



TASMANIAN GOVERNMENT GAZETTE

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Notices to Creditors

ELIZABETH ANN CARTER late of 24 Fowler Street Montrose in Tasmania nurse R.N./carer and widowed deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Elizabeth Ann Carter who died on seventeenth day of October 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of January 2015 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of December 2014.

JOHN ROBINSON, Trust Administrator.

CATHERINE ANNE MOSS (also known as CATHERINE ANN MOSS) late of 15 Binney Street Ravenswood in Tasmania telephonist/home duties widow deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Catherine Anne Moss (also known as Catherine Ann Moss) who died on nineteenth day of September 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of January 2015 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of December 2014.

REBECCA SMITH, Trust Administrator.

DAVID HOWARD late of 253 Upper York Street West Launceston in Tasmania retired supervisor/plumber & gas fitter married deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased David Howard who died on thirtieth day of September 2014 are required by the Executors Helen Mary Howard of 253 Upper York Street West Launceston in Tasmania and Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of January 2015 after which date the Executors may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of December 2014.

REBECCA SMITH, Trust Administrator.

Tasmanian Government Gazette

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BETTY JEAN AUSTIN late of Mount Esk Home St Leonards in Tasmania aged pensioner/house maid widowed deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Betty Jean Austin who died on the thirtieth day of September 2014 are required by the Executors Gerald Thomas Austin and Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth January 2015 after which date the Executors may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of December 2014.

KAY PHILPOTT, Trust Administrator Assistant.

NOELEN THORA ANDERSON late of Mount St Vincent Nursing Home Ulverstone in Tasmania home duties widowed deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Noelen Thora Anderson who died on the sixth day of September 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of January 2015 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of December 2014.

MIKALA DAVIES, Trust Administrator.

LUCY MAY ROWLANDS (also known as LUCY MAY WELLS) late of 34 Lantana Road Risdon Vale in Tasmania home duties who died on the twenty-third day of February 2014: Creditors next of kin and others having claims on respect of the Estate of the abovenamed deceased are required by the Executor Surinder Kaur Mahindroo c/- Glade-Wright & Mahindroo of Suite 5/131 Macquarie Street Hobart in Tasmania to send particulars of their claim to the Registrar of the Supreme Court of Tasmania in writing on or before the twenty first day of January 2015 after which date the Executor may distribute the assets having regard only to the claims of which the Executor then have notice.

Dated the Seventeenth day of December 2014.

GLADE-WRIGHT & MAHINDROO, Solicitors to the Estate.

CREDITORS and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of Stjepan Bauk (also known as Steve Bauk) late of 118 Woodcutters Road, Tolmans Hill in the State of Tasmania who died on 16th April 2013 are required by the personal representative, Dennis Bauk, care of M+K Dobson Mitchell Allport Lawyers of 59 Harrington Street, Hobart in Tasmania to send particulars of their claims to him by 23rd January 2015 after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

Dated this twenty-third day of December 2014.

M+K DOBSON MITCHELL ALLPORT,
Practitioners for the estate.

NOTICE is hereby given that the Public Trustee has filed in the office of the Registrar of the Supreme Court at Hobart an election to administer the estate(s) of

GARY DOUGLAS CLARK late of 4 Winifred Place Austins Ferry in Tasmania pensioner/single man deceased intestate

Dated this twenty-fourth day of December 2014.

DAVID BENBOW, Chief Executive Officer.

Dissolution

DISSOLUTION OF PARTNERSHIP

NOTICE is hereby given that all partnerships, businesses, undertakings and enterprises previously carried on by Geoffrey Maxwell Harper (also known as Max Harper) and Susan Alexander, including any business carried on by them from 13 Southern Drive, Midway Point in Tasmania, including the businesses known as Reflections B&B and Alexanders Apartments, were dissolved on 26 November 2014, and no responsibility or liability will be accepted by Geoffrey Maxwell Harper in relation to those matters or Susan Alexander.

Dated this 24th day of December 2014.

Administration and Probate

ADMINISTRATION AND PROBATE ACT 1935

Notice of Intention to Apply for Letters of Administration

NOTICE is given that after the expiration of fourteen days from the publication of this notice application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of ANNETTE BOGUMILA CICHOWSKA-PEMPEL (known as ANNETTE PEMPEL) late of 86 Middle Road Devonport in Tasmania retired teacher/artist/never married deceased may be granted to Matthew John Charles Pawson of 13 Fenton Street Devonport in Tasmania Solicitor/Married as Attorney for Eugene Doroshenko a son of the said deceased.

Dated this twenty-fourth day of December 2014.

LEVIS STACE & COOPER, a Division of Rae & Partners,
Solicitors for the Applicant.

ADMINISTRATION AND PROBATE ACT 1935

Notice of Intention to Apply for Letters of Administration

NOTICE is hereby given that after the expiration of 14 days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that letters of administration of the Estate of MICHAEL ALOYSIUS TRACEY late of 3 Park Esplanade Port Sorrell in Tasmania 7307 Farmer/Divorced deceased intestate may be granted to Mark Jonathan Tracey of 74 Berriedale Road Montana in Tasmania, farm manager/single the son of the said deceased.

Dated the fifteenth day of December 2014

JULIE BYRNE LEGAL, Solicitors for the Applicant.

ADMINISTRATION AND PROBATE ACT 1935

Notice of Intention to Apply for Letters of Administration

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of FAYE FLORENCE WAKEFIELD widow retired cleaner late of 84 Butler Avenue Moonah in Tasmania deceased who died on the twenty-second day of October 2014 intestate may be granted to Kathleen Joy Street married night fill worker of 2 Kallay Court Berriedale in Tasmania the lawful daughter of the said deceased and Michael Wayne Cassidy married construction worker of 3 Turnbull Crescent Rosetta in Tasmania the lawful son of the said deceased.

Dated this twenty-fourth day of December, 2014.

WALLACE WILKINSON & WEBSTER,
Solicitors for the Applicant.

ADMINISTRATION AND PROBATE ACT, 1935

Notice of Application to Reseal Probate

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof Suzanne Mary Asher of 11 Clark Street Williamstown in Victoria retired teachers assistant/single and Peter Burke Sadler of 29 Railway Place Williamstown in Victoria retired company director/married the executors of the Will of the estate of JUNE HELENE SADLER late of Westhaven Community 50 Pickett Street Footscray in Victoria home duties/widow deceased to whom probate of the said will was granted by the Supreme Court of Victoria on the twentieth day of November 2014 will apply to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that the Seal of the said Supreme Court of Tasmania may be affixed to the said probate pursuant to Part VI of the Administration and Probate Act 1935.

Dated this twenty-fourth day of December 2014.

M+K DOBSON MITCHELL ALLPORT,
Practitioners for the Estate.

Royal Assent

Government House
Hobart, Tasmania
17 December 2014

HER Excellency the Governor has this day in the name of Her Majesty The Queen assented to the following Bills:—

A Bill for an Act to ensure that protesters do not damage business premises or business-related objects, or prevent, impede or obstruct the carrying out of business activities on business premises, and for related purposes.

Workplaces (Protection from Protesters) Act 2014
(Act No. 26 of 2014)

A Bill for an Act to amend the *Sentencing Act 1997*.

Sentencing Amendment (Assaults on Police Officers) Act 2014
(Act No. 26 of 2014)

A Bill for an Act to amend the *Tasmanian Beef Industry (Research and Development) Trust Act 1990*.

Tasmanian Beef Industry (Research and Development) Trust Amendment Act 2014
(Act No. 27 of 2014)

A Bill for an Act to amend the *Forensic Procedures Act 2000*.

Forensic Procedures Amendment Act 2014
(Act No. 28 of 2014)

By Her Excellency's Command

DAVID OWEN, Official Secretary.

Erratum

ERRATUM

THE Royal Assent Notice published in the Tasmanian Government Gazette of 17 December 2014 omitted the date the five Bills received Royal Assent. The date the 5 Bills received Royal Assent was 9 December 2014.

Mental Health

MENTAL HEALTH ACT 2013

NOTICE is hereby given that in accordance with section 139 of the *Mental Health Act 2013*, the undermentioned person has been approved as a mental health officer for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on the 16th day of December 2014.

SHAYLEY ANN EASTON

Dated the 16th day of December 2014.

DR LEONARD GEORGE JOHN LAMBETH,
Psychiatrist/Chief Forensic Psychiatrist.

MENTAL HEALTH ACT 2013

NOTICE is hereby given that in accordance with section 139 of the *Mental Health Act 2013*, the undermentioned person has been approved as a mental health officer for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on the 12th day of December 2014.

STEPHANIE ANNE WYATT

Dated the 12th day of December 2014.

DR LEONARD GEORGE JOHN LAMBETH,
Psychiatrist/Chief Forensic Psychiatrist.

MENTAL HEALTH ACT 2013

NOTICE is hereby given that in accordance with section 139 of the *Mental Health Act 2013*, the undermentioned person has been approved as a mental health officer for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on the 12th day of December 2014.

CHRISTOPHER ROBERT PEARSON

Dated the 12th day of December 2014.

DR LEONARD GEORGE JOHN LAMBETH,
Psychiatrist/Chief Forensic Psychiatrist.

MENTAL HEALTH ACT 2013

NOTICE is hereby given that in accordance with section 139 of the *Mental Health Act 2013*, the undermentioned person has been appointed as an approved medical practitioner for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on the 16th day of December 2014.

DR SYED SIKANDAR ALAM

Dated the 16th day of December 2014.

DR LEONARD GEORGE JOHN LAMBETH,
Psychiatrist/Chief Forensic Psychiatrist.

Workers Rehabilitation

WORKERS REHABILITATION AND COMPENSATION ACT 1988

I HEREBY declare, pursuant to section 66(1) of the *Workers Rehabilitation and Compensation Act 1988*, that the basic salary in respect of the year beginning 1 January 2015 will be \$803.07.

PETER GUTWEIN MP, Treasurer.

Land Acquisition

LAND ACQUISITION ACT 1993

NOTICE OF ACQUISITION

(Section 18)

IN PURSUANCE of Section 18 of the *Land Acquisition Act 1993*, ("the Act"), the Kingborough Council does hereby declare that the estates over the land being rights of easement as described within Schedule B over those parts of the land described within Schedule A are taken and vested in the Kingborough Council under the said Act for the authorised purpose of purpose of creating part of the Alum Cliffs walking path for recreational use by the public pursuant the functions and powers of the Acquiring Authority under section 20 of the *Local Government Act 1993*.

Dated this 24th day of December 2014.

Signed for and on behalf of the Kingborough Council by its General Manager Gary Arnold in the presence of: Ian Maxwell Holloway, 15 Channel Highway, Kingston 7050.

SCHEDULE A

All those parts of the land shown on the Plan prepared by PDA Surveyors marked Plan of Survey - Easement Survey Only (a copy of which is annexed and marked "A") and marked:

- (a) "RIGHT OF WAY 'A' (113m²)";
- (b) "RIGHT OF WAY 'B' 5.00 WIDE (179m²)" and
- (c) "RIGHT OF WAY 'D' (27.3m²)"

situated in the Land District of Buckingham in the Parish of Queenborough contained within Folio of the Register Volume 65348 Folio 4 of which Christopher William Murphy and Susan Jane Murphy are the registered proprietors.

SCHEDULE B

A "Council Access Way" as defined herein over those parts of the land identified within Schedule A.

Interpretation:

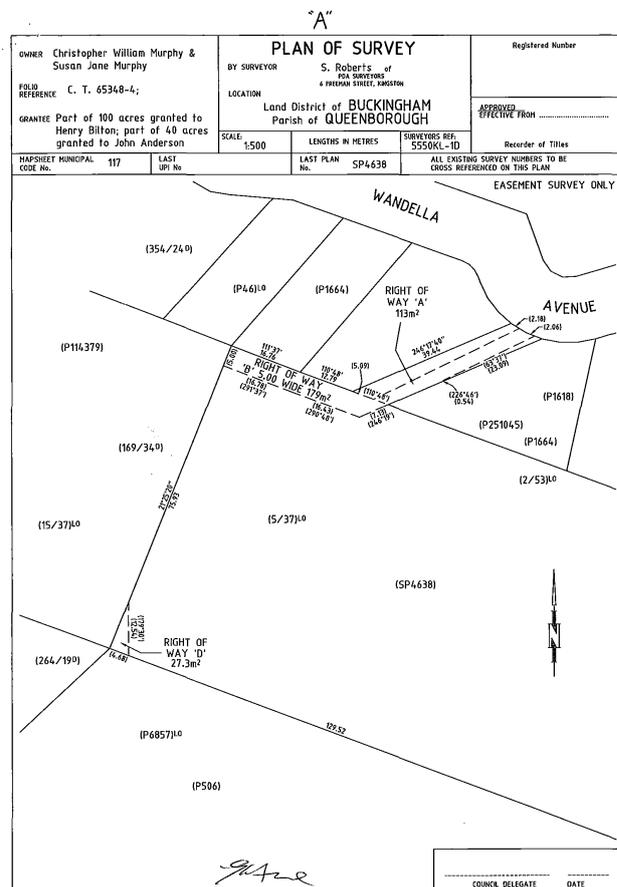
"AUTHORISED PERSONS" means the licensees, agents, employees, workmen, consultants and other invitees of the Kingborough Council.

"COUNCIL ACCESS WAY" means the full and free right for the Kingborough Council and every person authorised by the Kingborough Council, including members of the Public and the Authorised Persons to go, pass and repass at all times and for all purposes, including but not limited to public recreational access, access for fire management and reserve maintenance purposes with or without animals or vehicles and includes such rights as the Kingborough Council deems reasonably necessary to facilitate the above access rights including but not limited to the following:

1. To erect lighting within the Council Access Way, and to lay or hang wires, cables and other infrastructure necessary to facilitate the operation of that lighting;

2. To lay pipes and/or other appropriate materials in the Council Access Way to ensure the proper drainage of the Council Access Way;
 3. To erect signs within the Council Access Way to direct, limit or authorise the use of the Council Access Way by members of the public from time to time;
 4. To maintain and upgrade the surface of the Council Access Way; and
 5. To temporarily drive or park vehicles on the Council Access Way to carry out the above activities.
- provided the exercise of such rights does not unduly impede or obstruct the access of any other person authorised to access the Council Access Way.

Signed by Kingborough Council.



Electricity Supply Industry

ELECTRICITY SUPPLY INDUSTRY ACT 1995

ORDER

I, MATTHEW GROOM, Minister administering the *Electricity Supply Industry Act 1995*, pursuant to Section 121B and Section 121C, having taken into account the budget prepared under section 121D, hereby make the following order:

- (1) (a) the electricity entity that is liable to pay an annual charge for the operation and administration of the electrical safety inspection service administered by the responsible Department in relation to the *Electricity Industry Safety and Administration Act 1997* and the *Occupational Licensing Act 2005* is Tasmanian Networks Pty Ltd. (ABN 24 167357299); and
- (b) the amount of the charge for the calendar year 2015 is \$4,130,000

- (2) (a) the charge, payable to the Secretary of the Department of Justice, is to be paid into the Electrical Safety Inspection Service Fund administered by the Department of Justice; and (b) the charge is to be paid in equal monthly instalments on or before the second last working day in each month of 2015 until 31 December 2015 by electronic funds transfer to BSB 037 001 Account No. 267793 in the name of Dept of Justice Operating Account at Westpac Banking Corporation, 28 Elizabeth Street, Hobart, Tasmania.

MATTHEW GROOM MP
Minister for Energy.

Dated this day the 15th of December 2014.

Rules Publication

RULES PUBLICATION ACT 1953

NOTICE OF THE MAKING OF STATUTORY RULES

IN ACCORDANCE with the provisions of the *Rules Publication Act 1953*, notice is given of the making of the following statutory rules:—

Title of Act (if any) under which statutory rules made	Number allotted to Statutory Rules	Title or subject matter of Statutory Rules
(1) <i>Ambulance Service Act 1982</i>	S. R. 2014, No. 143	<i>Ambulance Service (Fees) Amendment Regulations 2014</i>
(2) <i>Land Use Planning and Approvals Amendment (Streamlining of Process) Act 2014</i>	S. R. 2014, No. 144	Proclamation under section 2
(3) <i>Poisons Act 1971</i>	S. R. 2014, No. 145	<i>Poisons Amendment (Dangerous Substances) Regulations 2014</i>
(4) <i>Wills Amendment (International Wills) Act 2012</i>	S. R. 2014, No. 146	Proclamation under section 2
(5) <i>Work Health and Safety Act 2012</i>	S. R. 2014, No. 147	<i>Work Health and Safety Amendment Regulations 2014</i>
(6) <i>Work Health and Safety (Transitional and Consequential Provisions) Act 2012</i>	S. R. 2014, No. 148	<i>Work Health and Safety (Transitional) Amendment Regulations 2014</i>

GENERAL PURPORT OR EFFECT OF THE ABOVEMENTIONED STATUTORY RULES

(1) *Ambulance Service (Fees) Amendment Regulations 2014*

These regulations amend the *Ambulance Service (Fees) Regulations 2011* by –

- (a) amending certain fees payable under the *Ambulance Service Act 1982*; and
- (b) enacting minor statute law revision consequent on the commencement of the *Ambulance Service Amendment Act 2013*.

(2) Proclamation under section 2 of the *Land Use Planning and Approvals Amendment (Streamlining of Process) Act 2014*

This proclamation fixes 1 January 2015 as the day on which the provisions of the *Land Use Planning and Approvals Amendment (Streamlining of Process) Act 2014* commence.

(3) *Poisons Amendment (Dangerous Substances) Regulations 2014*

These regulations amend the *Poisons Regulations 2008* by providing that a person who is conducting a business or undertaking at a workplace under the *Work Health and Safety Act 2012* may, in certain circumstances, be exempt from the requirements governing manufacturing, obtaining, possessing, selling or supplying prescribed dangerous poisons.

(4) Proclamation under section 2 of the *Wills Amendment (International Wills) Act 2012*

This proclamation fixes 11 March 2015 as the day on which the *Wills Amendment (International Wills) Act 2012* commences, being the day after the *Convention providing a Uniform Law on the Form of an International Will 1973* has entered into force in Australia.

(5) *Work Health and Safety Amendment Regulations 2014*

These regulations amend the *Work Health and Safety Regulations 2012* by delaying the commencement of certain regulations until 1 January 2017 and implementing nationally agreed changes to the model Work Health and Safety Regulations including –

- (a) clarifying exceptions from licensing requirements for high risk work; and
- (b) providing that high risk work licences may be subject to conditions; and
- (c) removing a provision relating to protective structures on earth moving machinery; and
- (d) providing for the mutual recognition of major inspections of registered mobile cranes and registered tower cranes; and
- (e) extending the control measures for amusement devices to include passenger ropeways; and
- (f) removing the requirement for design registration for prefabricated formwork; and
- (g) extending Division 4 of Part 4.7, which relates to electrical work on energised electrical equipment, to the generation of electricity; and
- (h) providing for the cancellation of registration issued for plant designs or items of plant; and
- (i) making other miscellaneous amendments.

(6) *Work Health and Safety (Transitional) Amendment Regulations 2014*

These regulations amend the *Work Health and Safety (Transitional) Regulations 2012* by updating cross references and rescinding spent provisions.

Copies of the abovementioned statutory rules may be purchased at Mercury Walch Pty Ltd,
5-7 Bowen Road, Moonah. Phone (03) 6232 2101 or Toll Free 1800 030 940.

ROBYN WEBB,
Acting Chief Parliamentary Counsel.

PARLIAMENTARY STANDING COMMITTEE ON SUBORDINATE LEGISLATION

'Anyone who has problems with, or feels they are adversely affected by, any of the above Regulations can write to the Secretary of the Subordinate Legislation Committee, Legislative Council, Parliament House, Hobart, 7000.'

TANIA RATTRAY, MLC, Chairperson.

Survey Co-ordination

INTENTION TO ASSIGN PLACE NAMES

NOTICE is hereby given pursuant to section 20F of the *Survey Co-ordination Act 1944*, that it is the intention of the Nomenclature Board to assign the following place names in Tasmania.

Assignments List No. 516

Reg No.	Name	Municipality	Location	Decision No.
40526N	Bonnars Road	Break O'Day	Off Ansons Bay Road, Goshen	22473
33605F	Brooker Street	Break O'Day	Off St Helens Point Road, Stieglitz	22474
34649D	Cray Court	Break O'Day	Off Binalong Bay Road, Binalong Bay	22475
33240A	Cunningham Street	Break O'Day	Off St Helens Point Road, St Helens	22476
37973N	Davis Gully Road	Break O'Day	Off Tasman Highway, Four Mile Creek	22477
34670W	Dawson Street	Break O'Day	Off St Helens Point Road, Stieglitz	22486
34064S	Hodge Court	Break O'Day	Off Moriarty Road, Stieglitz	22490
32839E	Maurouard Street	Break O'Day	Off St Helens Point Road, Stieglitz	22492
39775F	Miami Link	Break O'Day	Off Pig Road, Fingal	22493
37987K	Mitchells Road	Break O'Day	Off German Town Road, St Marys	22496
41305Y	Musk Scrub Road	Break O'Day	Off Tasman Highway, Goshen	22498
30395M	Parkside Avenue	Break O'Day	Off St Helens Point Road, St Helens	22500
32022G	Peron Street	Break O'Day	Off Rosendale Street, Stieglitz	22502
34777X	Rock Street	Break O'Day	Off St Helens Point Road, Akaroa	22504
34863R	Rosendale Street	Break O'Day	Off St Helens Point Road, Stieglitz	22506
40597K	Swimcart Beach Road	Break O'Day	Off Gardens Road, Binalong Bay	22509
33154E	Talbot Street	Break O'Day	Off St Helens Point Road, St Helens	22520
39042R	Wigram Street	Break O'Day	Off Upper Scamander Road, Scamander	22521
36159Y	Coomera Court	Brighton	Off Boyer Road, Dromedary	22551
38011R	Gavin Court	Brighton	Off Boyer Road, Dromedary	22554
42311T	Parkholme Drive	Brighton	Off Glenstone Link, Bridgewater	22556
35586A	Weily Park Road	Brighton	Off Glenstone Road, Bridgewater	22557
32965S	Emma Street	Central Coast	Off Forth Road, Forth	22691
32912M	Fuller Street	Central Coast	Off Forth Road, Forth	22559
30566T	Fysh Street	Central Coast	Off Walker Street, Forth	22478
42235B	Kennaglen Lane	Central Coast	Off Nine Mile Road, Howth	22479
36891L	Mary Street	Central Coast	Off River Avenue, Heybridge	22480
31669F	Mell Street	Central Coast	Off Forth Road, Forth	22481
34556Q	Stephen Street	Central Coast	Off Walker Street, Forth	22482
34057W	Walker Street	Central Coast	Off Forth Road, Forth	22483
39085H	Centreway Avenue	Central Highlands	Off Wayatinah Road, Wayatinah	22484
39088X	First Street	Central Highlands	Off Centreway Avenue, Wayatinah	22485
39091A	Fourth Street	Central Highlands	Off Centreway Avenue, Wayatinah	22487
39061R	Glenlea Drive	Central Highlands	Off Centreway Avenue, Wayatinah	22488
37725B	Honnors Road	Central Highlands	Off Pelham Road, Pelham	22489
37927W	Leesons Road	Central Highlands	Off Bridge Road, Westerway	22491
40107B	Main Street	Central Highlands	Off Centreway Avenue, Wayatinah	22494
39086W	North Avenue	Central Highlands	Off Wayatinah Road, Wayatinah	22495
39089K	Second Avenue	Central Highlands	Off Centreway Avenue, Wayatinah	22497
39090L	Third Street	Central Highlands	Off Centreway Avenue, Wayatinah	22499
38717M	Wilburville Road	Central Highlands	Off Arthurs Lake Road, Wilburville	22501
41945G	Spring Beach	Clarence	West off Blessington Street, South Arm	22646
40561A	Moores Lane	Derwent Valley	Off Moores Road, Lachlan	22503
37451C	Aikman Court	Dorset	Off Barclay, Scottsdale	22505
37988Y	Banks Road	Dorset	Off Mutual Road, Derby	22507
37454Q	Barclay Drive	Dorset	Off Spotswood Drive, Scottsdale	22508
33123M	Beattie Street	Dorset	Off George Street, Scottsdale	22510
37458S	Blackwood Road	Dorset	Off North Scottsdale Road, North Scottsdale	22511
34698A	Briggs Street	Dorset	Off Spotswood Drive, Scottsdale	22512
34425P	Cameron Street	Dorset	Off George Street, Scottsdale	22513
37457F	Careys Road	Dorset	Off Tasman Highway, Scottsdale	22514
33721P	Fosters Road	Dorset	Off Cameron Street, Scottsdale	22515
37198Q	Jetsons Road	Dorset	Off Bridport Road, Jetsonville	22516
33660X	King Street	Dorset	Off Tasman Highway, Scottsdale	22517
38737B	Main Road	Dorset	Off Musselroe Road, Musselroe Bay	22518
38176G	Ringarooma Road	Dorset	Off George Street, Scottsdale	22519

37475R	Speers Road	Dorset	Off Telita Road, Telita	22522
31705C	Spotswood Drive	Dorset	Off Beattie Street, Scottsdale	22523
34795C	Union Street	Dorset	Off King Street, Scottsdale	22524
42262S	Franklin Street	George Town	Off Hope Street, Lefroy	22525
39908F	Geale Street	George Town	Off Davis Street, Beechford	22526
37990M	Gees Marsh Road	George Town	Off Bellingham Road, Bellingham	22527
34852K	Hurst Street	George Town	Off Blamey Street, Weymouth	22529
39148F	Hurst Street	George Town	Off Tam O'Shanter Road, Lulworth	22528
35242R	Lagoon Beach Road	George Town	Off Low Head Road, Low Head	22530
38740D	Old Coast Road	George Town	Off Low Head Road, Low Head	22531
37165T	Smith Street	George Town	Off Bellingham Road, Bellingham	22532
33833J	Ada Street	Glamorgan Spring Bay	Off Selwyn Street, Triabunna	22533
31392A	Agnes Street	Glamorgan Spring Bay	Off Boyle Street, Triabunna	22534
35201W	Amelia Street	Glamorgan Spring Bay	Off Freestone Point Road, Triabunna	22535
42350H	Bluff Circle	Glamorgan Spring Bay	Off Shaw Street, Sweansea	22536
30104Y	Boyle Street	Glamorgan Spring Bay	Off Freestone Point Road, Triabunna	22537
33570R	Claridge Court	Glamorgan Spring Bay	Off Inkerman Street, Triabunna	22538
34964E	Davidson Place	Glamorgan Spring Bay	Off Boyle Street, Triabunna	22539
30809C	Howells Place	Glamorgan Spring Bay	Off Selwyn Street, Triabunna	22540
42351W	Island Court	Glamorgan Spring Bay	Off Louisville Road, Orford	22541
32290E	Inkerman Street	Glamorgan Spring Bay	Off Selwyn Street, Triabunna	22542
34966J	Lord Street	Glamorgan Spring Bay	Off Ada Street, Triabunna	22543
33614H	Morley Parade	Glamorgan Spring Bay	Off Inkerman Street, Triabunna	22544
35507N	Roberts Street	Glamorgan Spring Bay	Off Esplanade East, Triabunna	22545
35118H	Ryan Place	Glamorgan Spring Bay	Off Roberts Street, Triabunna	22546
31690Y	Selwyn Street	Glamorgan Spring Bay	Off Esplanade East, Triabunna	22547
33782W	Spencer Street	Glamorgan Spring Bay	Off Amelia Street, Triabunna	22548
31636J	Tapner Court	Glamorgan Spring Bay	Off Selwyn Street, Triabunna	22549
22895K	Addison Drive	Clarence	Off Loop Road, Cambridge	22550
22137T	Back Road	Clarence	Off Tasman Highway, Cambridge	22552
42201Q	Flight Street	Clarence	Off Back Road, Cambridge	22553
22896M	Gatty Street	Clarence	Off Holyman Avenue, Cambridge	22555
42204F	Grueber Avenue	Clarence	Off Holyman Avenue, Cambridge	22558
42202E	Hawksford Road	Clarence	Off Llanherne Drive, Cambridge	22560
22898R	Johnson Street	Clarence	Off Long Street, Cambridge	22562
41482W	Llanherne Drive	Clarence	Off Back Road, Cambridge	22563
22900P	Long Street	Clarence	Off Gatty Street, Cambridge	22564
22138X	Loop Road	Clarence	Off Back Road, Cambridge	22565
22139A	Tower Road	Clarence	Off Loop Road, Cambridge	22575
38754A	Hankin-Robertson Road	Huon Valley	Off Arve Road, Geeveston	22598
37908W	McClyments Road	Huon Valley	Off Huon Highway, Raminea	22599
39174K	Morella Drive	Huon Valley	Off Alburys Road, Huonville	22577
39177A	Osborne Street	Huon Valley	Off Hyndes Road, Port Huon	22578
42251L	Snowy View Heights	Huon Valley	Off Knights Road, Huonville	22579
37905G	Spencer Street	Huon Valley	Off Nichols Road, Lymington	22595
33506Y	Birch Street	Kingborough	Off Redwood Road, Kingston	22580
31575Q	Cedar Court	Kingborough	Off Redwood Road, Kingston	22581
32940X	Cutana Parade	Kingborough	Off Charlton Street, Snug	22582
32010X	Cypress Place	Kingborough	Off Birch Street, Kingston	22583
34134N	Derwent Rise	Kingborough	Off Channel Highway, Tarooma	22584
34671Y	Fern Street	Kingborough	Off Redwood Road, Kingston	22566
31108C	Hawthorn Drive	Kingborough	Off Redwood Road, Kingston	22567
31860D	Lewan Avenue	Kingborough	Off Channel Highway, Tarooma	22568
33882F	Oak Court	Kingborough	Off Birch Street, Kingston	22569
33899C	Pine Avenue	Kingborough	Off Redwood Road, Kingston	22570
33325L	Reef Parade	Kingborough	Off Suncoast Drive, Blackmans Bay	22571
30016Y	Rollins Road	Kingborough	Off Nierinna Road, Margate	22572
31998W	Seacrest Avenue	Kingborough	Off Suncoast Drive, Blackmans Bay	22573
34461A	Surf Parade	Kingborough	Off Suncoast Drive, Blackmans Bay	22574
34896N	Tower Court	Kingborough	Off Baringa Road, Tarooma	22576
35052D	Wattle Street	Kingborough	Off Redwood Road, Kingston	22600
33238N	Willow Avenue	Kingborough	Off Hawthorn Drive, Kingston	22601
38200E	Airport Road	Latrobe	Off Mill Road, Wesley Vale	22602
38201R	Alderson Road	Latrobe	Off Wesley Vale Road, Wesley Vale	22603
39219W	Anstey Street	Latrobe	Off Squeaking Point Esplanade, Squeaking Point	22604
38212A	Beveridges Road	Latrobe	Off Oppenheims Road, Harford	22605
38202F	Blacks Road	Latrobe	Off Port Sorell Road, Wesley Vale	22606

38204G	Carters Road	Latrobe	Off Wesley Vale Road, Wesley Vale	22607
40680J	Gardiner Street	Latrobe	Off Charles Street, Squeaking Point	22608
38685K	Maxwell Drive	Latrobe	Off Abeys Road, Latrobe	22609
38689M	Redhills Road	Latrobe	Off Wescombes Road, Moriarty	22610
38686Y	Settlers Road	Latrobe	Off Palmers Road, Latrobe	22611
40575W	Sheean Walk	Latrobe	Off Gilbert Street, Latrobe	22612
38687L	Sherwood Drive	Latrobe	Off Railton Road, Latrobe	22613
39193K	Smiths Lane	Latrobe	Off Smith and Others Road, Sassafras	22614
39217T	Springfield Park	Latrobe	Off Appleby Road, Northdown	22615
38210Y	St Louis Drive	Latrobe	Off Parkers Ford Road, Port Sorell	22597
38211L	Sunhaven Drive	Latrobe	Off Parkers Ford Road, Port Sorell	22650
38205T	Westwind Drive	Latrobe	Off Mill Road, Wesley Vale	22651
38834W	Alport Street	Meander Valley	Off Morrison Street, Kimberley	22652
37025J	Baker Court	Meander Valley	Off Bayview Drive, Blackstone Heights	22653
34737D	Bayview Drive	Meander Valley	Off Panorama Road, Blackstone Heights	22654
30667G	Blackstone Road	Meander Valley	Off Pitcher Parade, Blackstone Heights	22655
38823N	Bradys Creek Road	Meander Valley	Off Avenue Road, Parkham	22656
37098G	Burnetts Road	Meander Valley	Off Pateena Road, Travellers Rest	22657
37020S	Canopus Drive	Meander Valley	Off Panorama Road, Blackstone Heights	22585
37016D	Centaur Crescent	Meander Valley	Off Columbus Drive, Blackstone Heights	22586
39665C	Chesneys Road	Meander Valley	Off Beaumonts Road, Dunorlan	22587
37017Q	Columbus Drive	Meander Valley	Off Bayview Drive, Blackstone Heights	22588
39230Q	Cummings Drive	Meander Valley	Off Reiffers Road, Meander	22589
38005B	Deviation Road	Meander Valley	Off Meander Valley Road, Westbury	22590
38001Y	Dunhams Road	Meander Valley	Off Quamby Brook Road, Deloraine	22591
40231N	East Street	Meander Valley	Off Five Acre Row, Westbury	22592
38012F	Five Acre Row	Meander Valley	Off Meander Valley Road, Westbury	22593
37070N	Glover Avenue	Meander Valley	Off Panorama Road, Blackstone Heights	22594
39224A	Hawleys Lane	Meander Valley	Off Dynans Bridge Road, Weegana	22616
37096F	Heald Road	Meander Valley	Off Travellers Drive, Travellers Rest	22617
38833H	Hilders Road	Meander Valley	Off Weegana Road, Kimberley	22618
39225M	Keith Avenue	Meander Valley	Off Travellers Drive, Travellers Rest	22619
37024W	Kelsey Road	Meander Valley	Off Blackstone Road, Blackstone Heights	22620
37023H	Lakeview Court	Meander Valley	Off Blackstone Road, Blackstone Heights	22621
38017W	Lindsays Road	Meander Valley	Off Glenore Road, Whitemore	22622
38018J	Lofthouse Road	Meander Valley	Off Fern Bank Road, Osmaston	22623
37021G	Longvista Road	Meander Valley	Off Bayview Drive, Blackstone Heights	22624
38019X	Lucas Road	Meander Valley	Off Weegana Road, Kimberley	22625
39228C	Magog Place	Meander Valley	Off Travellers Drive, Travellers Rest	22626
38020Y	Main Road	Meander Valley	Off Meander Road, Meander	22627
38021L	Martins Lane	Meander Valley	Off Meander Valley Road, Exton	22628
38006N	Moriarty Street	Meander Valley	Off Moore Street, Westbury	22629
37071C	Neptune Drive	Meander Valley	Off Panorama Road, Blackstone Heights	22630
37019R	Panorama Road	Meander Valley	Off Blackstone Road, Blackstone Heights	22631
32945J	Pitcher Parade	Meander Valley	Off Casino Rise, Prospect Vale	22632
34456G	Railway Street	Meander Valley	Off Meander Valley Road, Deloraine	22633
38022A	Robert Street	Meander Valley	Off Meander Valley Road, Exton	22634
38026C	Rowlands Road	Meander Valley	Off Liena Road, Liena	22635
39229P	Station Lane	Meander Valley	Off Meander Valley Road, Exton	22636
37097S	Travellers Drive	Meander Valley	Off Meander Valley Road, Travellers Rest	22637
38837K	Warm Springs Road	Meander Valley	Off Morrison Street, Kimberley	22638
38839L	Wattle Lea Road	Meander Valley	Off Highland Lakes Road, Golden Valley	22639
39226B	Westlake Drive	Meander Valley	Off Meander Valley Road, Travellers Rest	22640
37275Y	Weston Street	Meander Valley	Off West Church Street, Deloraine	22641
38840M	Whiteleys Road	Meander Valley	Off Main Road, Meander	22642
38028D	Wiiteena Road	Meander Valley	Off Sugarloaf Road, Jackeys Marsh	22643
39227N	Wilderness Way	Meander Valley	Off Travellers Drive, Travellers Rest	22644
37018E	Zenith Court	Meander Valley	Off Canopus Drive, Blackstone Heights	22645
39793R	Elm Street	Sorell	Off Tecoma Road, Primrose Sands	22648
38863P	Knights Road	Sorell	Off Fulham Road, Connellys Marsh	22649
42172D	Penna Beach Street	Sorell	Off Penna Road, Midway Point	22693
33251G	Abel Avenue	Tasman	Off Pitman Avenue, Port Arthur	22658
40006D	Boons Place	Tasman	Off Penzance Road, Eaglehawk Neck	22659
30088L	Kestie Avenue	Tasman	Off Pitman Avenue, Port Arthur	22660
39742J	Lillian Street	Tasman	Off George Street, Taranna	22661
39731C	Lyndal Drive	Tasman	Off Pirates Bay Drive, Eaglehawk Neck	22663
33111D	Main Road	Tasman	Off Nubeena Road, Nubeena	22664

32847E	McCormicks Drive	Tasman	Off Safety Cove Road, Port Arthur	22681
32785J	Pitman Avenue	Tasman	Off Safety Cove Road, Port Arthur	22682
30616F	Suckling Street	Tasman	Off Nubeena Road, Nubeena	22683
33573A	Tasman Street	Tasman	Off Pitman Avenue, Port Arthur	22684
34376G	Honeysuckle Avenue	Waratah/Wynyard	Off Sisters Beach Road, Sisters Beach	22685
42270L	North Bunkers Road	Waratah/Wynyard	Off Ridgley Highway, Guildford, Hampshire	22686
42271A	South Bunkers Road	Waratah/Wynyard	Off Ridgley Highway, Guildford	22687
40322R	Toomey Road	Waratah/Wynyard	Off Pages Road, Calder	22688
39800Q	Lettes Bay Road	West Coast	Off Lowana Road, Strahan	22662
37691X	Park Road	West Coast	Off Primrose Road, Rosebery	22665
32788Q	Coulter Street	West Tamar	Off New World Avenue, Trevallyn	22668
38123X	Creek Road	West Tamar	Off West Tamar Highway, Beaconsfield	22670
37029L	Doncaster Court	West Tamar	Off Havenbrook Drive, Trevallyn	22673
32214B	Ewart Place	West Tamar	Off New World Avenue, Trevallyn	22674
39323W	Ferguson Street	West Tamar	Off New Road, Kelso	22677
37902R	Frasers Lane	West Tamar	Off Frasers Road, Glengarry	22679
38041A	Gibsons Road	West Tamar	Off Ecclestone Road, Riverside	22680
39346Y	Glengarry Drive	West Tamar	Off Frankford Road, Glengarry	22666
39345K	Hall Street	West Tamar	Off Rosevears Drive, Rosevears	22667
38896L	McEwans Road	West Tamar	Off Rosevears Road, Legana	22669
34087K	New World Avenue	West Tamar	Off Reatta Road, Trevallyn	22671
38720P	Pine Tree Avenue	West Tamar	Off Alpine Crescent, Grindelwald	22672
38979X	Upper McEwans Road	West Tamar	Off West Tamar Highway, Legana	22675
37006J	Valley View Drive	West Tamar	Off Ecclestone Road, Riverside	22676
32595T	Woolston Street	West Tamar	Off New World Avenue, Trevallyn	22678

INTENTION TO ALTER PLACE NAMES

NOTICE is hereby given pursuant to section 20F of the *Survey Co-ordination Act 1944*, that it is the intention of the Nomenclature Board to alter the following place names.

Alterations List No. 517

Reg No.	Name	Municipality	Location	Decision No.
20229Q	Flat Rock Lookout ¹	Glamorgan Spring Bay	Off Lake Leake Road, Lake Leake	22689
39494C	Kelp Rock ²	King Island	Currie Harbour	22647
6134M	Warrego Rock	Flinders	Marshall Bay	22690

¹ Alteration of feature type from Road as previously Gazetted to Lookout.

² Correction to original location by Gazetted coordinates.

³ Correction to original location by Gazetted coordinates.

Objections

Any objections to the proposed assignments or alterations of the gazetted place names must be lodged with the Secretary of the Nomenclature Board, **GPO Box 44, Hobart 7001**, or via e-mail to **Nomenclature.Office@dpipwe.tas.gov.au**, within one calendar month from the date of this publication, in accordance with Section 20G of the Act. Any objection shall be in writing, setting out the grounds of the objection. Likewise, written **expressions of support** are also invited.

Please note: any information that you provide may be subject to disclosure under the *Right to Information Act 2009* or as otherwise required by law. If you wish for your objection to be treated as confidential please mark it clearly as 'confidential' and provide reasons why you consider the information should remain such. The Board will endeavour to deal with the objection accordingly but this does not make it automatically exempt from disclosure.

These features can be viewed in the Placenames Tasmania Nomenclature system at: **www.placenames.tas.gov.au**

RESCISSION OF PLACE NAMES

NOTICE is hereby given pursuant to section 20D of the *Survey Co-ordination Act 1944*, that the Nomenclature Board has resolved to rescind the following place names.

Rescission Notice No. 116

Reg No.	Name	Municipality	Location	Decision No.
5334M	Weld Hill	Dorset	Vicinity of Tasman Highway, Moorina	3460
13870T	Bunkers Road	Burnie, Waratah/Wynyard	Off Ridgley Highway, Hampshire	12293

Confirmations Notice No. 117

NOTICE is hereby given, pursuant to section 20J of the *Survey Co-ordination Act 1944*, that all those names proposed to be assigned or altered and publicly gazetted in Lists No. 514 and 515 on 24th day of September 2014, together with 37926H, Trowenna Rise located off Tabors Road, Margate in the Kingborough Municipality, are assigned or altered by the Nomenclature Board effective from the 25th day of October 2014.

Confirmations Notice No. 118

NOTICE is hereby given, pursuant to section 20J(1) of the *Survey Co-ordination Act 1944*, that the Minister has confirmed the following decisions of the Nomenclature Board, effective from 27th October 2014 and as a result are assigned:

Reg No.	Name	Municipality	Location	Decision No.
42137R	Cryans Road	Waratah/Wynyard	Off Pages Road, Moorleah	22315
42136E	Snares Road	Waratah/Wynyard	Off Pages Road, Moorleah	18585

These confirmations conclude the inquiry process initiated following objections to the Nomenclature Board's Notice of Intention to Assign or Alter the name.

This notice along with recent past notices are available from the Nomenclature Board's Web Page at **www.dpipwe.tas.gov.au/gazetta**. If you would like to be notified by e-mail each time there is a notice, please send an E-mail message with the title **E-mail Alert** to **Nomenclature.Office@dpipwe.tas.gov.au**

Dated this 24th day of December 2014

Michael Giudici Chairman, Nomenclature Board

Cities/Councils



CLARENCE CITY COUNCIL

LOCAL HIGHWAYS STANDARD REQUIREMENTS

BY- LAW

BY- LAW NO. 2 OF 2014

By-Law made under Section 145 of the *Local Government Act 1993* for the purpose of prescribing standard requirements for the construction of local highways and crossings and the regulation of works in highways in the City of Clarence.

PART I – PRELIMINARY

Short Title

1. This By-Law may be cited as the Local Highways Standard Requirements By-Law.
2. The Clarence City Council Local Highways Standard Requirements By-Law No. 1 of 2004 made on 1 September 2004 and notified in the Tasmanian Government Gazette on 6 October 2004 is repealed.

Commencement

3. This By-Law commences on the date it is published in the Tasmanian Government Gazette.

Application

4. This By-Law applies to the municipal area of the City of Clarence.

Interpretation

5. In this By-Law the following definitions apply:
 - ‘**AADT**’ means Annual Average Daily Traffic;
 - ‘**ASD**’ means approach sight distance as defined in Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections;
 - ‘**Austroads**’ means the representative association of the Australian State Road Authorities;
 - ‘**authorised person**’ is a person appointed by the General Manager for the purposes of this By-Law;
 - ‘**Authority**’ means a government body or agency having jurisdiction in relation to any matter referred to in this By-Law;
 - ‘**awning**’ means any roof-like shelter fastened to a building which extends over an adjacent highway in order to provide protection from the elements;
 - ‘**Council**’ means the Clarence City Council;
 - ‘**certified engineering drawings and specifications**’ means drawings and specifications certified by an appropriately qualified engineer
 - ‘**crossing**’ means any footpath crossing, pavement or gutter crossing, footpath, culvert, drain or vehicular crossing or nature strip adjacent to any road, highway or way to land in the municipal area that is designed for or is used as a means of access by vehicles or bicycles from any road, highway or way to land in the municipal area;
 - ‘**design prime mover**’ is as described in Austroads Publication – “Design Vehicles and Turning Path Templates”;

'design semi-trailer' is as described in Austroads Publication – "Design Vehicles and Turning Path Templates";

'design service vehicle' is as described in Austroads Publication – "Design Vehicles and Turning Path Templates";

'design single unit bus' is as described in Austroads Publication – "Design Vehicles and Turning Path Templates";

'design single unit truck' is as described in Austroads Publication – "Design Vehicles and Turning Path Templates";

'ESA' means Equivalent Standard Axle as described in Austroads Publication - "Pavement Design: A Guide to the Structural Design of Road Pavements";

'FOK' means face of kerb;

'footpath crossing' means that part of a footpath or nature strip that is designed for or used as a means of entrance by vehicles from the pavement or gutter crossing to land;

'General Manager' means the General Manager appointed by the Council;

'gutter crossing' means that part of a kerb and gutter designed for or used as a means of entrance by vehicles from the pavement to a footpath crossing;

'highway' means a road that is subject to the care, control or management of the Council and includes any street, road, way, mall, road reservation and cul-de-sac under the responsibility of the Council;

'highway reservation' is that portion of the land used, dedicated as, or to be dedicated, as highway;

'industrial highway' means a highway running through or adjacent to land that is zoned for industrial or commercial use or that services such areas;

'infrastructure' means any crossing, footpath, culvert, drain, pipe, underground or overhead services, park, reserve or nature strip adjacent to any road, highway or way to land;

'land' means land in the municipal area;

'lot' means a parcel of land consisting of one or more land titles;

'municipal area' means the City of Clarence as defined by Section 16 of the *Local Government Act 1993*;

'nature strip' means that area of land located between the pavement, including any adjacent kerb, gutter or shoulder, and the property boundary of a lot that has frontage adjoining any highway in the municipal area;

'notice' means a Council notice:

- (a) displayed or set up in a public place or adjacent to a public place in the municipal area; or
- (b) in a daily newspaper circulating in the municipal area; or
- (c) forwarded by Council, General Manager or authorised person to a person to whom this By-Law applies;

'pavement' means the formed area of a highway or carriageway excluding the kerb, gutter and shoulder;

'penalty unit' means a sum prescribed under the provisions of the *Penalty Units and Other Penalties Act 1987*;

'permit' means a permit issued to a person pursuant to this By-Law;

'permit holder' means a person or incorporated body granted a permit pursuant to this By-Law;

'planning permit' means a permit issued by Council in accordance with the *Land Use Planning and Approvals Act 1993*

'public land' means any land owned by or under the control of Council, and any public land in the municipal area,

'subdivision' means a subdivision as defined under the *Local Government (Building and Miscellaneous Provisions) Act 1993*;

'residential street' means a local road as defined within this By-Law;

'road' means a highway and includes:

- a) a local highway within the meaning of the Local Government (Highways) Act 1982;
- b) highway reservation;
- c) any approved and constructed crossing, kerb, footpath, guttering, pavement or earth

surface drain; and

d) a mall;

‘road hierarchy’ means the Council’s classification system for local highways in the municipal area;

‘road width’ means the width of the roadway from face of kerb to face of kerb.

‘rural highway’ means all those highways that are not urban highways in the municipal area;

‘security’ has the meaning set out in Part VI;

‘services’ includes all service infrastructure located in or above a highway or a road;

‘SISD’ means Safe Intersection Sight Distance as defined in Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections;

‘site’ includes any land where building work or works are being carried out, or have been carried out, and includes any area of a highway beyond the title boundaries of privately owned land which involve or are affected by building work or works carried out on adjoining or adjacent privately owned land;

‘Standard Requirements’ means those standard requirements set out in Part II of this By-law;

‘Tasmanian Standard Drawings’ means the Tasmanian Standard Drawings issued by the Local Government Association of Tasmania in conjunction with the Institute of Public Works Engineering Australia dated 30 November 2013 as adopted by Council and as amended from time to time;

‘through traffic’ means vehicles that travel directly between highway nodes without diversion to abutting properties or adjoining highways;

‘urban highway’ means a highway located within the proclaimed towns of Bellerive, Cremorne, Howrah, Lauderdale, Lindisfarne, Richmond, Rokeby, Seven Mile Beach and Warrane or any areas zoned for the purpose of urban type development under a planning scheme for the municipal area;

‘vehicle’ has the same meaning as in the *Road Rules 2009*;

‘Water Sensitive Urban Design’ is as defined within the State Stormwater Strategy issued by the Tasmanian Government;

‘works’ means:

- a) “highway works” as defined under section 3 of the *Local Government (Highways) Act 1982*;
- b) any works to be carried out or being carried out in accordance with a permit granted under the *Building Act 2000* or construction works to be carried out or being carried out at a site including subdivisional construction works in accordance with a permit granted pursuant to the *Land Use Planning and Approvals Act 1993*;
- c) works for the construction, alteration, opening up, repair or modification of a crossing, highway or road;
- d) excavations of the highway including for the installation, maintenance, repair or modification of services;
- e) the erection of scaffolding or hoardings;
- f) placing freight containers or rubbish skips on the road;
- g) depositing soil, rocks, and mud or building materials on the road;
- h) using tracked vehicles or construction equipment on the road;
- i) the use of the road by any form of crane, or mechanically or hydraulically operated elevated platforms whether self-propelled or mounted on road vehicles;
- j) works as defined under Part III of this By-Law; and
- k) any other activity that requires the use of the highway or part of the highway, for the purpose of carrying out works at a site.

Currency of documentation

6. In this By-Law a reference to an Act, regulation, standard, code, publication or document includes a reference to any amended, updated, superseded, or altered Act, regulation, standard, code, publication or document.

Delegations

7. Where under this By-Law a matter may be determined by the General Manager, the General Manager may, in accordance with the *Local Government Act 1993*, delegate to an employee of Council, performance of those functions.

PART II – STANDARD REQUIREMENTS FOR HIGHWAYS IN SUBDIVISIONS**Standard Requirements**

8. The provisions of this Part are Standard Requirements, and this includes the Tasmanian Standard Drawings, with respect to the dimensions and configuration and mode of construction of highways and works.

Road Hierarchy

9. (1) Each proposed highway or part of a highway is to be classified according to the road hierarchy described in this clause and is to meet the requirements of the road hierarchy unless the General Manager approves alternative requirements.

- (2) The General Manager may require traffic and/or planning information to be provided for proposed and/or existing highways prior to determining a road's classification in the road hierarchy.

- (3) The road hierarchy is made up of the following highway classifications:

'arterial road':

- i. means an urban highway that collects vehicles from major and minor collectors and provides links between major activities, local areas, regional areas, and/or the State road network;
- ii. are not normally to be directly connected to a residential street; and
- iii. the nodes of collector roads with arterial roads are to be staggered and separated by a distance of at least 150m unless the General Manager permits otherwise.

'sub-arterial road':

- i. is an urban highway that collects vehicles from residential streets and collectors and directs vehicles to arterial roads or local activities; and
- ii. the nodes of residential streets or collectors are to be staggered and separated by a distance of at least 100m unless the General Manager permits otherwise.

'collector road' means an urban highway that collects vehicles from adjoining residential streets and directs vehicles to sub-arterials, arterial roads or activities;

'local road' means an urban highway primarily providing access to abutting properties and is normally subject to through traffic;

'rural arterial':

- i. means a rural highway with an AADT of more than 2000 that collects vehicles from abutting properties, rural collectors or urban highways and links local or regional areas; and
- ii. the nodes of rural collectors with rural arterials are to be staggered and separated by a distance of at least 150m unless the General Manager permits otherwise.

'rural collector':

- i. means a rural highway Class S4 with an AADT of less than 2000 that services rural properties;
- ii. is subject to low volumes of through traffic; and
- iii. directs vehicles to rural arterials, urban highways or local points of destination.

'commercial/industrial collector road'

- i. means an industrial highway that collects vehicles from abutting properties and industrial streets and links them to arterial roads or rural arterials; and
- ii. the nodes of industrial streets with industrial collectors are to be staggered and separated

by a distance of at least 100m unless the General Manager permits otherwise.

‘commercial/industrial local road’ means an industrial highway that primarily provides access to abutting properties and is generally not subject to through traffic.

‘residential street’ means an urban highway primarily providing access to abutting properties and is not normally subject to through traffic. The travel distance from a property on a residential street to a node with a major or minor collector is normally to be less than 200m.

- (4) Roads in retail shopping areas may be subject to special requirements as determined by the General Manager.

General Geometric Design Requirements

10. (1) The geometric lay out for all highways in the municipal area is to be in accordance with current geometric design and traffic-engineering practice as set out in the appropriate publications issued by Austroads, current Tasmanian Standard Drawings and in accordance with this By-Law.
- (2) The requirements for footpaths, crossings and kerb and gutter are to be in accordance with Part IV of this By-Law.
- (3) The design vehicle speed is to be as determined by the General Manager but generally is to be in accordance with the speed limits set by the Transport Commission.
- (4) The minimum requirements for horizontal and vertical alignments are to be determined by the stopping sight distance relative to the design vehicle speed adopted.
- (5) The General Manager may require highway reservation widths to be increased in terrain requiring cut or fill embankments or where curves need to be widened to meet the requirements of this By-Law or to ensure that sight distance requirements can be met.
- (6) The junctions and intersections of highways are to be designed to provide SISD and ASD in accordance with Austroads’ Guide to Traffic Engineering Practice, Part 4A – Unsignalised and Signalised Intersections.
- (7) Crossings to land adjacent to a highway are to be located and designed to provide SISD wherever possible. Where this is not possible, a crossing to a single dwelling may be designed to provide ASD as measured in Figure 3.2 of AS 2890.1, Parking Facilities – Off Street Car Parking.
- (8) Prior to approving or refusing any plans and specifications the General Manager may require a traffic impact analysis of a design proposal and/or formal approval of the design from the Transport Commission or relevant State Government authority .
- (9) The incorporation in a design of vehicle management devices such as traffic signals, speed humps, roundabouts, traffic islands, slow points, kerb outstands, statutory signs or line-marking are to be approved by the Transport Commission or relevant State Government authority.

Specific geometrical Design for Urban Highways

11. (1) Unless otherwise approved by the General Manager, and subject to clause 14, the minimum sealed pavement width of an urban highway is to be as shown in Table 1 below.

Table 1

Road Type	Road length/Number of tenements	Minimum Road Width	Minimum Reservation Width	Minimum footpath requirements
1 - Arterial		14.3m	25.0m	Both sides
2 - Sub- Arterial		11.0m	20.0m	Both sides

2 - Collector	Any Length	11.0m	20.0m	Both sides
3 - Local (through road)	Any length	8.9m	18.0m	One side only
Local (Cul-de-sac)	Length > 150m	8.9m	18.0m	One side only
Local (Cul-de-sac)	Length ≤ 150m and /or No. equivalent tenements ≤ 15	6.9m	15.0m	One side only

- (2) Road and reservation widths shown in Table 1 are minimum only and increased road and reservations widths may be required to accommodate any or all of the following:
- high numbers of commercial vehicles e.g. buses, semi-Trailers and B-Doubles;
 - high traffic volumes;
 - provision for bicycles; and/or
 - management of drainage or stormwater using Water Sensitive Urban Design principles.
- (3) The Council or the General Manager may impose variations to any of the requirements in Table 1 to suit specific project outcomes and to meet any relevant changes in recognised standards.
- (4) Intermediate road widths between the following ranges are not permitted:
- 6.9m and 8.9m (FOK)
 - 8.9m and 11.0m
- (5) Where special provisions are made along collector or arterial roads to accommodate parking and/or cyclists clear of the through traffic lanes the General Manager may agree to reduce the pavement width required.
- (6) The minimum diameter of the roadway of a turning circle in a cul-de-sac is to be 18.0m to the FOK and is to be incorporated in a highway reservation of a minimum width of 25.0m. Tee, Wye or Offset Square turning heads are not allowed.
- (7) Curves on residential streets are to be designed so that a design service vehicle can completely negotiate each curve without encroaching onto the kerb and gutter or, in the case of a dual lane road, the right hand side of the road.
- (8) Junctions of residential streets onto collector roads are to be designed so at least two vehicles can queue back from the junction, in the residential street, without obstructing a design service vehicle from turning into the residential street from either direction.
- (9) Single lane residential streets are to be geometrically designed to provide:
- an area for two vehicles to pass every 60m that is in clear sight of adjacent passing areas;
 - junction facilities with abutting highways that meet the provisions of clause 11(8);
 - on-street parking clear of the carriageway, in accordance with AS 2890.5, Parking Facilities – On Street Parking, and comprising at least one parking space per lot where the space allocated to a lot is to be within 50m of that lot; and
 - the carriageway and crossings are to be designed to allow access to and from each lot by a design service vehicle.
- (10) Curves on major and minor collector roads are to be designed so that a design single unit truck/bus can completely negotiate each curve without encroaching onto either the right hand side of the road or the kerb and gutter.
- (11) Junctions and intersections of minor collector roads or of minor collector roads with major collector roads are to be designed so that a design single unit truck/bus can negotiate each turning manoeuvre without encroaching onto the kerb and gutter or into the opposing travel lane, except to pass directly across it where that is necessary.

- (12) Curves on arterial roads are to be designed so that a design prime-mover and semi-trailer can completely negotiate each curve without encroaching onto either the right hand side of the road or the kerb and gutter.
- (13) The form of vehicle control and turning manoeuvres to be accommodated at junctions and intersections of major collector roads and any junctions and intersections with arterial roads will be determined by the General Manager.

Specific Geometrical Design - Rural Highways

12. (1) Subject to clause 14 the minimum pavement width of a rural highway is to be in accordance with Standard Drawing TSD-R02 Class 4 or Class 5.
- (2) The minimum diameters for any turning circle in any cul-de-sac of rural highways and its associated highway reservation width is to be as set out in clause 11(6).
- (3) Curve widening is to be provided on all rural roads in accordance with the relevant section of Austroads' Guide to Road Design Part 3: Geometric Design.
- (4) The longitudinal gradient of the pavement is to conform to the maximum and minimum grades as shown for kerb and gutter in clause 31(5), however, provided table drains are constructed at an appropriate grade to allow satisfactory flow, a flatter longitudinal gradient may be approved by the General Manager.
- (5) Junctions and intersections of rural collector roads are to be designed so that a design service vehicle can negotiate each turning manoeuvre without encroaching onto the road shoulder or into the opposing travel lane, except to pass directly across it where that is necessary.
- (6) The form of vehicle control and turning manoeuvres to be accommodated at junctions and intersections with rural arterial roads will be determined by the General Manager.
- (7) The General Manager may require a rural highway to contain footpaths and/or kerb and guttering on both sides of the pavement.

Specific Geometrical Design - Industrial Highways

13. (1) Curves on industrial highways are to be designed so that a design prime mover and semi-trailer can completely negotiate each curve without encroaching onto either the right hand side of the road or the kerb and gutter.
- (2) Gutter and footpath crossings and driveways to each lot are to be designed to accommodate the turning manoeuvres of a design single unit truck/bus vehicle, in particular to ensure that left turning vehicles do not need to encroach onto the opposing travel lane.
- (3) The minimum sealed pavement width for an industrial local through road or cul-de-sac is to be in accordance with Standard Drawing TSD-R06 and is to be within an 18m wide highway reservation.
- (4) The minimum sealed pavement width for an industrial collector is to be 14.3m FOK and is to be within a 24m wide highway reservation.
- (5) Junctions and intersections of industrial roads are to be designed so that a design prime mover and semi-trailer can negotiate each turning manoeuvre without encroaching onto the kerb and gutter/road shoulder or into the opposing travel lane, except to pass directly across it where that is necessary.

- (6) The minimum diameter of the pavement for any turning circle in a cul-de-sac of an industrial highway is to be 24m and is to be incorporated in a highway reservation of a minimum diameter of 32m.
- (7) An industrial highway will also be either an urban or rural highway, and where this By-Law does not detail specific provisions for an industrial highway, the relevant Standard Requirements for an urban or rural highway are to be used.

Provisions for Heavy Vehicles and Climbing Lanes

14. If the highway is considered to require additional pavement width for heavy vehicles, climbing lanes, parking lanes clear of travel lanes or because of the nature and projected volume of traffic, the General Manager may determine the width to be constructed up to a maximum of 14.3m taking account of the terrain traversed, and the geometric design of the highway. In cases where the highway will become part of a bus route or may be subject to regular use by heavy vehicles, the longitudinal gradient along the pavement centreline is not to exceed 10%.

Crossfall

15. (1) The surface of the pavement is to have a crossfall of not less than 3% and not greater than 5%.
- (2) If required to suit super-elevation transitions, the General Manager may approve crossfalls flatter than 3%. The maximum super-elevation crossfall is not to be greater than 8% and cross-slopes on turning heads are to be contained within the 3% to 8% range.

Pavement Design and Specification

16. (1) The structural design of the pavement is to be determined by the investigation of the subgrade material encountered on each highway to be constructed and is to comply with the design criteria which the General Manager considers relevant within the then current editions of:
- The Australian Pavement Research Group's 1998 Report No. 21 - "A Guide to the design of New Pavements for Light Traffic";
 - The Austroads Publication - "Pavement Design: A Guide to the Structural Design of Road Pavements"; (for street pavements where the design traffic loading is beyond 5x10⁵ equivalent standard axles); or
 - Any other publication approved by the General Manager for the purposes of this clause.
- (2) Pavements are to be designed for the minimum design life shown in Column 2 of Table 2 below opposite the appropriate highway type in Column 1:

Table 2

Column 1	Column 2
Highway Type	Min. Design Life (ESA's)
Urban	
Arterial Road	4.0 x 10 ⁶
Sub-Arterial	1.0 x 10 ⁶
Collector	3.0 x 10 ⁵
Local Road (Dual Lane)	7.0 x 10 ⁴
Local Road (Single Lane)	3.0 x 10 ⁴
Rural	
Rural Arterial	1.0 x 10 ⁶
Rural Collector	3.0 x 10 ⁵
Industrial	
Industrial Collector	4.0 x 10 ⁶
Industrial Street	1.0 x 10 ⁶

- (3) All pavement materials used or intended to be used in the sub-base and base courses are to conform to the requirements of Council's standard specification for fine crushed rock.
- (4) Pavement designs are to be submitted to the General Manager for approval as certified engineering drawings and specifications showing all relevant details of pavement and subgrade materials.
- (5) The General Manager is not required to approve designs for granular pavements where the pavement thickness is less than 300mm.

Wearing Course

17. (1) Subject to clause 17(4) the wearing course of pavements is:
 - a) for urban highways to consist of bituminous concrete of a compacted thickness of at least 35mm (AC 10);
 - b) for rural highways to be as required for urban highways or either of the following:
 - (i) an application of primer followed by one application of bituminous binder and one application of aggregate; or
 - (ii) an application of primer followed by one application of bituminous binder and one application of aggregate followed by a further application of bituminous binder covered in turn by smaller sized aggregate.
- (2) The rate of application of primer and binder and the rate of application and size of aggregates in each case is to be as approved by the General Manager.
- (3) Subject to clause 17(1) all wearing courses are to comply in design and construction procedure to the requirements, as the General Manager considers relevant of the then current edition of any of the following:
 - a) Austroads Guide to Pavement Technology Part 3: Pavement Surfacing;
 - b) AS 2150 - 2005, Hot Mix Asphalt;
 - c) AS 2008 – 1997, Residual Bitumen for Pavements;
 - d) AS 1160 – 1996, Bituminous Emulsions for the Construction and Maintenance of Pavements;
 - e) AS 2157 – 1997, Cutback Bitumen; and
 - f) AS 2758.2 – 1996, Aggregates and Rock for Engineering Purposes – Aggregate for Sprayed Bituminous Surfacing
- (4) The General Manager may, subject to the provision of certified engineering drawings and specifications, allow the use of an alternative type of material in the pavement or wearing course provided it is not of a lesser standard than that provided in clauses 16 and 17, and with the standard required for construction being approved by the General Manager.

Variations

18. The General Manager may:
 - a) permit a highway referred to in clause 10 to be constructed without complying with the provisions of that clause; or
 - b) require a rural highway to contain footpaths and/or kerb and gutter on both or either side of the pavement.

Cuttings and Embankments

19. (1) If a highway includes a nature strip or embankment the nature strip or embankment is to:
 - a) if the slope is not steeper than 1 in 4, be covered with a good quality top soil not less than 100mm deep at any point, and be sown with grass or suitable native vegetation of a type and in a manner and location approved by the General Manager;
 - b) if the slope is steeper than 1 in 4, be constructed in a manner as required by the General Manager.

- (2) A cutting or embankment is to have a slope no steeper than those specified in the following table 3:

Table 3

Material	Vertical	Horizontal
Solid Rock	1	in 0.25
Loose Rock	1	in 1.50
Soil	1	in 1.50
Sand	1	in 3.00

- (3) The General Manager is to determine the type of material in which the cutting or embankment is to be constructed. Slopes flatter than those specified in table 3 may be required where, in the opinion of the General Manager, the cutting or embankment constructed to the slope specified in Table 3 may not be stable.
- (4) If the General Manager considers necessary, road construction and retaining walls are to be fully contained in the highway reservation.
- (5) If the General Manager determines that any highway, or land adjoining the highway, or crossing to that land, requires support, retaining walls, batters and/or other structures, then such supports, retaining walls, batters and other structures are to be certified by a suitably qualified engineer and constructed of such materials and to such design and standards as the General Manager requires. This may include the owner of the land entering into an Agreement under Part 5 of the Land Use Planning and Approvals Act 1993 with Council in relation to the on-going maintenance of the constructed support, retaining wall, batter and other structure to support the owner's land.
- (6) Where land adjoining or abutting a highway requires support, retaining walls, batters and/or other structures to support that land, the General Manager may require the owner of that land to be responsible for providing the necessary certified engineering drawings and specifications for the design of the required support, retaining walls, batters and/or other structures to support the owner's land, building or structure which may be required to be carried out at the owner's expense.

Stormwater System

20. (1) A stormwater system of sufficient capacity to drain the highway and all land draining onto the highway is to be designed in accordance with the following:
- a) the requirements of the current edition of "Australian Rainfall and Runoff" produced by Engineers Australia;
 - b) overland flow paths are to be provided to supplement all piped systems to ensure sufficient capacity for a 1% Annual Exceedance Probability; and
 - c) piped systems are to have sufficient capacity for the following Annual Exceedance Probabilities (AEP):
 - i. Business, Commercial and Industrial areas – 2% AEP
 - ii. All other areas - 5% AEP.
- (2) Stormwater systems are also to be designed in accordance with the following:
- a) concrete entry (gully) pits conforming to the Tasmanian Standard Drawings for the collection of water from the kerb and gutter are to be constructed at each low point, tangent point and at other locations required for the satisfactory drainage of the highway;
 - b) the length of kerb and gutter draining to an entry pit is to not exceed 90m and the depth of entry pits is to not exceed 1.5m;
 - c) concrete junction pits conforming to the Tasmanian Standard Drawings are to be constructed at locations where pipelines intersect or change direction or change gradient;

- d) similar type pits for access purposes are to be constructed on straight pipelines; and
 - e) the maximum distance between any two connected entry pits, junction pits or access pits is to be 90m.
- (3) The minimum internal diameter of pipes used for the drainage of stormwater from any highway is to be 300mm.
- (4) Calculations upon which the stormwater system design is based including details of catchment areas are to be submitted with the certified engineering drawings and specifications. If practicable, systems are to be designed so that all land served continues to drain to the catchment into which it naturally drains.
- (5) Any pipeline constructed to carry off stormwater from a highway may also be used for the drainage of other land and for the piping of watercourses and is to be designed in accordance with this clause.
- (6) Pipe drains are to be constructed under the footpath and through the kerb, connecting the gutter with the lowest point of the highway boundary of each separate lot capable of being drained to the highway.
- (7) Pipe drains referred to in clause 20(3) are to be constructed of two (2) 100mm minimum diameter heavy duty UPVC sewer pipes from a minimum 450mm x 450 mm sump inside the lot boundary to the kerb, terminating through the kerb with two (2) 100 mm diameter UPVC kerb adaptors; or where particular circumstances require, two (2) steel rectangular hollow sections of 200mm by 75mm minimum dimension.
- (8) Unless determined otherwise by the General Manager, sub-surface drains as shown on the Tasmanian Standard Drawings are to be installed behind all kerbs. Sub-surface drains are to discharge in accordance with clause 20(10).
- (9) The General Manager may require:
- a) cut-off drainage to be constructed to intercept surface or ground water;
 - b) sub-surface drainage is to be constructed to intercept sub-surface water; and/or
 - c) the installation of gross pollutant traps on drainage systems discharging to a watercourse.
- (10) The General Manager may require the stormwater system to be connected to:
- a) the nearest watercourse, an intermittent drainage path or a groundwater recharge pit into which the stormwater runoff may be reasonably drained; or
 - b) to a point in the Council's stormwater system.
- (11) If footpaths, kerbs and/or gutters are not required on either or both sides of the pavement of a highway, table drains and shoulders are to be constructed of such dimensions and design criteria as the General Manager requires.

PART III – DESIGN APPROVAL, CONSTRUCTION AND INSPECTION OF WORKS

Approval of Works

21. (1) All works that are subject to this By-Law are to be detailed by certified engineering drawings and specifications prepared in accordance with this By-Law prior to commencement of any works.
- (2) The General Manager may accept certified engineering drawings and specifications subject to any conditions considered necessary to satisfy the Standard Requirements.

- (3) The certified engineering drawings and specifications submitted for approval are to be accompanied by such pavement design calculations as are necessary to meet the requirements of those publications set out in this By-Law together with details of the California Bearing Ratio of the subgrade from tests carried out and certified by a laboratory accredited by the National Association of Testing Authority.
- (4) Prior to accepting certified engineering drawings and specifications or after accepting certified engineering drawings and specifications but prior to the commencement of works, the General Manager may require test results from a laboratory accredited by the National Association of Testing Authority with respect to any materials to be used in the works.
- (5) The General Manager may refuse to accept the use of materials or methods of construction where the General Manager is not satisfied that those materials and methods of construction will satisfy the standards required in this By-Law or where Council is likely to incur unreasonable additional costs in the ongoing maintenance of the works.
- (6) Services which are proposed to be located within the highway reservations in subdivisions are to be located and constructed in accordance with the alignment nominated in the Tasmanian Standard Drawings and any other requirements of the Council.
- (7) The approval of the General Manager is to be obtained where any variation to the Tasmanian Standard Drawings is proposed.

Non-approved works

22. The General Manager may require works, which do not comply with the Standard Requirements and/or the certified engineering drawings and specifications, or works that have been carried out without prior approval or a permit to:
- a) be completed in accordance with the Standard Requirements by whatever reasonable means the General Manager determines;
 - b) cease or be suspended; and/or
 - a) be removed and replaced at the expense of the person responsible for carrying out the works, or the person who has carried out the works.

Postponement of Works

23. The General Manager may require postponement of any highway works to enable other works to be undertaken within the highway reservation by Council or by any person or statutory body authorised to undertake those works within the highway reservation.

Notification and Inspection of Works

24. (1) A person is to give not less than a working day prior written notice to the General Manager of the commencement of any, or each, of the following works in newly created subdivisions and in existing highways:
- a) laying pipelines for stormwater drainage;
 - b) preparation of subgrade;
 - c) construction of sub-base course;
 - d) construction of base course;
 - e) construction of kerb and gutter;
 - f) construction of a crossing;
 - g) application of wearing course; and
 - h) construction of footpaths, nature strips, crossings and accesses.
- (2) The General Manager is entitled to fully inspect, monitor and call for tests of any of these works or any materials to be used in such works to determine compliance with the certified engineering drawings and specifications and the Standard Requirements.

- (3) The wearing course is to be completed within 3 working days from the date of approval of the base course by the General Manager.
- (4) The surface of the base course is to be maintained in good condition until the application of the wearing course, however, should the above-mentioned period go beyond 3 working days, a further inspection by the General Manager may be required.
- (5) Subject to clauses 24(1) and (2), the designs, drawings, plans, specifications, materials, workmanship, method of construction and finish of all works are to be in accordance with the requirements of the General Manager.
- (6) No work is to commence on the works until the General Manager has considered the certified engineering drawings and specifications and provided authority for the works to proceed.

Testing and Acceptance of Works

25. (1) The General Manager may require additional testing of the works to be undertaken at the owner's or applicant's expense to determine compliance with the certified engineering drawings and specifications and the Standard Requirements.
- (2) A certificate of completion will be issued in accordance with Section 10 of the *Local Government (Highways) Act 1982* upon satisfactory completion of the works in accordance with clause 25(3).
- (3) Works are to be completed in accordance with the certified engineering drawings and specifications and the Standard Requirements to the satisfaction of the General Manager prior to acceptance under section 12 of the *Local Government (Highways) Act 1982*.

PART IV – CROSSINGS, KERB AND GUTTER, FOOTPATHS AND NATURE STRIPS

Responsibility of Owners

26. (1) The owner of land is responsible for any damage to a footpath, crossing, infrastructure, or services located within the crossing servicing that land, or located within or above the adjacent nature strip area, caused by any works carried out on the owner's land.
- (2) The owner of land is responsible for damage caused to a footpath, crossing, infrastructure, or services within or above the adjacent nature strip area, as a consequence of vehicles using that footpath, crossing, infrastructure, or adjacent area of the highway or road next to the owner's land for vehicle access purposes.
- (3) The General Manager may, by notice, direct an owner of land to make good any damage referred to in clause 26(1) or 26(2).
- (4) The Council may recover from the owner of land referred to in this clause 26 reasonable costs it has incurred as a consequence of any damage to a footpath, crossing, infrastructure, or damage to services located within the crossing servicing the owner's land, or located within or above the adjacent nature strip area, caused by any works carried out on the owner's land, or any damage caused to a footpath, crossing, infrastructure, or services adjacent to that land as a consequence of vehicles using the footpath, crossing, infrastructure, or adjacent area of the highway or road for vehicle access purposes to that land.

Construction of Crossings by Council

27. (1) Council may construct, repair or remove a crossing that provides access to land in private ownership without cost to the landowner if:
 - a) the crossing is within an area where road reconstruction works are to be carried out by

- Council;
- b) Council has recently carried out reconstruction works that have caused damage to the crossing; or
- c) the crossing is no longer in use.

Application to Construct Crossing

28. (1) The owner of land is responsible for the costs associated with the construction, repair, maintenance and renewal of any crossing to that land. The crossing is to be constructed, repaired, maintained and renewed in a manner, and to a standard required by the General Manager.
- (2) An application for the construction or the alteration of a crossing is to be in writing in an approved form and forwarded to the General Manager by the owner of the land or a person on behalf of the owner with the owner's consent.
- (3) The application is to indicate the location of the crossing in relation to the land boundaries and adjacent streets, roads or ways and indicate the type, dimensions and specifications proposed for the crossing.
- (4) The application is to be made before or at the same time as an application for a building permit is submitted to Council by the owner or the owner's agent unless otherwise agreed by Council.
- (5) The General Manager may issue a permit to construct or alter a crossing to a person on such conditions as the General Manager may direct or require.
- (6) A person must not construct or alter a crossing in the municipal area without a permit.

Penalty: Fine not exceeding five (5) penalty units.

Provision and Location of Crossings

29. (1) A crossing in the municipal area is not to be sited within the curved section of kerbing and guttering which joins intersecting streets or roads and is not to be sited within the area where such kerbing and guttering may be planned for future road or street construction.
- (2) A new building in the municipal area is to be built so as to make use of an existing crossing in a kerb and gutter where practicable.
- (3) If a new building is sited so that an existing crossing is redundant the existing crossing is to be reinstated as normal kerb, gutter and path as part of the cost of providing the new crossing to the new building.
- (4) If a new crossing is required in an existing concrete footpath the cost of the new crossing is to include the cost of such replacement, strengthening and regrading of the footpath as the General Manager may direct.
- (5) Land on which buildings are to be constructed, or have been constructed are to be provided with a crossing except as otherwise directed or required by the General Manager.

Kerbs and Gutters, Footpaths and Accesses

30. (1) Subject to clause 18, urban highways are to be constructed with footpaths on both sides of the pavement except in residential streets and minor collectors where a footpath is only required to be along one side of the highway.
- (2) In cul-de-sacs a footpath is required to be around the full length of the turning head.

- (3) Subject to Clause 18, footpaths and kerbs and gutters are not required in rural highways.

Design of Kerbs and Gutters

31. (1) If kerbs and gutters are required then each are to conform to the minimum requirements set out in this clause.
- (2) Kerb and gutter is to be formed using a continuous forming machine with concrete having a 28 day compressive strength of 20MPa in accordance with the dimensions shown on the relevant Tasmanian Standard Drawing.
- (3) If the General Manager approves, kerb and gutter or kerb of an alternative shape and dimension may be used.
- (4) Prior to the construction of kerbs and gutters and kerbs, the pavement sub-base course is to be constructed and compacted to extend at least 150mm behind such kerbs and gutters and kerbs, and the surface shaped and thoroughly compacted with fine crushed rock to provide a base upon which the kerbs and gutters and kerbs can be constructed.
- (5) Except as provided in clause 12, kerbs and gutters are to have a longitudinal gradient not flatter than 0.5% and not steeper than 17%. The General Manager may permit a grade of 20% for short lengths of highway up to 70m in special circumstances. The length of highway at the steeper grade limit of 17% is not to exceed 200m.
- (6) The General Manager may permit a highway referred to in this clause to be constructed without complying with the provisions of this clause.

Design of Footpaths

32. (1) If footpaths are required then they are required to be formed to the minimum requirements set out in this clause.
- (2) Footpaths are to have a minimum width of 1.5m and a crossfall of 2.5% towards the kerb and gutter.
- (3) Footpaths may be constructed of:
- concrete having a minimum 28 day compressive strength of 25MPa, minimum thickness 100mm, reinforced with SL72 mesh placed centrally and dowelled to any contiguous kerb with 300mm long R10 reinforcement placed at 1000mm centres; or
 - such other alternative paving materials and methods of construction as the General Manager may approve.

Design of Gutter Crossings and Footpath Crossings

33. (1) If gutter crossings and footpath crossings are required then each is to be formed to the minimum requirements set out in this clause.
- (2) Sufficient work is to be undertaken between the edge of the pavement and the property boundary to provide reasonable vehicular access to the adjacent property.
- (3) If footpaths and/or kerbs and gutters are to be constructed, a footpath crossing and/or gutter crossing is to be constructed at the same time for each or any lot having access to or from that section of the highway.
- (4) Reasonable vehicular access is to be a paved area consisting of at least:
- in urban areas if concrete footpaths are constructed, 150mm thick concrete having a

- 28 day compressive strength of 25Mpa and reinforced with SL72 mesh placed centrally:
- b) in rural areas, fine crushed rock to a compacted depth of 200mm with a wearing course either of 30mm bituminous concrete or a one or two coat seal as required in Clause 17(1)(b);
 - c) in commercial and industrial subdivisions the minimum requirement is to be as determined by the General Manager;
 - d) such crossings are not to exceed a grade of 20% and in urban areas this is to be from the back of the footpath;
 - e) single crossings are to have a minimum useable width of 3.6m and in rural areas have 6.0m (minimum) radius on both sides to allow for the turning movement of vehicles.
- (5) The following requirements for gutter crossings to provide for vehicles apply:
- a) gutter crossings are to conform to the dimensions shown on the relevant Tasmanian Standard Drawing and be in a location as shown on the approved plans;
 - b) a gutter crossing in a concrete kerb and gutter in the municipal area is to be of the dish or open invert type unless otherwise approved by the General Manager;
 - c) all gutter crossings are to provide adequate width for all required vehicle movements at the crossing;
 - d) single gutter crossings are to be not less than 3.6 m wide at the back of the crossing, and the General Manager may approve greater widths;
 - e) if it is considered necessary by the General Manager gutter crossings are to be reinforced with SL72 mesh placed 30mm from the bottom of the concrete.
- (6) The following requirements for footpath crossings apply:
- a) if concrete footpaths are constructed, footpath crossings are to be thickened to 150mm for a width of 5.6m at all standard length vehicular crossings and reinforced with SL72 mesh placed centrally; and
 - b) for bituminous concrete footpaths, footpath crossings are to have the FCR base increased to a minimum of 220mm compacted thickness for a width of 5.6m at all standard length vehicular crossings.

Use of Land Adjoining a Highway

34. (1) The General Manager may, by notice, require the owner of land or the person carrying out works on land to make appropriate provision for the protection of a crossing, footpath, services, road or highway.
- (2) A person must not deposit mud or other material on a road, or drive a vehicle which has excess mud or other material on its tyres or elsewhere so that that mud or other materials is left on the road.

Penalty: a fine not exceeding 5 penalty units.

- (3) The General Manager may, by notice, require the owner of the site or the person carrying out works at the site to remove any mud or materials left on a road by vehicles that ingress or egress to a highway from that site.

PART V – WORKS IN HIGHWAYS OR ADJACENT TO HIGHWAYS

Permit for Works

35. (1) Where required, a person must obtain a permit from Council and all required permits and approvals from other Authorities before carrying out works in or on a highway, or road, or which affects a highway or road, or using or developing a road reservation

Penalty: a fine not exceeding 5 penalty units.

- (2) The General Manager may issue a permit for works, on such reasonable conditions as the General Manager may require.
- (3) A permit issued pursuant to this By-Law is not assignable or transferable to any person except with the written consent of the General Manager.
- (4) Notwithstanding the issue by the Council of a planning permit to undertake works associated with development, a permit is required to be obtained from Council to undertake those highway works under this By-Law. The submission of design drawings for approval to Council will be recognised as an application for a permit under this clause. The approving of the design drawings for those highway works will recognise Council's permit under this clause.

Works on Highways

36. (1) A permit which provides for works on a highway may specify:
- a) the steps to be taken by the permit holder to protect the highway from damage;
 - b) the Standard Requirements and conditions applicable to any works to be permitted within the highway reservation;
 - c) the standard for reinstatement of any damage caused to a highway by works;
 - d) the details of any fees required by Council to cover the cost of inspections by an authorised person; or
 - e) any other matters which the authorised person requires the permit holder to satisfy in carrying out the works.
- (2) The Department of State Growth's Code of Practice for Traffic Control for Works on Roads or its successor is to form part of the permit.
 - (3) Any referenced Tasmanian Standard Drawing or specification is to form part of a permit.
 - (4) A person who has been granted a permit for works must comply with all conditions and requirements of that permit and relevant notices.

Penalty: a fine not exceeding 5 penalty units and in the case of a continuing offence, a further fine not exceeding 2 penalty units for each day during which the offence continues.
 - (5) If a permit holder refuses or fails to carry out the works in accordance with a permit, the authorised person may, following written notice to the permit holder, suspend, cancel or terminate the permit.

Penalty: a fine not exceeding 5 penalty units and in the case of a continuing offence, a further fine not exceeding 2 penalty units for each day during which the offence continues.
 - (6) The Council may arrange for the works referred to in clause 36(5) to be carried out and completed if the permit holder refuses or fails to carry out the works in accordance with the permit or in accordance with the requirements of a notice, and Council may recover any costs or expenses incurred by Council in completing those works from the permit holder.

Works not Approved

37. (1) If works are being carried out by a person on a highway, road, site or any land adjacent to that land without a permit or other approval from Council or an Authority an authorised person may give notice to the person undertaking the works that within a required time:
- a) the works affecting the highway or road are to cease or be suspended;
 - b) the highway, road, site or land is to be made safe;
 - c) any obstruction of the highway is to be removed;
 - d) any works which are not approved are to be removed and the highway reinstated to the condition that it was in immediately prior to those works being carried out; or

- e) any damage caused by those works is to be made good to a standard acceptable to the General Manager.

Suspension or Cancellation of Permit

- 38. (1) The General Manager may suspend or cancel any permit under this By-Law if the permit holder fails to observe or comply with the terms and conditions of the permit or the provisions of this By-Law or the requirements of a notice.
- (2) If a permit issued under this By-Law is to be suspended or cancelled, then the General Manager may serve a written notice upon the permit holder stating that the permit is suspended or cancelled and giving the reasons for the suspension or cancellation.
- (3) Service of a notice of suspension or cancellation of a permit under this By-Law is effected by serving a written notice:
 - a) on the permit holder personally ; or
 - b) by certified or ordinary mail.
- (4) The suspension or cancellation of any permit issued pursuant to this By-Law is to take effect from the time that the notice of such suspension or cancellation is served on the permit holder.
- (5) A permit granted by the Council under this By-Law is to lapse if the requirements of the permit are not carried out within the time required by the permit or a notice.

Execution of Works

- 39. (1) The General Manager may require a permit holder or person to whom this By-Law applies to execute such work and to use such materials as the General Manager may direct.
- (2) The General Manager may, by notice, require and direct that any work to be carried out under this clause is to be executed or carried out only by a person with appropriate qualifications.
- (3) The General Manager may, by notice, require and direct that any work to be carried out under this clause is to be carried out by the General Manager if the person to whom this clause refers fails or refuses to carry out that work and any expenses incurred by Council in carrying out that work are to be recoverable from that person by the Council in a manner considered appropriate by the General Manager.

Application to use or develop nature strip

- 40. (1) The owner of land may, without the prior consent of Council, sow grass or plant low lying vegetation within the nature strip adjacent to the owner's land.
- (2) An application for the use and/or development of a nature strip beyond what is permitted under clause 40(1) is to be in writing in an approved form and forwarded to the General Manager by the owner of the land or a person on behalf of the owner with the owner's consent.
- (3) The application is to indicate the location of the nature strip in relation to the owner's land and indicate the type of use and/or development proposed for the nature strip.
- (4) The General Manager may grant or refuse a permit to develop or use a nature strip.
- (5) In granting a permit the General Manager may impose such conditions as the General Manager may direct or require.
- (6) General Manager may require the owner of land to enter into an appropriate agreement with the Council to specify the construction and maintenance requirements of the development of the

nature strip.

- (7) A person must not develop or use a nature strip in the municipal area unless authorised under this clause or in accordance with a permit.

Penalty: a fine not exceeding 5 penalty units.

Application to place awning to overhang road

41. (1) An owner of land is to make written application to Council to install an awning that overhangs any part of a road.
- (2) The application is to provide appropriate design drawings that specify the location of a proposed awning in relation to the owner's land and the road.
- (3) The General Manager may grant or refuse a permit to install an awning.
- (4) Subject to appropriate development and building approvals being granted and having regard for the requirements of those approvals, the General Manager may issue a permit to install an awning on such conditions as the General Manager may direct or require.
- (5) The owner of land is responsible for the costs associated with the construction and maintenance of an awning.
- (6) General Manager may require the owner of land to enter into an appropriate agreement to specify the construction and maintenance requirements of the awning.
- (7) A person must not install an awning that overhangs any part of a road in the municipal area unless authorised and installed in accordance with a permit issued under this clause.

Penalty: a fine not exceeding 5 penalty units.

PART VI – SECURITY

Requirement for Bonds and Deposits

42. (1) As security, the General Manager may require a person to whom this By-Law applies to deposit with Council, or enter into a bond or guarantee with Council for payment to Council of such costs as the General Manager requires:
- a) for the cost of any works to be carried out;
 - b) to remedy any damage which may occur or has occurred to any Council crossing, services, infrastructure, pavement, road or highway as a result of any works or non-approved works being carried out;
 - c) to provide security against any reasonable costs which the Council may incur as a result of the execution of any works; or
 - d) as a condition of a permit.
- (2) Council may require the security referred to in this clause to be reduced or increased if the General Manager considers the amount of the security should be changed.
- (3) The security must be:
- a) in a form and substance wholly satisfactory to Council; and
 - b) in the case of a bank guarantee expressed to be payable unconditionally on demand by the Council without the permission of the permit holder or any other person and provided by a bank approved by the Council or authorised person.
- (4) The security may be drawn against or utilised by the Council for such amounts the Council

requires for:

- a) the reimbursement to the Council for any cost, expense, liability, damage or loss incurred by the Council arising out of or in relation to any failure or refusal by a person to whom this By-Law applies to carry out, perform and fulfil any of that person's obligations under the By-Law or a permit to the satisfaction of the Council or authorised person in accordance with the requirements of a permit or other approval; and/or
- b) payment to the Council of any amount due and owing to the Council by a person to whom this By-Law applies that arises out of any condition of a permit or other approval.

Retention of Bonds and Deposits

43. The General Manager may determine that all or part of the security referred to in this Part is to be retained by Council as a result of the Council incurring any expense in relation to any failure or refusal by any person to whom this By-Law applies to carry out the works as directed or required or carry out those works in accordance with a permit.

Release of Bonds and Deposits

44. Security provided to the Council in accordance with this clause or available to the Council or the balance of the security after the deduction of the Council's expenses are to be forwarded to the person to whom this By-Law applies following final inspection and approval by the General Manager of the works carried out.

PART VII ENFORCEMENT

Enforcement

45. (1) An authorised person may remove any person from a road, highway or crossing or other public land referred to in this By-Law if the authorised person reasonably believes that the person is offending against any provision of this By-Law or acting in contravention of a permit issued to a permit holder or acting without a permit or acting contrary to a notice. The authorised person may also remove anything which has been placed on, made, constructed or left on that land by a person without the approval of the General Manager.
- (2) A police officer may assist an authorised person to carry out any of the actions specified in this clause and may, in doing so, arrest any person who is on that land and whom the police officer reasonably believes is offending against any provision of this By-Law.

Issue of Notices for the Repair of Damage

46. (1) If a road or any other property controlled or maintained by the Council has sustained damage that has been:
- a) caused by works at a site with or without a permit; or
 - b) by vehicles being driven between the pavement and privately owned land other than by means of a properly constructed crossing,

the General Manager may give notice to the owner of the land abutting or adjoining a damaged footpath, crossing, pavement, infrastructure, road or other land owned or under the control of Council where that damage has in the reasonable opinion of the General Manager occurred as a result of works carried out on the owner's land or by vehicles driven between the pavement and privately owned land other than by means of a properly constructed crossing, require that the damage be repaired within the time and in accordance with any specifications specified in the notice.

Compliance with Notice

47. A permit holder or a person to whom this By-Law applies must comply with any notice served on,

or given to that person by an authorised person, a police officer, or the General Manager.

Penalty: Fine not exceeding five (5) penalty units.

Offences

48. Any person who contravenes or fails to comply with any of the relevant provisions of this By-Law or notice is guilty of an offence under this By-Law and liable on conviction to the penalty set out in the relevant provision.

Infringement Notices

49. (1) In this clause – "specified offence" means an offence against the clause specified in column 1 of Schedule 1.
- (2) An infringement notice may be issued in respect of a specified offence and the monetary penalty set out adjacent to the offence in Column 3 of Schedule 1 is the penalty payable under the infringement notice for that offence.
- (3) Payment of an infringement notice issued under this by-law must be made to the General Manager within 28 days of the issue of the infringement notice to avoid the infringement notice being referred to the Director, Monetary Penalties Enforcement Service.
- (4) An authorised officer may –
- a) issue an infringement notice to a person who the authorised officer has reason to believe is guilty of a specified offence; and
 - b) issue one infringement notice in respect of more than one specified offence.
- (5) The *Monetary Penalties Enforcement Act 2005* applies to an infringement notice issued under this By-Law.
- (6) In addition to any other method of service, an infringement notice alleging that a vehicle has been used in relation to a specified offence may be served by affixing it to that vehicle.

Recovery of Expenses

50. In addition to any penalty imposed in relation to any failure by a person to comply with any of the provisions of this By-Law, any expenses incurred by the Council as a consequence of that contravention are to be recoverable by the Council as a debt payable by that person.

Provision of Name and Address

51. If required to do so by an authorised person, General Manager or a police officer, in relation to a matter arising under this By-Law, a person must provide his or her name or address to the authorised person, General Manager or a police officer when required to do so.

Penalty: a fine not exceeding 2 penalty units.

SCHEDULE 1 – INFRINGEMENT NOTICE OFFENCE

Column 1	Column 2	Column 3
CLAUSE	GENERAL DESCRIPTION OF OFFENCE	PENALTY (Penalty Units)
28	Construct a crossing without a permit	3
34 (4)	Deposit or allow mud or other material to be left on a road	3
35(1)	Carry out works on a road without a permit	3
36(4)	Fail to comply with conditions of a permit and relevant notices	3
36 (5)	Refuse or fail to carry out works in accordance with a permit	3
40	Use or develop nature strip without authorisation	1
41(7)	Install an awning that overhangs any part of a road in the municipal area unless authorised and installed in accordance with a permit issued under clause 41	3
47	Fail to comply with a notice issued under the By-Law	3
51	Fail to provide name	1

Certified as being in accordance with the law by:



Clare Amy Shea, Registered Legal Practitioner

Dated this 16th day of December 2014 at Rosny Park

Certified as being in accordance with the *Local Government Act 1993* by:



Andrew Paul, General Manager

Dated this 16th day of December 2014 at Rosny Park

The common seal of the Clarence City Council has been hereunto affixed pursuant to a resolution of the Council passed on the 18th day of August 2014 in the presence of:



Andrew Paul, General Manager

Dated this 16th day of December 2014 at Rosny Park



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