Determination)*

This certificate is in relation to the above assessable item, at any stage, as part of - *(tick one)*

building work, plumbing work or plumbing installation or demolition work:

or

a building, temporary structure or plumbing installation:

In issuing this certificate the following matters are relevant –

Documents:	<ul style="list-style-type: none"> Bushfire Hazard Management Plan Report – Subdivision & Hazardous Use – 26 Main Street, Kempton, by Rhys Menadue dated June 2021 (inclusive of appendices A to E)
Relevant calculations:	<ul style="list-style-type: none"> In Accordance with AS3959-2009; and the Building Regulations (TAS).
References:	<ul style="list-style-type: none"> AS3959-2009; the Building Regulations (TAS); and Building Code of Australia (BCA).

Substance of Certificate: (what it is that is being certified)

BAL Rating (BAL-12.5) & Bushfire Hazard Management Plan

Scope and/or Limitations

The assessment has been conducted according to information provided by the designer/client and freely available historical data and does not take into account the possibility of altered site conditions from the data relied upon.

It should be noted compliance with the recommendations contained in the certified documents does not mean that there is no residual risk to life safety and property as a result of bushfire. The limitation is expressed in the following extract from AS3959-2009, which states:

It should be borne in mind that the measures contained in this Standard cannot guarantee that a building will survive a bushfire event on every occasion. This is substantially due to the degree of vegetation management, the unpredictable nature and behaviour of fire, and extreme weather conditions.


The level of residual risk is inherent in all bushfire standards and also applies to this certification.

The assessment has been undertaken and certification provided on the understanding that; -

- The certificate only deals with the potential bushfire risk all other statutory assessments are outside the scope of this report.
- The report only identifies the size, volume and status of vegetation at the time the site inspection was undertaken and cannot be relied upon for any future development.

Impacts of future development and vegetation growth have not been considered.

I certify the matters described in this certificate.

Qualified person:	Signed: 	Certificate No: 2021.06 – 26 Main	Date: 23 June 2021
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Appendix E – Bushfire Emergency Plan & Bushfire Action Plan - DRAFT

SEARCH OF TORRENS TITLE

VOLUME 102388	FOLIO 1
EDITION 9	DATE OF ISSUE 04-May-2016

SEARCH DATE : 22-Jun-2020

SEARCH TIME : 06.04 PM

DESCRIPTION OF LAND

Town of KEMPTON

Lot 1 on Diagram 102388

Derivation : Part of 76 Acres Gtd. to J. Johnson

Derived from Statement No. Y. 15,665

SCHEDULE 1

E19675 & M566205 JOHN GEORGE IBRAHIM Registered 22-Mar-2016
at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
E46523 MORTGAGE to Commonwealth Bank of Australia
Registered 04-May-2016 at noon

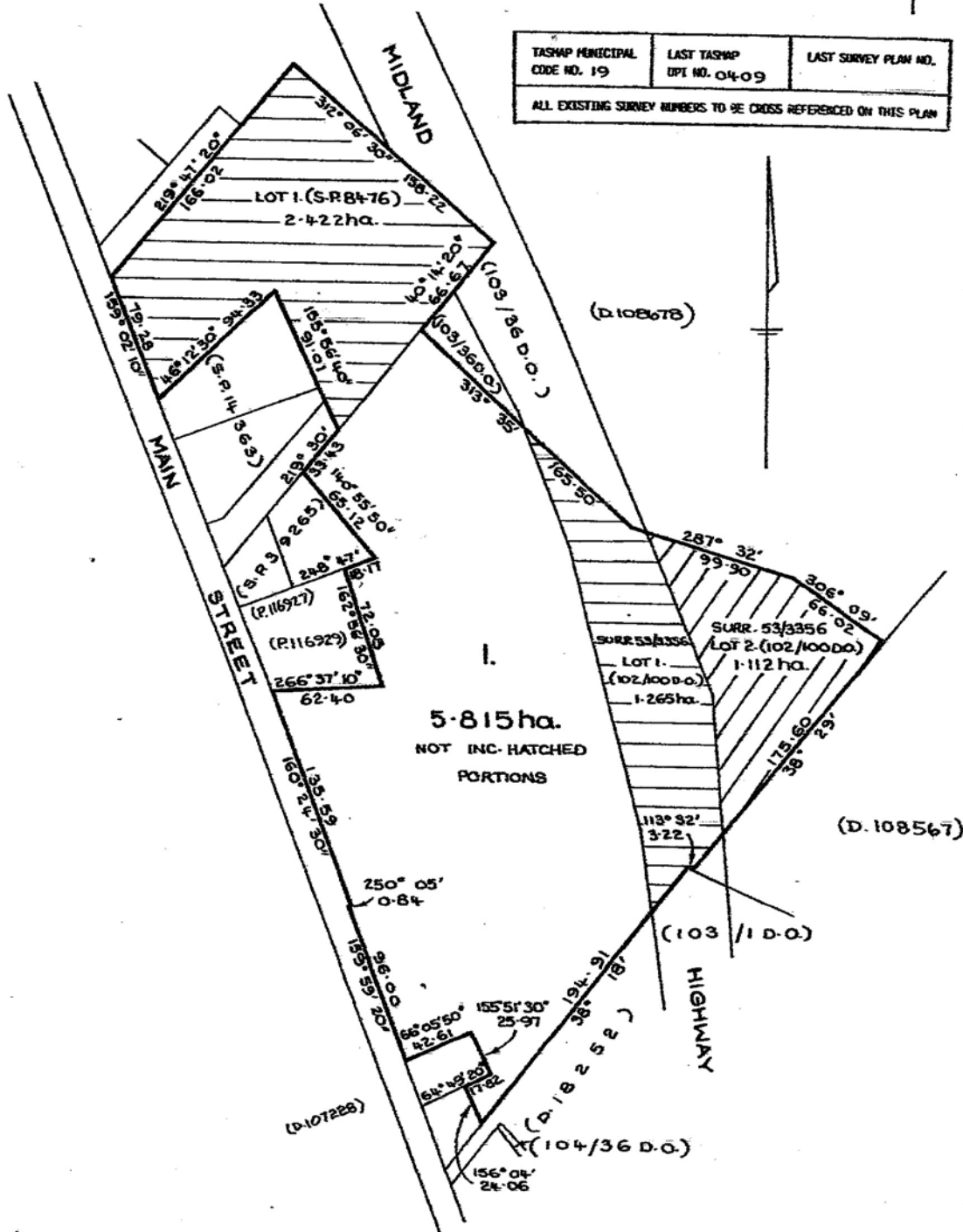
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



Owner: L.T. ACT 1980.	PLAN OF TITLE of land situated in the TOWN OF KEMPTON COMPILED FROM (86/51 D.O.) SCALE 1:2500 MEASUREMENTS IN METRES	Registered Number: D.102388
Title Reference: Y. 15665		Approved 24 NOV 1992 <i>Michael Din</i> Recorder of Titles
Grantee: PART OF A.R.P. 76-0-0 GTD. TO JOSEPH JOHNSON		

TASMAP MUNICIPAL CODE NO. 19	LAST TASMAP OPT. NO. 0409	LAST SURVEY PLAN NO.
ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		



136
96
733

-----Original Message-----

From: [REDACTED]
Sent: Wednesday, 15 September 2021 11:19 AM
To: SMC Mail <mail@southernmidlands.tas.gov.au>
Subject: Public comment for DA2021/00111 and SA2020/00012

Attention General Manager.

Dear Tim,

I refer to subject applications related to ongoing distillery developments at 26 Main Street Kempton .
As you may be aware my wife and I own a property ([REDACTED]) the land being developed as a new distillery and the proposed associated bond stores .

We would like to see a greater level of detail provided on the plans for our review and comment in regard to the proposed location of the main entrance into these facilities plus an update of the proposed traffic (ie vehicles including heavy vehicles ,bus etc)types and times of operation using the proposed new entrance and the whole complex in general .

We would like to see a sketch outline plan / detail of the proposed car park lighting (if any) plus signage for the sites new road entrance and car park area and the landscaping proposed for the whole site and timing expectations for the latter .

We note that the development plans for this site as originally submitted and approved several years ago are being changed as a result of this new application plus the installation of the new power pole with transformer has materially affected how the entrance was previously to be managed and it visually impairs the site .

Council officers at the time of the original development application and approval indicated to us that the new entrance and new crossover could be accommodated in a location more central to the new distillery building and roughly central and in line with our southern property boundary fence .
This location is roughly where the temporary car park entrance is at this time .
This location avoids light spill from traffic exiting the site into both our property and that of our Southern neighbour .

This remains our preferred entrance location and not what appears on the proposed new site plans to be an entrance further North which would be directly in line with our bedrooms .

We once again request that proper consideration be given on this matter and this can only be achieved if some greater level of planning and detail is carried out for both operational vehicular and pedestrian access and egress within and around the site and onto the Main Street .
We strongly suggest this planning should incorporate adequate considerations for street parking requirements to ensure through traffic and pedestrian safety risks are minimised .
We request this work be undertaken now rather than after planning approval has been granted .

We note that the distillery owners have now had some considerable actual experience with vehicular traffic to and from the existing Dysart house and stable premises and on street car parking matters .
Buses do frequent this venue plus long / large delivery trucks . They need large turning circles and currently this presents difficulty for them given temporary car parking works and fencing constrains safe operations . These large vehicles impair good through traffic vision so we believe it's important that they park off road .

We wish to see this development thrive and prosper and have no objections to the proposed bond stores and their location .

We however request that greater consideration be given to vehicular traffic ,pedestrian traffic ,parking and the prevention of light spill into adjoining properties including as appropriate well considered landscaping and screening .

We look forward to hearing from Council (and the proponent if required) on our recommendations and requests .

Yours Sincerely .





Tasmanian Heritage Council
GPO Box 618 Hobart Tasmania 7000
Tel: 1300 850 332
enquiries@heritage.tas.gov.au
www.heritage.tas.gov.au

PLANNING REF: SA2020/12
THC WORKS REF: 6347
REGISTERED PLACE NO: 5461
FILE NO: 06-31-06 THC
APPLICANT: N Leary - Leary Cox & Cripps
DATE: 5 October 2021

NOTICE OF HERITAGE DECISION

(Historic Cultural Heritage Act 1995)

The Place: 'Dysart House', 26 Main Street, Kempton.
Proposed Works: Subdivision – 1 lot and balance.

Under section 39(6)(b) of the *Historic Cultural Heritage Act 1995*, the Heritage Council gives notice that it consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application SA2020/12, advertised on 10/09/2021, subject to the following conditions:

- 1. This approval is for subdivision of the land only and does not include the construction of the proposed new bond stores, removal of vegetation or other infrastructure works.**

Reason for condition

To clarify the scope of this approval.

- 2. (i) A hedgerow planting must be established and maintained on, or alongside, the new boundary separating the proposed lots.
(ii) The new hedgerow must extend from the end of the brick wall behind the historic stables to the south-eastern corner of the proposed lot 1.**

Reason for condition

To perpetuate significant landscape characteristics of the place, consistent with the appropriate outcomes in Section 13 of the *Works Guidelines*.

Advice

The applicant should note that all of the areas affected by the subdivision will remain entered in the Tasmanian Heritage Register as part of the original entry for the site, and that heritage works to the new lots shall require heritage approval pursuant to Part 6 of the *Historic Cultural Heritage Act 1995*. The applicant/owner may request a review and amendment to the place's entry in the THR once the new property title/s are sealed.

Should you require clarification of any matters contained in this notice, please contact Russell Dobie on 1300 850 332.



Ian Boersma

Works Manager – Heritage Tasmania

Under delegation of the Tasmanian Heritage Council

Submission to Planning Authority Notice

Council Planning Permit No.	SA2020/12	Council notice date	31/07/2020
TasWater details			
TasWater Reference No.	TWDA 2020/01137-STM	Date of response	21/07/2021
TasWater Contact	Anthony Cengia	Phone No.	0474 933 293
Response issued to			
Council name	SOUTHERN MIDLANDS COUNCIL		
Contact details	mail@southernmidlands.tas.gov.au		
Development details			
Address	26 MAIN STREET , KEMPTON	Property ID (PID)	5464904
Description of development	1 Lot Subdivision plus balance		
Schedule of drawings/documents			
	Prepared by	Drawing/document No.	Revision No.
	COVA	5614.004 Sheet SKH01	A
	Leary Cox & Cripps	7959 Plan of Subdivision	27/06/2020
Conditions			
SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL			
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:			
CONNECTIONS, METERING & BACKFLOW			
1. A suitably sized water supply with metered connection and sewerage system and connection 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.			
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.			
3. Prior to commencing construction of the subdivision/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.			
INFRASTRUCTURE WORKS			
4. Plans submitted with the application for Certificate(s) for Certifiable Work (Building and/or Plumbing) must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services.			
<i>Advice: An amended water services plan will be required showing the correct location of the proposed property water connection being adjacent to the driveway accesses of the lot facing the middle of the lot, where possible outside of a trafficable area, 500mm offset from the cross over and 500mm inside the boundary.</i>			
5. 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.			

6. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

7. 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.
8. 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.
9. The Plan of Subdivision Council Endorsement Page is to note, pursuant to Section 83 of the Local Government (Building and Miscellaneous Provisions) Act 1993, that TasWater cannot guarantee sanitary drains will be able to discharge via gravity into TasWater's sewerage system for all lots on the plan.
10. Prior to the issue of a TasWater Consent to Register a Legal Document, the applicant must submit a .dwg file, prepared by a suitably qualified person to TasWater's satisfaction, showing:
- the exact location of the existing sewerage infrastructure,
 - the exact location of the private sewerage infrastructure (rising line) connecting to the TasWater sewerage infrastructure;
 - the easement protecting that infrastructure.

The developer must locate the existing TasWater infrastructure and clearly show it on the .dwg file. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost.

DEVELOPMENT ASSESSMENT FEES

11. The applicant or landowner as the case may be, must pay a development assessment fee of \$219.04 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.

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) 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 for a list of

companies

(c) TasWater will locate residential water stop taps free of charge

(d) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

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

PART A – Summary of Representations and Planning Authority Response

The full list of the representations is included in the tables below with associated consideration and recommendations. The full representation is included as an Attachment with this report.

Representation No.1	John Thompson on behalf of the Conservation Land Holders Tasmania (CLT)
Matter(s) raised in the representation (including property information details where applicable)	The representation puts forward 29 properties (including multiple titles) that should be included in the Landscape Conservation Zone.
Planning Authority response	<p>Some of the owners of the properties identified by the CLT have submitted representations (which are considered as part of this report).</p> <p>Of the 29 properties the following are <u>not</u> recommended for a rezoning to the Conservation Landscape Zone through the LPS process. These are:</p> <ol style="list-style-type: none"> 1. 'Fonthill' – 1025 Lemont Road 2. 1110 Swanston Road (CT214338/1) (Tribolet Representation) 3. 1009 Tunnack Road, Parattah 4. 'Wootton' – 51 Quarrytown Road, Bagdad 5. 'Lot 1' Ballyhooly Road, Mangalore 6. 1530 Colebrook Road, Campania (CT 152053/1, CT 213072/1) <p>The above properties would need to be split zoned and are currently part of active farms. The application of the Rural or Agriculture Zone for these properties is consistent with the Ministerial Guidelines and the AK Consultants decision tree for the application of the Rural and Agriculture Zone. Noted also is the owner of 1110 Swanston Road has asked for their land not to be included in the Conservation Landscape Zone.</p> <p>The remainder of the properties are appropriate for the Landscape Conservation Zone. Most will form part of a greater network of environmental zones i.e. adjoin existing reserves and conservation areas. Also a whole of title approach can be taken in applying the zone map.</p>
Recommended action	<p>To map those properties identified in the CLT representation <u>excluding</u>:</p> <ol style="list-style-type: none"> 1. 'Fonthill' – 1025 Lemont Road 2. 1110 Swanston Road (CT214338/1) (Tribolet Representation) 3. 1009 Tunnack Road, Parattah 4. 'Wootton' – 51 Quarrytown Road, Bagdad 5. 'Lot 1' Ballyhooly Road, Mangalore 6. 211 Scotts Road, Colebrook (CT 13689/3 and CT 205119/1) 7. 1530 Colebrook Road, Campania (CT 152053/1, CT 213072/1)

	As Landscape Conservation Zone.
Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Representation No.2	Daniel Tribolet, 1110 Swanston Rd Swanston
Matter(s) raised in the representation (including property information details where applicable)	Objects to the CLT representation seeking the land be zoned Landscape Conservation Zone as the land is part of a farm.
Planning Authority response	<p>There is a conservation covenant on the land. This is show in the shaded green area over the forested part of the land. The flat and sparsely vegetated areas are pastures.</p>  <p>The Rural Zone has ben applied to this land with the Priority Vegetation Overlay under the Natural Assets Code. Most the surrounding forested hillside and heavily vegetated areas are also zoned Rural Zone in this area under the draft LPS.</p> <p>Council does not have an overarching policy on the application of the Landscape Conservation Zone other than to consider each representation on its merits.</p> <p>The land is clearly used as part of the farm and the landowner does not want the Landscape Conservation Zone applied to the land.</p> <p>The application of the Rural Zone for the land is consistent with the purpose of the Zone and the Ministerial Guidelines for application of the Zones.</p>
Recommended	No modification to the draft LPS is required.

action	
Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

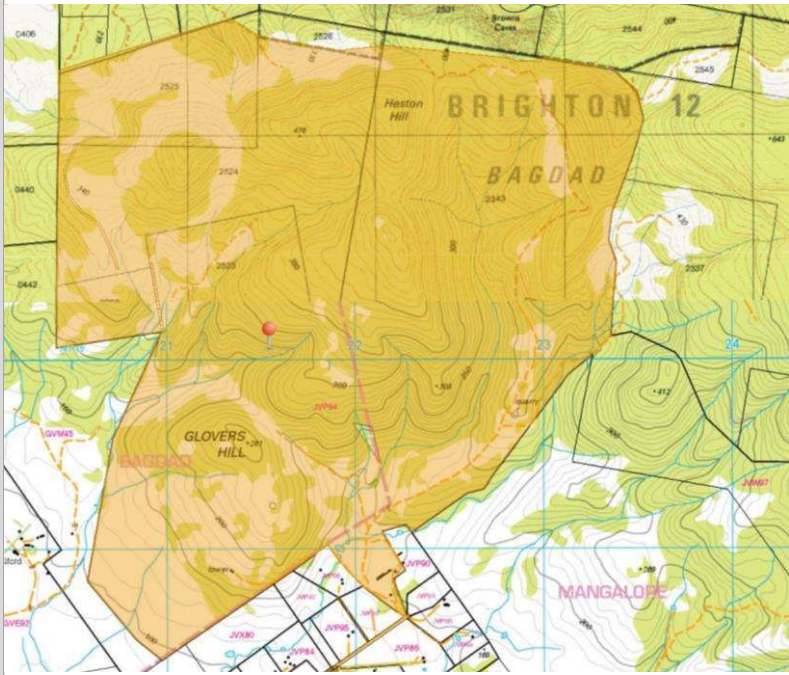
Representation No.3	Jason Taylor on behalf of TasWater
Matter(s) raised in the representation (including property information details where applicable)	<p>Seeking various assets be zoned Utilities Zone:</p> <ul style="list-style-type: none"> – Blackmans Upper Dam No.2 (Water Reservoir) – Blackmans Lower Dam No.1 (Water Reservoir) – Smarts Hill Clear Water Storage (Water Tank) – Oatlands Reservoirs No/s 1-8 (Water Tanks) – Kempton Sewage Treatment Plant <p>TasWater also suggest that the mapped Standard Recommended Attenuation Distances (SRAD) should not be mapped in the LPSs. The SRADs that have been mapped in the draft LPS are a translation of those in the LPS. TasWater note that the new SRADs in the Attenuation Code do not match those applied in the draft LPS. TasWater also suggest removal of the SRADs as the sewage infrastructure is upgraded and modified and may necessitate a scheme amendment to modify the corresponding SRAD.</p>
Planning Authority response	<p>The application of the Utilities Zone is supported and consistent with the other TasWater assets in the Southern Midlands. The use of the zone is also consistent with the Ministerial Guidelines for the application of the Zones.</p> <p>Spatially applying the zone is challenging without precise detail from TasWater. A request to TasWater should be made to provide the spatial area for the assets. This is necessary to determine the true extent of the spatial area in consultation with TasWater.</p> <p>The application of the Utilities Zone for the land is consistent with the purpose of the Zone and the Ministerial Guidelines for application of the Zones</p> <p>The logic to remove the Attenuation Code Overlay (SRAD) from the Planning Scheme has some merit given planning scheme maps must apply the spatial area provided in the Attenuation Code or be applied based on technical or best practice data source.</p> <p>TasWater as the water and sewer authority are technically best placed to give this advice. TasWater are qualified to give the advice and given the Attenuation Code is designed to protect an asset from encroachment of a land use that may conflict with the Zone. In other</p>

	<p>words TasWater are satisfied with the Planning Authority's reliance on the written word of the Planning Scheme and not just the applied mapping.</p> <p>The contrary response is that mapping the attenuation areas around such assets reduces Council's risk in preparing 337 certificates for new land purchases and in giving out day to day advice about land use/development. If a planner is not aware of a sewer lagoon for instance then it is a risk that the Attenuation Code could be overlooked in the planning assessment.</p>
Recommended action	<p>That spatial area data be provided by TasWater to map the Utilities Zone and that TasWater also provide the attenuation area overlay to correspond with the correct sewage treatment system – or at least confirm the correct SRAD from the table so that it may be spatially applied.</p> <p>Apply the Utilities Zone to the assets.</p> <p>Modify the current SRAD and apply the correct SRAD to the assets and surrounding lands.</p>
Effect of recommendation on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>

Representation No.4	Chris and Kay Harman, 183 and 185 Longwood Road, Bagdad
Matter(s) raised in the representation (including property information details where applicable)	<p>Further to the CLT Representation, Chris and Kay Harman seek their land to be zoned Landscape Conservation Zone.</p> <p>This is land with a conservation covenant that adjoins a Crown reserve with conservation values.</p>
Planning Authority response	<p>The application of the Landscape Conservation Zone for the land is consistent with the purpose of the Zone and the Ministerial Guidelines for application of the Zones.</p>
Recommended action	<p>To apply the Landscape Conservation Zone to the land.</p>
Effect of recommendation on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>

Representation No.5	Marageta Hannon, 69 Woolridge Road Rhyndaston
Matter(s) raised in the representation	<p>Further to the CLT Representation, Margareta Hannon seeks their land to be zoned Landscape Conservation Zone.</p>

(including property information details where applicable)	Most of the land is covered by a conservation covenant.
Planning Authority response	The application of the Landscape Conservation Zone for the land is consistent with the purpose of the Zone and the Ministerial Guidelines for application of the Zones.
Recommended action	To apply the Landscape Conservation Zone to the land.
Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Representation No.6	Peter Thiessen, "Lot 1" Ballyhooly Road, Bagdad
Matter(s) raised in the representation (including property information details where applicable)	<p>Seeking entire property is zoned Rural Zone and not split zoned between Rural and Agriculture Zone.</p> <p>The land is mostly forested land under a conservation covenant.</p> <p>Areas of the land are suitable for holding and open grazing sheep; particularly fine wool sheep.</p>
	
Planning Authority response	The draft LPS has attempted to avoid split zoning land as far as practicable. An attempt was made to draw a zone boundary line between the steeper and heavily vegetated part of the land and the cleared areas that are more likely used for farming.

	Zoning the entire parcel as Rural is compliant with the Ministerial Guidelines.
Recommended action	To zone the land Rural Zone.
Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Representation No.7	Jacqui Playfair, Quoin Road Kempton
Matter(s) raised in the representation (including property information details where applicable)	Further to the CLT Representation, Jacqui Playfair seeks their land to be zoned Landscape Conservation Zone. Most of the land is covered by a conservation covenant.
Planning Authority response	The application of the Landscape Conservation Zone for the land is consistent with the purpose of the Zone and the Ministerial Guidelines for application of the Zones.
Recommended action	To apply the Landscape Conservation Zone to the land.
Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Representation No.8	Helen Tait, "Lot 1" Swanston Road
Matter(s) raised in the representation (including property information details where applicable)	Further to the CLT Representation, Helen Tait seeks their land to be zoned Landscape Conservation Zone. Most of the land is covered by a conservation covenant.
Planning Authority response	The application of the Landscape Conservation Zone for the land is consistent with the purpose of the Zone and the Ministerial Guidelines for application of the Zones. The conservation covenant forms part of a wider 'network' of covenants in this particular area. The adjoining land is managed by Parks and Wildlife.
Recommended action	To apply the Landscape Conservation Zone to the land.
Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Representation No.9	Matthew Cloudsdale, "Lot 2" Swanston Road, Swanston
Matter(s) raised in the representation (including property information details where applicable)	Further to the CLT Representation, Matthew Cloudsdale seeks their land to be zoned Landscape Conservation Zone. Most of the land is covered by a conservation covenant.
Planning Authority response	The application of the Landscape Conservation Zone for the land is consistent with the purpose of the Zone and the Ministerial Guidelines for application of the Zones. The conservation covenant forms part of a wider 'network' of covenants in this particular area. The adjoining land is managed by Parks and Wildlife.
Recommended action	To apply the Landscape Conservation Zone to the land.
Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Representation No.10	Andrew Lea on behalf of the State Emergency Services (SES)
Matter(s) raised in the representation (including property information details where applicable)	Encourage application of the Flood Prone Area Overlay and use of available data to apply overlay or to apply the Code; and to limit housing density in flood prone areas.
Planning Authority response	The Planning Authority agree with the content of the representation and look forward to participating further in the state wide mapping project for flood prone areas.
Recommended action	No further action.
Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Representation No.11	Dave Provan, 400 Craiglea Road, Campania
Matter(s) raised in the representation (including property information details where applicable)	Further to the CLT Representation, Dave Provan seeks their land to be zoned Landscape Conservation Zone. Approximately half of the land is covered by a conservation covenant and adjoins neighbouring conservation covenanted land and conservation reserves.

Planning Authority response	<p>The application of the Landscape Conservation Zone for the land is consistent with the purpose of the Zone and the Ministerial Guidelines for application of the Zones.</p> <p>The conservation covenant forms part of a wider 'network' of covenants in this particular area. The adjoining land is managed by Parks and Wildlife.</p>
Recommended action	To apply the Landscape Conservation Zone to the land.
Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Representation No.12	Jennifer Jarvis on behalf of the TasRail
Matter(s) raised in the representation (including property information details where applicable)	<p>Seeking that all State Rail Network land be zoned utilities and therefore subject to the Road and Railway Assets Code (Which includes by virtue the adjoining land within 50m of the corridor).</p> <p>Seeking information on why the priority vegetation overlay was not applied to the utilities zone.</p> <p>Seeking that the TasRail Parattah Terminal (log yard) is included in the Utilities Zone and not the Low Density Residential Zone (as is remainder of Parattah).</p> <p>Seeking that part of Station Street is zoned utilities as being part of the Railway Network (and not just a public street).</p>
Planning Authority response	<p>Planning Authority appreciate the level of detail provided in the representation. This assists the Planning Authority in identifying all railway assets to be included in the Utilities Zone.</p> <p>The Natural Assets Code applies the overlay to the Utilities Zone (as does the Ministerial Guidelines). However this could be considered an anomaly in the SPPs.</p> <p>The priority vegetation overlay was not applied to the Utilities Zone in the draft LPS. The utilities zone is intended to be a practical zone that allows for the ongoing maintenance, repairs or improvements to important state infrastructure. The species that exist within the zone may well be protected species under the <i>Threatened Species Act</i> or other legislation. However, without a priority vegetation overlay, the Planning Authority does not have to consider the impact on priority vegetation in it's decision making.</p> <p>The Planning Authority is being strategic in avoiding the application of the overlay to the utilities zone in the spirit of the purpose of the zone. The land is necessary and needed to facilitate the use of the railway network. That is the land's primary purpose. Zones and overlays have the purpose of strategically guiding future development and land use.</p>

	The utilities zone will be applied to those places listed in the representation – recognising their contribution to state rail infrastructure.
Recommended action	To apply the utilities zone to all places listed in the representation.
Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Representation No.13	Richard Barnes, Banticks Road, Mangalore
Matter(s) raised in the representation (including property information details where applicable)	<p>Supports the Agriculture Zoning for their land and the adjoining land in Black Brush Road. However expresses opposition to the same adjoining land in Black Brush Road becoming a Rural Living type Zone. Noting that Council and the owner have made unsuccessful attempt to rezone the adjoining land. The same opinion extends to the Council owned land on Black Brush Road which was also subject to a previous attempt to rezone to Rural Living Zone.</p> <p>Claims the Bagdad Mangalore Structure Plan is out of date and that part of Mangalore is in the Village Zone under the draft LPS</p> <p>Seeks that an Attenuation Overlay for the free-range pasture egg farm is not mapped in the LPS.</p>
Planning Authority response	<p>The owner's property is used for farming and the Agriculture Zone is consistent with the other land in the area.</p> <p>The adjoining land at Black Brush Road was endorsed by Council to be in the Rural Living Zone, however this was continually challenged by the Tasmanian Planning Commission through the draft LPS process. The Planning Authority maintain a position that the land is suitable for the Rural Living Zone however the LPS process is not a suitable mechanism to implement such a rezoning.</p>
Recommended action	No further action.
Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Representation No.14	TasNetworks
Matter(s) raised in the representation (including property information details)	Raises issues with the State Planning Provisions in providing exemptions for development that may have impact on TasNetworks infrastructure and that the Planning Authority should be tasked with assessing and guiding such development through the Planning System.


where applicable)	<p>Raises a drafting concern with the Tasmanian Buddhist Cultural Park Height Clause in terms of consistency with the TPS in that utilities should not have an absolute height limit.</p> <p>Seeks that the Mt Seymour telecommunications site at 233 Crichton Road (CT 95445/3) be zoned utilities</p>
Planning Authority response	<p>Planning Authority support the zoning of the Mt Seymour site as Utilities Zone.</p> <p>The standards for the Buddhist Cultural Park SAP were created through a recent scheme amendment that was subject to public process and input. The standards were a result of that process. The Buddhist Cultural Park SAP has been included in the draft LPS as a Schedule 6 transitional provision. The Planning Authority has a limited ability to redraft standards within this SAP. The Planning Authority will seek direction from the TPC on this matter through the hearings. If a direction to modify is given then the Planning Authority will accept and modify.</p>
Recommended action	<p>Modify the My Seymore zone to Utilities Zone.</p> <p>Modify the Buddhist Cultural Park SAP pending the directions of the TPC.</p>
Effect of recommendation on the draft LPS	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>

Representation No.15	Department of State Growth
Matter(s) raised in the representation (including property information details where applicable)	<p>Supports application of the Agriculture Zone to land at Pontville adjacent to the Midland Highway.</p> <p>State Growth will provide a detailed list of titles and casements to guide the application of the Utilities Zone during the hearing process.</p> <p>Support, not mapping the attenuation area for the highway.</p> <p>That the Bagdad Bypass be listed as a 'Future Major Road' in the Table C3.1 of the Road and Railway Assets Code in order to apply the Code to the land.</p> <p>That land containing a Mining Lease be zoned as Rural Zone and not Agriculture Zone – noting that some Mining Lease(s) in the Southern Midlands are within the Agriculture Zone.</p>
Planning Authority response	<p>Agree with the zoning for land at Pontville. This is the zoning as exhibited. It is unclear what State Growth are asking; as it appears the mapping complies.</p> <p>The list of titles will assist in the mapping of the zone and the mapping is supported.</p>

	<p>Agree not to map the attenuation overlay for the highway.</p> <p>The Mining Leases were considered in the application of the Rural and Agriculture Zones and are consistent with the Ministerial Guidelines and the AK Consultant guidelines for mapping the rural and agricultural zones.</p>
Recommended action	To receive the list of titles/casements during the hearing process and agree to apply the utilities zone to those lands.
Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Representation No.16	James Hattam on behalf of the Tasmanian Land Conservancy (TLC)
Matter(s) raised in the representation (including property information details where applicable)	<p>That Council continually review and revise the priority vegetation overlay under the Natural Assets Code (i.e. to update and re-evaluate); and that the code be applied across all zones; and the State Government <i>should</i> allow the code to be applied to the Agriculture Zone.</p> <p>Southern Midlands contains 122 properties with conservation covenants registered under the <i>Nature Conservation Act 2002</i>. These properties make a significant contribution to Australia's National Reserve Estate.</p> <p>The TLC considers that, as a general rule, the Landscape Conservation Zone be applied to land with a conservation covenant.</p>
Planning Authority response	<p>The Planning Authority, was not able to apply the Natural Assets Code to the Agriculture Zone as the application of the code does not apply to the Agriculture Zone. The Ministerial Guidelines also prevent the code from application to the zone.</p> <p>The Planning Authority has removed the priority vegetation overlay from the Utilities Zone. This is was strategically deliberate and acknowledges the primary purpose of the zone (to allow and facilitate essential infrastructure) and the limited area in which the Utilities Zone has been applied.</p> <p>Agree to continually review the priority vegetation overlay and are open to assistance and recommendations from the Conservation Land Holders Tasmania, TLC and landowners to advise the Planning Authority of new covenants or suggestions for the application of the zone.</p>
Recommended action	No further change to the draft LPS.

Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.
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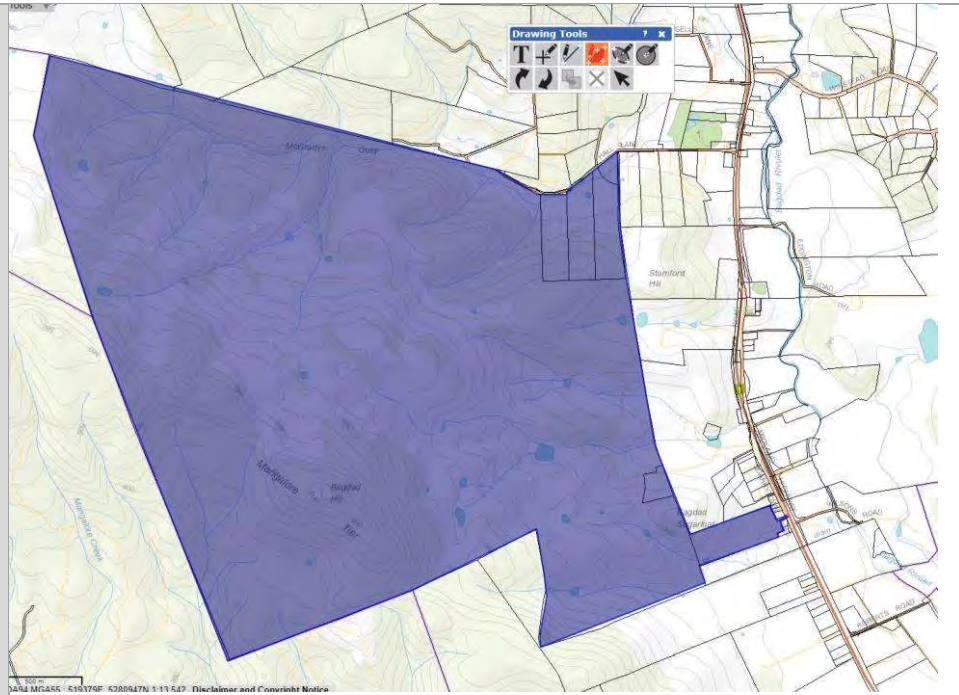
Representation No.17	Irene Inc. (Town Planning Consultant)
Matter(s) raised in the representation (including property information details where applicable)	<p>Seek that the land at Black Brush Road (identified below) be zoned to Rural Living in accordance with Council Strategy for the Bagdad Mangalore Valley as outlined in the <i>Bagdad Mangalore Structure Plan, Council Strategic Plan, Joint Land Use Planning Initiative</i>, and per the draft LPS endorsed by Council at the November 2018 meeting.</p> 
Planning Authority response	Council maintains the position that the land should be rezoned to Rural Living Zone. Council however acknowledges the limitations under the LPS Process as communicated by the TPC during the post lodgement assessment phase and is open to further discussion at the hearings in the draft LPS.
Recommended action	To discuss a way forward at the hearings into the LPS including consideration of the adjoining Council owned land and those titles previously identified as suitable for the Rural Living Zone.
Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Representation No.18	Department of Primary Industry, Parks, Water and Environment
Matter(s) raised in the representation	That Council map and identify those area containing dispersive soils (also described as sodic soils) be identified under the draft LPS and

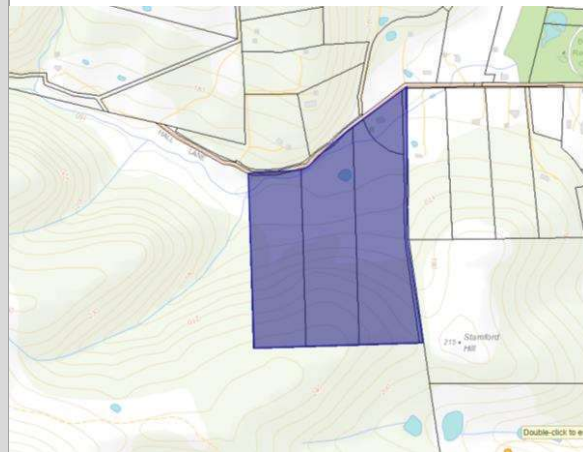
(including property information details where applicable)	subject to assessment by the Planning Authority during the Development Application phase.
Planning Authority response	The matter is best addressed by the Minister for Planning (and Planning Policy Unit) in identifying all areas subject to dispersive type soils and a Code or similar mechanism is implanted on a state wide basis.
Recommended action	No further action.
Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.

Representation No.19	Tree Alliance, Private Forests Tasmania
Matter(s) raised in the representation (including property information details where applicable)	The organisation have lodged a letter on letterhead. However the letter states only that their interests will be represented through the Department of State Growth.
Planning Authority response	Noted.
Recommended action	No further action.
Effect of recommendation on the draft LPS	There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.


Representation No.20	Nick Emery (Real Estate Agent) on behalf of Brownlow Pty LTd at 51 Quarrytown Road
Matter(s) raised in the representation (including property information details where applicable)	This is a large rural holding in Bagdad.



There are three smaller lots on Hall Lane that form a part of the owner's landholding that should be considered for the Rural Living Zone.



A confirmation that the land identified as CT 197978/1 fronting the Midland Highway is in the Rural Zone and that allows for a dwelling.

	
<p>Planning Authority response</p>	<p>A change of zoning for the three (3) titles on Hall Lane to the Rural Living Zone would likely require substantial modification to the draft LPS and re-exhibition of the change per Section 35KB of the Act. The change would need to comply with the LPS Criteria, including the STRLUS (and ultimately be subject to most of the 122 tests under the Act). The TPC are reticent to consider residential zone changes under the draft LPS. This has been tested with the Black Brush Road matter.</p> <p>This however does not predetermine an outcome. There is some merit in consideration of this land for the Rural Living Zone given it adjoins the Rural Living Zone, has access from Hall Lane and are lots consistent with lots in the immediate area which are primarily part of a 'rural living' community.</p> <p>The land was not however previously identified in the Bagdad Mangalore Structure Plan for rezoning to the rural living zone. But the Planning Authority note that the Bagdad Mangalore Structure Plan should be reviewed.</p> <p>The Planning Authority consider Rural Zone the more appropriate zone as an interim measure until the Bagdad Mangalore Structure Plan is reviewed.</p> <p>The single title fronting the Midland Highway is in the Rural Zone under the draft LPS. This allows for a dwelling as a 'discretionary use'.</p>
<p>Recommended action</p>	<p>That the three (3) titles described as Lots 16,17,18 on Plan 92981 fronting Hall Lane be zoned Rural Zone under the draft LPS as a minor modification to the draft LPS. The Planning Authority can supply a written submission to the TPC to outline the basis for the recommended action.</p>
<p>Effect of recommendation on the draft LPS</p>	<p>There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>

Attachment 1

PART B – Recommended Modifications to the draft LPS

Following assessment of the representations received during the exhibition period (as detailed in Part A), and in accordance with sections 35F(2)(c) and 35F2(e) of LUPAA, the following table sets out the Planning Authority’s recommendations for modifications to the draft LPS. The below details should be read in conjunction with the information provided in Part A – Draft LPS: Summary of Representations and Planning Authority Response together with the overall report.

Item No.	Matter for Modification	Further Particulars	Reasons
1.	Landscape Conservation Zone	<p>Modification to apply the Landscape Conservation Zone to the following land:</p> <ol style="list-style-type: none"> 1) Old Tier Road, Woodbury CT 243202/1 2) ‘Pine Hills’ 900 Swanston Road, Swanston CT 228133/1 and CT 208977/1 3) Swanston Road, Swanston CT 173375/1 4) Tooms Lake Road, Tooms Lake CT 249021/3 5) Lot 2 Swanston Road, Swanston CT 148082/2 6) Lot 1 Swanston Road, Swanston CT 148082/1 7) Lot 1 Swanston Road, Swanston CT 172825/1 8) 240 Daniels Road, Swanston CT 210926/1 and CT212336/1 9) Swanston Road, Swanston 148656/2 and CT 127756/3 and CT 148656/1 and CT 234335/1 10) ‘Summerhill’ 175 Summerhill Road, Tunnack CT 204148/1 	<p>A. The application of the Landscape Conservation Zone for the land is consistent with the purpose of the Zone and the <i>Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application</i>, June 2018 for application of the Zones.</p> <p>B. Modifications provide for an appropriate satisfaction of the LPS criteria at section 34(2) of LUPAA</p> <p>C. There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>

		<p>11) 69 Woolridge Road, Rhyndaston CT 50411/1</p> <p>12) Quoin Road, Kempton CT 32418/1 and CT 32418/3 and CT 42326/1</p> <p>13) 146 Nichols Road, Elderslie CT 209091/1</p> <p>14) 185 and 183 Longwood Road Bagdad CT 116908/1 and CT 116908/2</p> <p>15) Lot 1 Elderslie Road, Broadmarsh CT 149630/1</p> <p>16) 466 East Bagdad Road CT 168682/1</p> <p>17) Lot 1 East Bagdad Road CT 171182/1</p> <p>18) 347 Link Road Colebrook CT 115301/1</p> <p>19) 'Mount Baines' 2290 Colebrook Road CT 127595/1</p> <p>20) 257 Craiglea Road, Campania CT 213072/1 and CT 212815/1</p> <p>21) 201 Craiglea Road, Campania 49487/2</p>	
<p>2</p>	<p>Utilities Zone</p>	<p>Modification to apply the Utilities Zone to the following land:</p> <p>1) Spatial Extent of Blackmans Upper Dam No.2 (Water Reservoir) – Part of 'Cheam' 60 Melrose Road, Tunbridge CT 176483/1</p> <p>2) Spatial Extent of Blackmans Lower Dam No.1 (Water Reservoir) 'Part 'Meriton" - Old Tier Road Woodbury CT 141630/1 and 'Kakadu'</p>	<p>A. The application of the Utilities Zone for the land is consistent with the purpose of the Zone and the Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application, June 2018 for application of the Zones.</p> <p>B. Modifications provide for an appropriate satisfaction of the LPS criteria at section 34(2) of LUPAA</p> <p>C. Application of the Utilities Zone is entirely consistent with the application of the Utilities Zone elsewhere in the draft LPS.</p> <p>D. There is no effect on the draft LPS as a whole resulting from implementing</p>

	<p>Old Tier Rd Woodbury CT 31398/1</p> <p>3) Smarts Hill Clear Water Storage (Water Tank) 19 Yarlington Road, Colebrook CT 169471/1</p> <p>4) Oatlands Reservoirs No/s 1-8 (Water Tanks) Lot 1 Glenelg Street CT 163945/1</p> <p>5) Kempton Sewage Treatment Plant 'Lot 1' Lonsdale Road Kempton CT 138183/1</p> <p>6) Part of rail network, Andover CT 122917/1</p> <p>7) 710 Tunnack Road, Parattah CT 17557/1</p> <p>8) Stonor Road, No CT – whole of lot at GDA94 MGA55 : 531395E, 5303578N</p> <p>9) Rhyndaston, CT 66798/1 and triangular title GDA94 MGA55 : 531575E, 5297068N</p> <p>10) Rhyndaston No CT – whole of lot at GDA94 MGA55 : 531636E, 5297044N</p> <p>11) 9 Station Street, Colebrook CT 122909/1</p> <p>12) Colebrook part of rail network title CT 175223/4</p> <p>13) Colebrook part of rail network CT 175223/3</p> <p>14) Colebrook part of rail network CT 175223/2</p> <p>15) Colebrook part of rail network CT 175223/5</p> <p>16) Colebrook part of rail network CT 122905/1</p>	<p>the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>
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		<p>17) Colebrook part of rail network CT 175223/1</p> <p>18) 233 Crichton Road CT 95445/3</p> <p>19) Road casement titles as determined by Department of State Growth per Representation #15</p>	
3	Attenuation Overlay	<p>1) Modification to apply the Attenuation Overlay for Sewage Treatment Facilities as determined by TasWater per representation # 3</p>	<p>A. The modification/correction and application of the attenuation area overlay for the land is consistent with the application of the overlay per the Attenuation Code and the <i>Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application</i>, June 2018 for application of the Zones.</p> <p>B. Modifications provide for an appropriate satisfaction of the LPS criteria at section 34(2) of LUPAA</p> <p>C. There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p> <p>D. The application of the overlay is consistent with the application of the overlay elsewhere in the draft LPS.</p>
4	Rural Zone	<p>Modification to apply the Rural Zone to the following titles:</p> <p>1) 'Lot 1' Ballyhooly Road, Bagdad to entire CT 148583/1.</p> <p>2) Hall Lane, Bagdad CT 92981/16 and CT 92981/17 and CT 92981/18</p>	<p>A. The application of the Rural Zone for the land is consistent with the purpose of the Zone and the <i>Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application</i>, June 2018 for application of the Zones.</p> <p>B. Modifications provide for an appropriate satisfaction of the LPS criteria at section 34(2) of LUPAA.</p> <p>C. There is no effect on the draft LPS as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria at section 34(2) of LUPAA is maintained.</p>

