



TASMANIAN GOVERNMENT GAZETTE

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CONTENTS

<i>Notice</i>	<i>Page</i>
Administration and Probate	1915
Cities, Councils	1919
Crown Land	1918
Emergency Management.....	1917
Environment Management.....	1918
Forest Practices	1947
Land Acquisition.....	1921
Mental Health.....	1917
Notices to Creditors	1917
Retirement Benefits Fund	1919
Rules Publication	1948
<i>Tasmanian State Service Notices</i>	1951
Water Management	1922

Administration and Probate

ADMINISTRATION AND PROBATION ACT 1935

Notice of Intention to Apply for Letters of Administration (With The Will Annexed)

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 with the Will Annexed of STANLEY GILBERT KAY formerly of Petcheys Bay in Tasmania but late of 146 Lymington Road Cygnet in Tasmania farmer & panel beater/ married deceased be granted to Carol June Hindrum of 2 Webb Street Warburton in Victoria intake administrator/single Suzanne Maree Yates (in the Will called Suzanne Maree Kay) of 243 Tinderbox Road Tinderbox in Tasmania teacher assistant/married and Lynette Helen Kay (in the Will called Lynette Helen Fairbrother) of 61 Millhouses Road Longley in Tasmania occupational therapist/married the lawful contingent residuary beneficiaries of the said deceased.

Dated this twenty-third day of December 2015.

BUTLER McINTYRE & BUTLER, Solicitors for the Estate

Tasmanian Government Gazette

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Tasmanian Government Gazette & Tasmanian State Service Notices

Publication and Copy Closure Dates

CHRISTMAS PERIOD 2015

COPY deadline for the *Tasmanian Government Gazette* to be published on Wednesday 30 December 2015:—

All copy for the *Tasmanian Government Gazette* must be received by 11 am on Wednesday 23 December 2015.

Please Note:—There will be no State Service Notices section in The Tasmanian Government Gazette on 30 December 2015.

NEW YEAR 2016

COPY for the Tasmanian Government Gazette and State Service Notices to be published on Wednesday 6 January 2016:—

All copy for the *Tasmanian Government Gazette* must be received by 11 a.m. on Thursday 24 December 2015.

Please Note:—State Service Notices copy deadline will be 11 a.m. on Wednesday 23 December 2015.

ADMINISTRATION AND PROBATION ACT 1935

*Notice of Intention to Apply for Letters of Administration
(With The Will Annexed)*

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 (with the Will Annexed) of the Estate of EDWARD WILLIAM TAGUE late of 19 The Strand George Town in Tasmania retired boilermaker married deceased may be granted to William Edward Tague of 9 Barrack Street George Town in Tasmania never married process worker the contingent residuary legatee and devisee of the said deceased.

Dated this twenty-third day of December 2015.

ARCHER BUSHBY, Solicitors for the Applicant.

ADMINISTRATION AND PROBATE ACT 1935

*Notice of Application to Reseal Probate or
Letters of Administration*

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof Gregory Stephen Tuckett (in the Will called Gregory Tuckett) of 2265 South Gippsland Highway Woodside in the State of Victoria and Mary Louise Archer (in the Will called Louise Mary Archer) of "Landfall" RSD 781 East Tamar Highway Rocherlea in the State of Tasmania the Executors of the Will of MURRAY RONALD GRIFFITHS late of 124 Upper Taminick Road Glenrowan in the State of Victoria deceased to whom Probate of the said Will was granted by the Supreme Court of Victoria on the sixth day of December 2012 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-third day of December 2015.

DOUGLAS & COLLINS, 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 PAUL WILSON late of 1/9 Integrity Drive Youngtown in the State of Tasmania de facto/storeman deceased may be granted to Anthony David Wilson of 46 Clare Street Mowbray in Tasmania married carpenter/joiner.

Dated this twenty-third day of December 2015.

DOUGLAS & COLLINS, 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 SCOTT MAURICE SLATTER late of 295 Bowens Road Yorktown in Tasmania single man/disability pensioner deceased who died on the nineteenth day of March 2014 intestate may be granted to Julie Anne Slatter of 295 Bowens Road Yorktown in Tasmania widow/retired mother of the deceased.

Dated the seventeenth day of December 2015.

GRANT TUCKER, Solicitors for the Applicants.

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 Kelly Anne Parkyn of 41 Jindabyne Road Kingston in Tasmania psychologist/married and Guy Scott Stucke of 22 Hammond Avenue Hatfields Beach Orewa in New Zealand by the grant of Probate in Common Form lawfully constituted attorneys of Peter William Scott Stucke of 22 Hammond Avenue Hatfields Beach Orewa in New Zealand store owner/married the sole executor named in the Will of FELICITY ELIZABETH STUCKE late of 22 Hammond Avenue Hatfields Beach Orewa in New Zealand store owner/married deceased to whom Probate of the said will was granted by the High Court of New Zealand Wellington Registry on the twentieth day of September 2013 for the use and benefit of Peter William Scott Stucke and limited in time until the said Peter William Scott Stucke obtains a grant of probate or administration to himself 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 & Probate Act 1935.

Dated this twenty-third day of December 2015.

OGILVIE JENNINGS, Solicitors for the Applicants.

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 SHIRLEY RITA LEE late of 31 Surrey Street Devonport in Tasmania widow/retired school teacher deceased intestate may be granted to Ellen Margaret Holland of 45A Laura Street Latrobe in Tasmania married woman/IT and Frances Mary Lee of 7 Laphorne Close Don in Tasmania divorced woman/carer and Barry Linden Lee of 43/8 Kathleen Avenue Maylands in Western Australia bachelor/carer the daughters and son respectively of the said deceased.

Dated the sixteenth day of December 2015.

O'ROURKE & KELLY, 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 Kristal Leana Batchelor late of 477 West Tamar Highway Riverside in Tasmania child care worker/married deceased intestate may be granted to Neil John Batchelor of 477 West Tamar Highway Riverside in Tasmania truck driver/widower the husband of the said Kristal Leana Batchelor deceased.

Dated the twelfth day of December 2015.

SPROAL & ASSOCIATES, Solicitors for the Applicant.

Notices to Creditors

WHEREAS AGNES FRANCES RITSON late of Cardona House Riverside in Tasmania home duties widowed deceased died on the seventeenth day of June 2015 at Cardona House Riverside in Tasmania: Notice is hereby given that all creditors next of kin and other persons having claims on the Estate of the said Agnes Frances Ritson are required by the Executors Colin John Ritson of 1/20 Box Street Buderim in Queensland miner married Lesley Rhonda Joyce Kroczewski of 2/91 Cormiston Road Riverside in Tasmania home duties widowed and Gillian Wendy Van Dijk of 60 Haig Street Mowbray in Tasmania homes duties tour driver married are required to send particulars of such claims in writing to the Registrar of the Supreme Court of Tasmania on or before the twenty-ninth day of January 2016 otherwise they will be precluded from receiving any payment out of the said Estate.

Dated this 23rd day of December 2015.

ARCHER BUSHBY, Solicitors for the Estate.

NOTICE FOR CLAIMS pursuant to section 54 of the Administration and Probate Act 1935 and section 25A of the Trustee Act 1898: FRANCES JUNE HART late of 6 Morriss Avenue Montrose in Tasmania widow home duties who died on the seventeenth day of December 2012: Creditors next of kin and others having claims in respect of the property or Estate of the abovenamed deceased or property subject to the Special Trust referred to in the Will of the said deceased are required by the Executors Cheryl Dawn Goss and David Mervyn Hart and the Special Trustee Robin Edward Davey all care of Finlay Watchorn of 3/16 Freeman Street Kingston in Tasmania to send particulars to the said Executors and the Special Trustee and to the Registrar of the Supreme Court of Tasmania on or before the twenty-third day of January 2016 being one calendar month after which date the Executors and the Special Trustee may distribute the said assets having regard only to the claims of which the Executors and the Special Trustee then have notice.

Dated this twenty-third day of December 2015.

FINLAY WATCHORN, Solicitors for the Estate
and the Special Trustee.

CLAIRE ISABEL WALLACE late of 6c Coolamon Road Taroona in Tasmania widowed/housewife: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Claire Isabel Wallace who died on the thirtieth day of July 2015 are required by the Executor Justin Francis Otlowski c/- Simmons Wolfhagen of 168 Collins Street Hobart in Tasmania to send particulars to Simmons Wolfhagen by the twenty-second January 2016 after which date the Executor may distribute the assets having regard only to the claims of which he then has notice.

Dated this twenty-third day of December 2015.

SIMMONS WOLFHAGEN, Solicitors for the Executor.

Mental Health

MENTAL HEALTH ACT 2013

NOTICE is hereby given that in accordance with section 138 of the *Mental Health Act 2013*, the undermentioned person has been approved as a 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 10th December 2015.

DR MITALI BHUYAN

Dated this tenth day of December 2015.

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

MENTAL HEALTH ACT 2013

NOTICE is hereby given that in accordance with section 138 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 10th December 2015.

DR OLALEKAN STEPHEN OGUNLEYE

Dated this tenth day of December 2015.

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

Emergency Management

EMERGENCY MANAGEMENT ACT 2006

APPOINTMENT OF MUNICIPAL EMERGENCY MANAGEMENT COORDINATOR

NOTICE is hereby given that in accordance with the *Emergency Management Act 2006*, the following appointment has been made for a period of two (2) years commencing on the date of this Notice.

Mr Dwaine Griffin, Municipal Emergency Management
Coordinator, Dorsett Council.

Dated the 9th day of November 2015.

HON M.T. RENE HIDDING MP,
Minister for Police and Emergency Management.

Crown Lands

CROWN LANDS ACT 1976

Department of Treasury and Finance

23 December 2015

NOTICE is hereby given that under the provisions of the *Crown Lands Act 1976* the property listed below will be submitted for sale by public auction.

Property

25-27 Queen Street, Ulverstone

Folio of the Register

Volume 47858 Folio 2

Land Zoned

General Residential

Auction details

Auction to be held on site at
25-27 Queen Street, Ulverstone
Friday 29 January 2016 at 11.00 am

Real estate agent appointed to market the property on behalf of
the Crown:

Roberts Real Estate Ulverstone
51 Reibey Street
ULVERSTONE TAS 7315

HON MATTHEW GUY GROOM MP,
Minister for Environment, Parks and Heritage.

CROWN LANDS ACT 1976

Department of Treasury and Finance

23 December 2015

NOTICE is hereby given that under the provisions of the *Crown Lands Act 1976* the property listed below will be submitted for sale by public auction.

Property

Lot 1, 63 Arve Road, Geeveston and
Lot 2, 63 Arve Road, Geeveston

Folio of the Register

Volume 20702 Folio 1 and
Volume 168625 Folio 1

Land Zoned

Residential

Auction details

Auctions to be held on site at
Lot 1 and Lot 2, 63 Arve Road, Geeveston
Friday 5 February 2016 at 1.30 pm

Real estate agent appointed to market the property on behalf of
the Crown:

Harcourts Huon Valley
18 Main Street
HUONVILLE TAS 7109

HON MATTHEW GUY GROOM MP,
Minister for Environment, Parks and Heritage.

Environmental Management

ENVIRONMENTAL MANAGEMENT AND POLLUTION CONTROL (CONTROLLED WASTE TRACKING) REGULATIONS 2010

ENVIRONMENT PROTECTION AUTHORITY

I, WESLEY BRUCE FORD, being the Director, Environment Protection Authority and acting pursuant to regulation 23(1) of the Environmental Management and Pollution Control (Controlled Waste Tracking) Regulations 2010 ("the Regulations"), hereby exempt trade painters transporting waste paint as defined in Schedule 1 (the waste) from regulation 28 of the Regulations subject to the conditions of exemption specified in Schedule 2.

SCHEDULE 1

1. For the purposes of this exemption, "trade painters" are defined as –
 - (i) Persons holding Certificate III in painting and decorating; and
 - (ii) Apprentices or other persons employed by trade painters.
2. For the purposes of this exemption, "waste paint" is defined as–
 - (i) Paint that is no longer wanted and requires disposal; and includes
 - (ii) All decorative and architectural paints including enamels and wood care coatings (stains and decking oils), sold in containers at retail and trade outlets in Australia; but does not include
 - (iii) Paints in spray packs (aerosols), bagged renders, texture coatings, isocyanates, paint strippers, industrial or anti-fouling paints.

SCHEDULE 2

1. The waste paint must only be being transported to a site that is a collection site for waste paint under an approved and accredited paint stewardship scheme; and
2. The waste paint must be transported in a secure manner to prevent leakage; and
3. The quantity of waste paint transported per trip must not exceed 100 litres; and
4. Vehicles used to transport the waste paint must carry appropriate equipment and resources to enable the clean-up any spillage.
5. Any incident resulting in the spillage of waste paint from the vehicle during transport must be reported to the Director, EPA as soon as possible after the spillage, and in any event within 24 hours, on 1800 005 171.
6. This exemption does not apply to the transport of waste paint subject to the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure made by the National Environment Protection Council on 26 June 1998, under the *National Environment Protection Council Act 1994* of the Commonwealth, as amended from time to time.

WESLEY BRUCE FORD,
Director, Environment Protection Authority.
December 2015

Cities/Councils

BURNIE CITY COUNCIL

BY-LAW TO AMEND BURNIE CITY COUNCIL PARKING BY-LAW

By-Law No. 12 of 2007 as amended by No.1 of 2013

No.1 of 2015

A By-law of the Burnie City Council, made under Section 145 of the *Local Government Act 1993*, for the purpose of amending the infringement notice provisions of the Parking By-law.

PART 1 - PRELIMINARY

Short Title:

1. This By-law may be cited as the Burnie City Council Amendment to the Parking By-law No. 12 of 2007 as amended by No.1 of 2013.

Commencement:

2. This By-law comes into effect on 1 January 2016.

PART 2 AMENDMENT

1. The Burnie City Council Parking By-law No. 12 of 2007 (as amended) is amended as follows:–

- a) Clause 29 of the Burnie City Council Parking By-Law No. 12 of 2007 (as amended) is amended by deleting from the Table appearing in the clause the following:
 - i. Under the heading "Penalty (dollar amount)" delete the number 50 wherever it appears and insert the number 60 in its place.
 - ii. Under the heading "Reduced penalty if paid to Council within 14 days from date of service of the Infringement Notice" delete the number 15 wherever it appears and insert the number 20 in its place
 - iii. Under the heading "Reduced penalty if paid to Council after 14 days but within 28 days from date of service of the Infringement Notice" delete the number 30 wherever it appears and insert the number 40 in its place.'

I, ANDREW WARDLAW certify that the Burnie Council has made this By-law in accordance with the Local Government Act – General Manager,

COMMON SEAL, BURNIE CITY COUNCIL.

This By-law is certified as being in accordance with the law.

G. W. Tremayne, Legal Practitioner.

Retirement Benefits

RETIREMENT BENEFITS REGULATIONS 2005

Notice made under Regulation 80(1)(b) of the *Retirement Benefits Regulations 2005*.

In accordance with Regulation 80(1) of the *Retirement Benefits Regulations 2005*, based upon advice received from the State Actuary, the Retirement Benefits Fund Board has determined that the following pension conversion factors are to apply with effect from 1 February 2016

	Pension Factors			
	With reversion		No reversion	
Age	Male	Female	Male	Female
20	27.5100	27.4100	27.1500	27.2500
21	27.4300	27.3200	27.0600	27.1500
22	27.3400	27.2300	26.9500	27.0600
23	27.2500	27.1400	26.8500	26.9500
24	27.1600	27.0400	26.7300	26.8500
25	27.0600	26.9400	26.6200	26.7400
26	26.9600	26.8300	26.5000	26.6300
27	26.8500	26.7200	26.3800	26.5100
28	26.7400	26.6100	26.2500	26.3800
29	26.6300	26.4900	26.1100	26.2600
30	26.5100	26.3700	25.9700	26.1200
31	26.3900	26.2400	25.8300	25.9900
32	26.2600	26.1100	25.6800	25.8400
33	26.1300	25.9700	25.5200	25.6900
34	25.9900	25.8300	25.3600	25.5400
35	25.8500	25.6800	25.1900	25.3800
36	25.7000	25.5300	25.0100	25.2100
37	25.5500	25.3700	24.8300	25.0400
38	25.3900	25.2000	24.6400	24.8600
39	25.2200	25.0300	24.4400	24.6800
40	25.0500	24.8500	24.2300	24.4800
41	24.8700	24.6600	24.0200	24.2800
42	24.6900	24.4700	23.8000	24.0700
43	24.4900	24.2700	23.5600	23.8500
44	24.2900	24.0600	23.3200	23.6300
45	24.0900	23.8500	23.0700	23.3900

46	23.8700	23.6200	22.8100	23.1500
47	23.6500	23.3900	22.5400	22.9000
48	23.4100	23.1500	22.2600	22.6300
49	23.1700	22.9000	21.9600	22.3600
50	22.9200	22.6400	21.6500	22.0700
51	22.6600	22.3700	21.3400	21.7800
52	22.3900	22.0900	21.0300	21.4900
53	22.1200	21.8100	20.7100	21.2000
54	21.8400	21.5200	20.3800	20.9000
55	21.5500	21.2200	20.0400	20.5900
56	21.2400	20.9100	19.6900	20.2700
57	20.9300	20.6000	19.3300	19.9400
58	20.6100	20.2600	18.9700	19.6000
59	20.2800	19.9200	18.5900	19.2500
60	19.9300	19.5700	18.2000	18.8900
61	19.5800	19.2100	17.8000	18.5200
62	19.2100	18.8300	17.3800	18.1400
63	18.8300	18.4400	16.9600	17.7400
64	18.4400	18.0400	16.5100	17.3200
65	18.0400	17.6200	16.0600	16.9000
66	17.6200	17.1900	15.5900	16.4500
67	17.1900	16.7500	15.1100	16.0000
68	16.7500	16.2900	14.6300	15.5300
69	16.3000	15.8300	14.1300	15.0600
70	15.8400	15.3500	13.6400	14.5700
71	15.3800	14.8600	13.1400	14.0800
72	14.9000	14.3600	12.6300	13.5700
73	14.4100	13.8600	12.1100	13.0600
74	13.9000	13.3400	11.5800	12.5400
75	13.3900	12.8200	11.0400	12.0100
76	12.8600	12.3000	10.4800	11.4800
77	12.3300	11.7700	9.9300	10.9500
78	11.8000	11.2400	9.3800	10.4300
79	11.2700	10.7200	8.8500	9.9100
80	10.7400	10.2000	8.3500	9.3900
81	10.2300	9.6800	7.8700	8.8900
82	9.7200	9.1800	7.4100	8.4000
83	9.2100	8.6900	6.9500	7.9200

84	8.6900	8.2200	6.4800	7.4700
85	8.1800	7.7600	6.0100	7.0300
86	7.6600	7.3200	5.5400	6.6000
87	7.1600	6.8700	5.0800	6.1700
88	6.6800	6.4400	4.6400	5.7400
89	6.2400	5.9900	4.2800	5.2900
90	5.8400	5.5600	3.9700	4.8400
91	5.4700	5.1400	3.7000	4.3900
92	5.1300	4.7500	3.4500	3.9800
93	4.8000	4.4200	3.2200	3.6200
94	4.4900	4.1500	2.9900	3.3400
95	4.1900	3.9300	2.7700	3.1100
96	3.9100	3.7700	2.5500	2.9800
97	3.6500	3.6300	2.3300	2.8600
98	3.4000	3.4900	2.1300	2.7500
99	3.1900	3.3700	1.9500	2.6600
100	3.0000	3.2500	1.8100	2.5800
101	2.8600	3.1200	1.7300	2.4900
102	2.7300	2.9700	1.6500	2.3900
103	2.6000	2.7900	1.5800	2.2800
104	2.4900	2.5700	1.5100	2.1500
105	2.3700	2.3100	1.4400	2.0200
106	2.2500	1.9800	1.3600	1.8800
107	2.1100	1.6900	1.2600	1.6900
108	1.9300	1.4300	1.1200	1.4300
109	1.7100	1.0900	0.9200	1.0900

Dated this fifteenth day of January 2016.

Land Acquisition

LAND ACQUISITION ACT 1993

AMENDMENT OF NOTICE OF ACQUISITION

(Section 22)

WHEREAS by Notice of Acquisition dated the 19 November 2015 and published in the Tasmanian Government Gazette on the 25th Day of November 2015 I did by Notice of Acquisition pursuant to the provisions of the *Land Acquisition Act 1993* declare that the land described in the First Schedule hereto was taken for road purposes.

AND WHEREAS it is now necessary to amend the Notice of Acquisition NOW THEREFORE I, TIMOTHY WILLIAM GRANT, Valuer-General, being and as delegate of the Minister of the Crown for the time being administering the *Land Acquisition Act 1993* do hereby pursuant to Section 22 of the said Act amend the said Notice of Acquisition by deleting therefrom the Schedule being the First Schedule hereto and substituting therefore the Second Schedule hereto.

The effect of this Amendment of Notice of Acquisition is that part of that 1553m² of land being Lot 2 on Plan No P170388 filed in the Land Titles Office and comprised in Folio of the Register Volume 131849 Folio 3 registered in the name of the Crown revests in Eustace Allan Cameron as a part of the original estate in fee simple.

Given under my hand this 21st day of December 2015.

TIM GRANT, Valuer-General,
Department of Primary Industries and Water,
134 Macquarie Street, Hobart

FIRST SCHEDULE

All that 667m² of land being Lot 1 on Plan of Survey P170388 in the Office of the Recorder of Titles being portion of the land comprised in Folio of the Register Volume 131849 Folio 4 and all those areas of 1553m² & 7596m² of land being Lots 2 & 3 on Plan of Survey P170388 in the Office of the Recorder of Titles being portions of the land comprised in Folio of the Register Volume 131849 Folio 3 and all those areas of 5756m² & 117m² of land being Lots 4 & 5 on Plan of Survey P170388 in the Office of the Recorder of Titles being portions of the land comprised in Folio of the Register Volume 131849 Folio 2 all situate in the Parish of Pakenham, Land District of Somerset of which Eustace Allan Cameron is the registered proprietor.

SECOND SCHEDULE

All that 667m² of land being Lot 1 on Plan of Survey P170388 in the Office of the Recorder of Titles being portion of the land comprised in Folio of the Register Volume 131849 Folio 4 and all those areas of 1540m² & 7596m² of land being Lots 2 & 3 on Plan of Survey P170388 in the Office of the Recorder of Titles being portions of the land comprised in Folio of the Register Volume 131849 Folio 3 and all those areas of 5756m² & 117m² of land being Lots 4 & 5 on Plan of Survey P170388 in the Office of the Recorder of Titles being portions of the land comprised in Folio of the Register Volume 131849 Folio 2 all situate in the Parish of Pakenham, Land District of Somerset of which Eustace Allan Cameron is the registered proprietor.

Location: Midland Highway - White Lagoon (Tunbridge) to Mona Vale

Municipal Area: Northern Midlands

(24-81-15)

Water Management

WATER MANAGEMENT ACT 1999

Section 11 Exemption Order

TEMPORARY REDUCTION IN THE FLOW OF WATER IN THE SOUTH ESK RIVER

I, JEREMY ROCKLIFF, Minister for Primary Industries and Water, acting pursuant to section 11 of the *Water Management Act 1999*, hereby exempt Hydro Tasmania from the requirement to not, in the construction or operation of any works, reduce the flow of water in the South Esk River below 0.42 cumecs between 4 January 2016 and 31 March 2016.

This exemption is subject to the following conditions:

- (i) whilst this exemption is in force, Hydro Tasmania may only reduce the flow of water into Cataract Gorge below 0.42 cumecs for the purposes of constructing, removing and refurbishing the by-pass system associated with the replacement of dewatering valves in Trevallyn Dam; and
- (ii) whilst this exemption is in force, Hydro Tasmania may not reduce the flow of water into Cataract Gorge below 0.42 cumecs on any public holiday; and
- (iii) whilst this exemption is in force, Hydro Tasmania is to make every effort to not reduce the flow of water into Cataract Gorge below 0.42 cumecs on weekend days; and
- (iv) whilst this exemption is in force, Hydro Tasmania is to make every effort to minimise the duration of any reduction in the flow of water into Cataract Gorge below 0.42 cumecs; and
- (v) Hydro Tasmania is to notify the Secretary of the Department of Primary Industries, Parks, Water and Environment, a minimum of 24 hours in advance, of any proposed reduction in the flow of water into Cataract Gorge below 0.42 cumecs; and
- (vi) following any period during which the flow of water into Cataract Gorge is reduced below 0.42 cumecs, Hydro Tasmania is to notify the Secretary of the Department of Primary Industries, Parks, Water and Environment as soon as practicable after the flow of water is restored above 0.42 cumecs.

This Order is in force from 4 January 2016 until 31 March 2016.

JEREMY ROCKLIFF,
Minister For Primary Industries and Water

Dated this twenty third day of December 2015

Information

The purpose of this Order is to exempt Hydro Tasmania from a requirement of its special water licence to not, in the construction and operation of any works, reduce the flow of water in the South Esk River below 0.42 cumecs, subject to a range of conditions as specified in this Order. The exemption is necessary to enable Hydro Tasmania to undertake essential works on Trevallyn Dam, which will require the flow of water into Cataract Gorge to be stopped for brief periods.

Water Management

WATER MANAGEMENT ACT 1999

Section 301(1)

ORDER ISSUING DAM WORKS CODE TO CLEAR VEGETATION 2015

I, FIONNA BOURNE, General Manager (Water and Marine Resources Division), pursuant to my delegated powers under section 10(1) of the *Water Management Act 1999*, in accordance with section 301(1) of the *Water Management Act 1999* hereby –

- (a) issue the Dam Works Code to Clear Vegetation 2015; and
- (b) revoke the issuing of the Dam Works Code 2011.

The Dam Works Code to Clear Vegetation 2015 is detailed in Schedule 1.

The Dam Works Code to Clear Vegetation 2015 takes effect on the first of January 2016.

FIONNA BOURNE, General Manager, Water and Marine Resources Division,
Department of Primary Industries, Parks, Water and Environment

Dated this twenty third day of December 2015

Schedule 1

Dam Works Code to Clear Vegetation 2015

A Code issued pursuant to section 301 of the *Water Management Act 1999*.

December 2015

Department of Primary Industries, Parks
Water and Environment



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Table of Contents

PART 1	INTRODUCTION	4
1.1	Division 3 Dam Works Permit.....	4
1.2	Clearance of Vegetation.....	4
1.3	<i>Dam Works Code to Clear Vegetation 2015</i>	4
1.4	Legal Obligations.....	5
PART 2	DAM WORKS CODE TO CLEAR VEGETATION 2015 - OVERVIEW	6
2.1	Purpose of this Code.....	6
2.2	Authority of this Code	6
2.3	Application of this Code	6
2.4	Format.....	6
2.5	Definitions	7
2.6	Compliance Requirements	7
PART 3	WORKS TO CLEAR VEGETATION	8
3.1	Dam Works Practices Plan.....	8
3.2	Elements of the <i>Dam Works Code to Clear Vegetation 2015</i>	8
3.3	Interpretation of the <i>Forest Practices Code 2015</i>	8

PART I INTRODUCTION

I.1 Division 3 Dam Works Permit

The *Water Management Act 1999* (the Act) provides for the sustainable management and allocation of Tasmania's water resources. Part 8 of the Act regulates dam works and provides for the issuing of dam works permits which authorise the undertaking of dam works.

Part 8 of the Act provides two pathways to obtaining a dam works permit. The first pathway provides for a Division 3 permit¹, obtained through an application and assessment process. The second pathway provides for a Division 4 permit, which is obtained without the need to make an application. A person is entitled to a Division 4 Permit if their dam works meet the criteria specified under section 159 of the Act. This Code does not relate to Division 4 permits.

I.2 Clearance of Vegetation

The Minister's consideration of a Division 3 permit application must take into account, amongst other things, the potential impact of dam works on the conservation and protection of natural values. In this regard, assessing the potential impact of works to clear vegetation at a dam works site is a key matter the Minister must consider. In approving a Division 3 permit application, the Minister may determine that the permit is subject to conditions relating to the clearance of vegetation.

Currently the harvesting of timber, clearing of trees and clearing and conversion of threatened native vegetation communities in Tasmania, other than in circumstances that are prescribed under the *Forest Practices Regulations 2007*², must be carried out under a Forest Practices Plan and in accordance with the *Forest Practices Code 2015*. The harvesting of timber, clearing of trees and the clearing and conversion of a threatened native vegetation community on land, for the purposes of dam works authorised under a Division 3 permit, are prescribed under the regulations. Accordingly, a Forest Practices Plan is not required in relation to clearing vegetation under a Division 3 permit.

I.3 Dam Works Code to Clear Vegetation 2015

To ensure the harvesting of timber, clearing of trees and the clearing and conversion of a threatened native vegetation community, as part of dam works authorised under a Division 3 permit, are undertaken in a way that minimises environmental impacts, the *Dam Works Code to Clear Vegetation 2015* provides standards for the protection of environmental values during clearing operations.

This Code is based on the *Forest Practices Code 2015*, adopting relevant elements of that Code such that, in general, the same principles will apply to the clearing of vegetation undertaken as part of dam works and the clearing of vegetation as part of forestry operations.

¹ A Division 3 permit is defined in section 138 of the Act as a permit issued under section 158.

² In accordance with section 17 of the *Forest Practices Act 1985*.

I.4 Legal Obligations

A person undertaking dam works authorised by a Division 3 permit is entitled to some permit/approval exemptions under other Acts. For example, a permit or special permit is not required under section 60A of the *Land Use Planning and Approvals Act 1993*.

However, holding a dam works permit does not absolve a permit holder from other legal obligations under the *Water Management Act 1999* or other Acts. For example, a person holding a dam works permit may need to:

- apply for an authority to take water into the dam, under the *Water Management Act 1999*;
- determine whether, under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*, an action will require approval from the Commonwealth Minister for the Environment if it has, will have, or is likely to have a significant impact on a matter of national environmental significance;
- apply for a permit under the *Aboriginal Relics Act 1975*, if the dam works are going to interfere with an Aboriginal relic;
- obtain a certified Forest Practices Plan under the *Forest Practices Act 1985* to harvest more than six tree ferns (*Dicksonia antarctica*);
- undertake action, under the *Weed Management Act 1999*, against declared weed species.

Off-site activities associated with dam works may also require authorisation under other legislation. This may include providing access to the site (e.g. development or upgrading of roads) or operating an off-site quarry (borrow pit). Prior to dam works commencing, permit holders will need to ensure that all the appropriate authorisations for any off-site activities have been obtained from the relevant agency or local council.

The limited examples of potential legal obligations set out above should not be taken to be an exhaustive list and provide guidance only. The onus is on dam works permit holders to make themselves aware of all their obligations under the *Water Management Act 1999* or any other Act, prior to commencing dam works.

PART 2 DAM WORKS CODE TO CLEAR VEGETATION 2015 - OVERVIEW

2.1 Purpose of this Code

The purpose of the *Dam Works Code to Clear Vegetation 2015* is to provide a set of standards, for the protection of environmental values, which apply to the clearance of vegetation undertaken as part of dam works authorised under a Division 3 permit.

2.2 Authority of this Code

Pursuant to section 301 of the *Water Management Act 1999*, a code of practice may be issued in respect of dam works and related matters. This Code has been issued under section 301(1)(b) for the purposes of dam works authorised under a Division 3 permit.

This Code is administered by the Department for Primary Industries, Parks, Water and Environment on behalf of the Minister for Primary Industries and Water.

2.3 Application of this Code

This Code applies to all dam works, including constructing a new dam and repairing, modifying or removing an existing dam, that are authorised under a Division 3 permit, where the works involve any of the following:

- (i) the harvesting of timber on land;
- (ii) the clearing of trees on land;
- (iii) the clearing and conversion of a threatened native vegetation community³ on land;

where the total area of land on which the harvesting or clearing occurs is 10 ha or greater.

2.4 Format

Part 3 of this Code, *Works to Clear Vegetation*, prescribes the manner in which vegetation clearance is to be conducted as part of dam works authorised under a Division 3 permit.

Requirements, over and above those set out in this Code, may be applied to a particular dam works permit. In granting a Division 3 permit, the Minister may consider that specific permit conditions, prescribing requirements different to those contained in this Code, are necessary. In all cases, a dam works permit condition prevails over this Code where there is any inconsistency.

Where a specific action or activity is not addressed by this Code, the permit holder should refer to the conditions specified on the relevant dam works permit, as well as being aware of the statutory requirements of the Act and subordinate legislation such as the *Water Management Regulations 2009* and *Water Management (Safety of Dams) Regulations 2015*. Legislation is available at: <http://www.thelaw.tas.gov.au>.

³ See definitions.

2.5 Definitions

“Dam works footprint” means the total area of land on which dam works are to be undertaken under a Division 3 permit including the dam wall, spillway, the land to be inundated and any land on which clearance of vegetation is to be undertaken under the permit.

“Dam Works Practices Plan” means a plan containing specifications of the practices to be carried out on the land referred to in the plan in connection with the clearance of vegetation as part of dam works authorised under a Division 3 permit.

“Threatened native vegetation community” means a community of native vegetation specified in Schedule 3A of the *Nature Conservation Act 2002*.

“Clearance of vegetation” means the harvesting of timber, the clearing of trees and the clearing and conversion of threatened native vegetation communities.

2.6 Compliance Requirements

This Code provides protocols for ensuring that clearance of vegetation as part of dam works is undertaken with minimal environmental impact. For dam works authorised under a Division 3 permit, where clearance of vegetation corresponds to a circumstance set out in Part 2.3 of this Code, compliance with the provisions of this Code will be required. In these instances, a Dam Works Practices Plan will need to be prepared, based on this Code, as part of the permit application process, and approved. The Dam Works Practices Plan will set out operational planning requirements and specifications of practices relating to the clearance of vegetation to be undertaken as part of the permitted dam works. As a condition of a dam works permit, vegetation clearance practices, where relevant, will be undertaken according to an approved Dam Works Practices Plan.

Under the Act, non-compliance with permit conditions is a breach of the permit and the holder is liable to enforcement action.

Dam works permit holders should ensure that staff, contractors and their employees are familiar with, and observe, those aspects of this Code and related Dam Works Practices Plans applicable to dam works undertaken.

PART 3 WORKS TO CLEAR VEGETATION

Part 3 of this Code outlines, through the development of Dam Works Practices Plans, operational planning requirements and specifications of practices to be undertaken to clear vegetation as part of dam works authorised under a Division 3 permit.

3.1 Dam Works Practices Plan

As noted in Part 2.6 of this Code, for dam works authorised under a Division 3 permit, where clearance of vegetation corresponds to a circumstance set out in Part 2.3, compliance with the provisions of this Code will be required. In these instances, a Dam Works Practices Plan will need to be prepared, based on this Code.

A Dam Works Practices Plan must be submitted as part of an application for a Division 3 permit, where required. Plans will be assessed as part of the application process and approved where they comply with the requirements of this Code. For relevant Division 3 permits, a condition will specify that dam works must be undertaken in accordance with the approved Dam Works Practices Plan.

A Dam Works Practices Plan is prepared by addressing each element of this Code as it pertains to the specific dam works to be undertaken.

3.2 Elements of the *Dam Works Code to Clear Vegetation 2015*

As described in Part 1.3 of this Code, the *Forest Practices Code 2015* provides the basis for the *Dam Works Code to Clear Vegetation 2015*. Table 1 sets out the specific elements of the *Forest Practices Code 2015* that are adopted in this Code. In preparing a Dam Works Practices Plan, applicants for a Division 3 permit must address all of the elements set out in Table 1, as they are relevant to the specific circumstances associated with their application.

3.3 Interpretation of the *Forest Practices Code 2015*

Where the *Forest Practices Code 2015* refers to a “Forest Practices Plan” this is to be interpreted as meaning a “Dam Works Practices Plan”.

Where the *Forest Practices Code 2015* refers to a Forest Practices Plan as having been “certified” this is to be interpreted as meaning a Dam Works Practices Plan that has been approved as part of a Division 3 permit application.

Where the *Forest Practices Code 2015* refers to a “Forest Practices Officer” this is to be interpreted as meaning the Minister for Primary Industries and Water.

Where the *Forest Practices Code 2015* refers to the “Chief Forest Practices Officer” this is to be interpreted as meaning the Minister for Primary Industries and Water.

Table I Adoption of the *Forest Practices Code 2015* by the *Dam Works Code to Clear Vegetation 2015*

FOREST PRACTICES CODE 2015	DAM WORKS CODE TO CLEAR VEGETATION 2015	OTHER REQUIREMENTS
PART B. BUILDING ACCESS TO THE FOREST		
B1 Planning and Locating Roads	Adopted [#]	
B2 Road Design	Adopted [#]	
B3 Road Construction	Adopted [#]	
B4 Upgrading Existing Roads and Access Tracks	Adopted [#]	
B5 Quarries and Borrow Pits	Adopted [#]	
B6 Bridge, Causeway and Ford Construction	Adopted [#]	
B7 Road Maintenance	Adopted [#]	
B8 Water Supply and Other Significant Catchments	Adopted [#]	
[#] These provisions, of Part B of the <i>Forest Practices Code 2015</i> , are adopted only where relevant to the construction of roads and related activities <u>within</u> the area of the dam works footprint. The construction of roads and related activities, to enable access to the dam works area, is not covered by a dam works permit and may require separate approval by the Forest Practices Authority or local Council.		
PART C. HARVESTING OF TIMBER		
C1 Design, Planning and Equipment Considerations	Adopted	
C2 Wet Weather Limitations	Adopted	
C3 Snig Tracks and Landings	Adopted	
C4 Water Quality and Watercourse Protection	The general principles are adopted.	Streamside vegetation at a dam site is to be cleared last.
C6 Steep Country Harvesting	Adopted	
PART D. CONSERVATION OF NATURAL AND CULTURAL VALUES⁴		
D1 Soils	Adopted where applicable to building access to the dam site and associated dam works.	
D2 Water Quality and Flow	The general principles are adopted.	Streamside vegetation at a dam site is to be cleared last.
D6 Geomorphology	The general principles and the basic approaches in relation to karst are adopted.	
PART E. ESTABLISHING AND MAINTAINING FORESTS		
E2 Use of Chemicals	Adopted	
E3 Fire Management	Only Section E3.3 adopted.	
E4 Pest, Disease, and Weed Control	Adopted	

⁴ Impacts on natural values are addressed through conditions on a dam works permit. Conditions may prescribe specific actions or actions in accordance with a relevant management plan.

FOREST PRACTICES CODE 2015	DAM WORKS CODE TO CLEAR VEGETATION 2015	OTHER REQUIREMENTS
PART F. MANAGEMENT OF FUELS, OILS, RUBBISH AND EMISSIONS		
F1 Use of Fuel, Grease and Oils	Adopted	
F2 Disposal of Rubbish	Adopted	
F3 Smoke, Noise and Dust	Adopted	
OTHER		
G. Glossary	Adopted	
H. References	Adopted	
I. Selected Bibliography	Adopted	
APPENDICES		
Appendix 1 – Protocol for forestry field marking colours Appendix 2 – Town water supply and freshwater aquaculture facility intakes Appendix 3 – A guide for operations on very high erodibility class soils Appendix 4 - A guide for operations on soils with high or very high erodibility by wind Appendix 5 – A field test for assessing soil water status Appendix 6 – An outline of soil erodibility classes in relation to soil properties Appendix 7 – Slope angles in degrees and percent	All appendices, where applicable to other adopted Parts of the <i>Forest Practices Code 2015</i> , are adopted.	

The *Forest Practices Code 2015* is available on the FPA's website at:
http://www.fpa.tas.gov.au/_data/assets/pdf_file/0012/110280/Forest_Practices_Code_2015_with_interpretation_of_section_C4.2.pdf

Water Management

WATER MANAGEMENT ACT 1999

Section 301(1)

ORDER ISSUING DIVISION 3 DAM WORKS CODE 2015

I, FIONNA BOURNE, General Manager (Water and Marine Resources Division), pursuant to my delegated powers under section 10(1) of the *Water Management Act 1999*, in accordance with section 301(1) of the *Water Management Act 1999* hereby issue the Division 3 Permit Dam Works Code 2015.

The Division 3 Permit Dam Works Code 2015 is detailed in Schedule 1.

The Division 3 Permit Dam Works Code 2015 takes effect on the first of January 2016.

FIONNA BOURNE, General Manager, Water and Marine Resources Division,
Department of Primary Industries, Parks, Water and Environment

Dated this twenty third day of December 2015

Schedule 1

Division 3 Permit Dam Works Code 2015



A Code issued pursuant to section 301 of the *Water Management Act 1999*

December 2015

Department of Primary Industries, Parks
Water and Environment



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Table of Contents

PART 1	INTRODUCTION	4
1.1	Division 3 permit	4
1.2	Legal obligations	4
PART 2	DIVISION 3 PERMIT DAM WORKS CODE 2015 - OVERVIEW	5
2.1	Purpose of this Code	5
2.2	Authority of this Code	5
2.3	Application of this Code	5
2.4	Format	5
2.5	Compliance requirements	5
PART 3	PLANNING	6
3.1	Site investigations	6
3.2	Site planning	6
3.3	Notice of Intention	6
3.4	Supervision	7
PART 4	DESIGN STANDARDS	8
PART 5	MINIMUM CONSTRUCTION STANDARDS	9
5.1	Reference bench mark	9
5.2	Clearing of the dam site	9
5.3	Foundation	9
5.4	Keyway	9
5.5	Rock	9
5.6	Outlet pipe materials and installation	10
5.7	Borrow pits	10
5.8	Embankment compaction	10
5.9	Settlement of the embankment	11
5.10	Vegetation	11
5.11	Spillway	11
5.12	Initial filling	11
PART 6	REPAIR OR MODIFICATION OF AN EXISTING DAM	12
PART 7	REMOVAL OF AN EXISTING DAM	13
PART 8	OTHER OBLIGATIONS OF DAM WORKS PERMIT HOLDERS	14
8.1	Dam safety	14
8.2	Notice of completion	14

PART I INTRODUCTION

1.1 Division 3 permit

The *Water Management Act 1999* (the Act) provides for the sustainable management and allocation of Tasmania's water resources. Part 8 of the Act regulates dam works and provides for the issuing of dam works permits which authorise the undertaking of dam works.

Part 8 of the Act provides two pathways to obtaining a dam works permit. The first pathway provides for a Division 3 permit¹, obtained through an application and assessment process. The second pathway provides for a Division 4 permit, which is obtained without the need to make an application. A person is entitled to a Division 4 permit if their dam works meet the criteria specified under section 159 of the Act. The Division 4 permit pathway is not discussed further.

1.2 Legal obligations

A person undertaking dam works authorised by a Division 3 permit is entitled to some permit/approval exemptions under other Acts. For example, a permit or special permit is not required under section 60A of the *Land Use Planning and Approvals Act 1993*.

However, holding a dam works permit does not absolve a permit holder from other legal obligations under the *Water Management Act 1999* or other Acts. For example, a person holding a dam works permit may need to:

- apply for an authority to take water into the dam, under the *Water Management Act 1999*;
- determine whether, under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*, an action will require approval from the Commonwealth Minister for the Environment if it has, will have, or is likely to have a significant impact on a matter of national environmental significance;
- apply for a permit under the *Aboriginal Relics Act 1975*, if the dam works are going to interfere with an Aboriginal relic;
- obtain a certified Forest Practices Plan under the *Forest Practices Act 1985* to harvest more than six tree ferns (*Dicksonia antarctica*);
- undertake action, under the *Weed Management Act 1999*, against declared weed species.

Off-site activities associated with dam works may also require authorisation under other legislation. This may include providing access to the site (e.g. development or upgrading of roads) or operating an off-site quarry (borrow pit). Prior to dam works commencing, dam works permit holders will need to ensure that all the appropriate authorisations for any off-site activities have been obtained from the relevant agency or local council.

The limited examples of potential legal obligations set out above should not be taken to be an exhaustive list and provide guidance only. The onus is on dam works permit holders to make themselves aware of all their obligations under the *Water Management Act 1999* or any other Act, prior to commencing dam works.

¹ Section 138 of the Act defines a Division 3 permit issued under section 158.

PART 2 DIVISION 3 PERMIT DAM WORKS CODE 2015 - OVERVIEW

2.1 Purpose of this Code

The purpose of the *Division 3 Permit Dam Works Code 2015* is to prescribe minimum design, construction and environmental standards that apply to dam works authorised under a Division 3 permit.

2.2 Authority of this Code

Pursuant to section 301 of the *Water Management Act 1999*, a code of practice may be issued in respect of dam works and related matters. This Code has been issued under section 301(1)(b) for the purposes of dam works authorised under a Division 3 permit.

This Code is administered by the Department for Primary Industries, Parks, Water and Environment on behalf of the Minister for Primary Industries and Water.

2.3 Application of this Code

This Code applies to all dam works, including constructing a new dam and repairing, modifying or removing an existing dam, that are authorised under a Division 3 permit.

2.4 Format

Part 3 of this Code, *Planning*, prescribes requirements for site investigations and planning that must be undertaken in relation to all dam works authorised under a Division 3 permit.

Part 4 of this Code, *Design Standards*, prescribes minimum design standards that apply to all dam works, with the exception of removal of an existing dam, authorised under a Division 3 permit.

Part 5 of this Code, *Minimum Construction Standards*, prescribes minimum construction standards that apply to all dam works, with the exception of (1) removal of an existing dam authorised under a Division 3 permit, and (2) dam works subject to a Department approved Preconstruction Report.

Part 6 of this Code, *Repair or Modification of an Existing Dam*, prescribes additional requirements that apply when repairing or modifying an existing dam authorised under a Division 3 permit.

Part 7 of this Code, *Removal of an Existing Dam*, prescribes additional requirements that apply when removing an existing dam authorised under a Division 3 permit.

Part 8 of this Code, *Other Obligations of Dam Works Permit Holders*, provides advice in regard to other legal obligations including dam safety and notice of completion of dam works.

2.5 Compliance requirements

Compliance with this Code is a condition of a Division 3 permit. Under the Act, non-compliance with dam works permit conditions is a breach of the permit and the holder is liable to enforcement action.

Dam works permit holders should ensure that staff, contractors and their employees are familiar with, and observe, those aspects of this Code applicable to dam works undertaken.

PART 3 PLANNING

3.1 Site investigations

Before undertaking dam works the permit holder must make a thorough investigation of the site to establish the nature of the foundation and to locate sufficient suitable clay material to use in the embankment.

3.2 Site planning

Before commencing dam works, permit holders must prepare a dam works site plan that accurately shows the:

- location of the dam wall, or proposed dam wall; and
- siting of the proposed dam works footprint²; and
- inundation area at full supply level (FSL) and maximum flood level (MFL)³; and
- contours of the land; and
- mapped⁴, or otherwise known, significant features⁵.

Note: the basis of a site plan may be produced on LISTMAP by:

1. entering the following URL into your web browser -
<http://maps.thelist.tas.gov.au/listmap/app/list/map?bookmarkId=99801#.Vkqd8bQWVjl.email>;
2. selecting 'Tools' > 'Drawing Tools' > 'Add an Area on the Map' (at the top left of LISTmap), then using the selected tool, draw the proposed dam works footprint and inundation area on the map; or alternatively
 - (i) importing a shape file of the dam/inundation footprint; or
 - (ii) simply drawing the dam/inundation footprint on a hard copy of a printed map.
3. identifying any known significant features not available on the LISTmap dam layer.

3.3 Notice of Intention

A *Notice of Intention to Commence Dam Works under a Division 3 Permit* must be submitted to the Department before dam works commence. Dam works must not commence prior to the nominated start date on this notice, unless otherwise authorised by the Department.

² **dam works footprint** means the total area of land on which dam works are to be undertaken under a Division 3 permit including the dam wall, spillway, the land to be inundated and any land on which clearance of vegetation is to be undertaken under the permit.

³ not required for removal of an existing dam.

⁴ **mapped** means as mapped on LISTmap, Natural Values Atlas, CFEV and salinity mapping available at: <http://dipw.tas.gov.au/Documents/salinity-mapA0-web.pdf>.

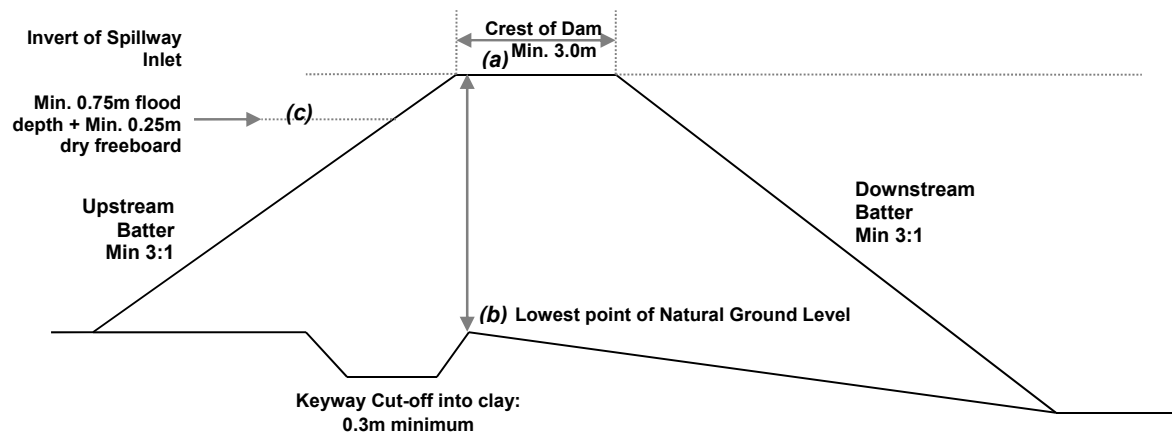
⁵ **significant features** include water resources, contour lines, public and private assets, reserves, recorded threatened species, mapped or known threatened native vegetation communities, nests of a threatened species, significant habitat for a threatened species, mapped or known biosecurity risks including weeds, pests and diseases, landslide hazard areas, any trees to be cleared or harvested, potential/known acid sulfate soil areas, high conservation value freshwater-dependant ecosystems, potential/known saline soil areas, potential/known contaminated land, road or rail infrastructure or easements, electricity or gas infrastructure or easements, conservation covenants, heritage listed property, known aboriginal relics, caves, listed geoconservation sites.

3.4 Supervision

Dam works must be supervised by a person with the appropriate level of competence. The permit holder must ensure that supervision of the following activities is undertaken in accordance with the competencies set out in the *Water Management (Safety of Dams) Regulations 2015*:

- (i) selection of a suitable construction contractor;
- (ii) compliance with all approved specifications;
- (iii) selection of materials;
- (iv) foundation preparation;
- (v) excavation of the cut off trench;
- (vi) placement and backfilling of the outlet pipe;
- (vii) placement and compacting of embankment material and internal drains;
- (viii) construction of a flood spillway;
- (ix) provision of flood spillway erosion prevention;
- (x) installation of infrastructure for seepage collection and flow rate and turbidity monitoring at the downstream toe;
- (xi) provision of effective wave erosion protection to the upstream batter;
- (xii) provision of effective erosion protection to the downstream toe of the embankment;
- (xiii) any other aspect of undertaking dam works that the site engineer considers supervision necessary to ensure that a safe dam is built at the permitted location and is required in certifying the Works-as-Executed Report.

PART 4 DESIGN STANDARDS



Note: The cut-off trench is required to be taken down a minimum of 300 mm into impervious soil and backfilled with good quality clay that is thoroughly compacted.

Figure 1. Dam cross section

1. The **maximum height of the proposed dam wall** (i.e. height from Point (a) to Point (b) on Figure 1) must not exceed the height specified on the dam works permit.
2. The **minimum width of the crest of the proposed dam wall** must be 3.0 m for dams with a wall height at or greater than 1.0 m (location of crest is noted on Figure 1).
3. The **minimum upstream batter slope** must be 3:1 for dams with a wall height at or greater than 1.0 m (location of batter is noted on Figure 1).
4. The **minimum downstream stream batter slope** must be 3:1 for dams with a wall height at or greater than 1.0 m (location of batter is noted on Figure 1).
5. The **minimum spillway width** must be 3.0 m for dams on a watercourse or with a catchment area of up to 40 ha.
6. The **minimum spillway flood depth** must be 0.75 m for dams on a watercourse or with a catchment area of up to 40 ha.
7. The **minimum dry freeboard depth** must be 0.25 m for dams with a fetch distance* up to 300 m (*the distance from the dam wall to the upper most extent of the backup water).
8. The **minimum outlet pipe size** must be a nominal diameter of 150 mm for all dams on a watercourse or with a storage capacity at or greater than 10 ML, with a valve to suit.

PART 5 MINIMUM CONSTRUCTION STANDARDS



Part 5 does not apply to dam works subject to a Department approved Preconstruction Report. Where a Department approved Preconstruction Report exists, refer to the approved Preconstruction Report for construction standards.

5.1 Reference bench mark

For dams with a capacity greater than 10 ML, before commencing dam works, permit holders must:

- (i) install a reference benchmark; and
- (ii) keep a record of the Reduced Level (metres) and the coordinates of the reference benchmark.

The reference bench mark must not be removed, damaged or tampered with for the life of the dam.

Note: the reference bench mark must be reported in the *Notice of Completion of Dam Works Under a Division 3 Permit*⁶.

5.2 Clearing of the dam site

The area to be covered by the embankment must be pegged out prior to commencement of works and this, and the area to be excavated, must be cleared and grubbed.

Topsoil must be heaped in areas outside the area to be covered by the embankment and all trees, scrub and roots removed. Topsoil must be placed in layers not exceeding 200 mm in depth and planted with grass if it is to be left for more than 6 months before being placed back onto the completed dam. This will conserve the integrity of the topsoil.

All saturated material in the embankment area must be pushed well clear of the site and not used in the embankment in its saturated state.

5.3 Foundation

The base of the embankment must be stripped of all topsoil, silt, loose material, vegetable matter and then scarified over its whole area.

5.4 Keyway

A keyway at least 2.5 m wide must be excavated under the centre section of the embankment. The keyway must be at least 0.3 m in depth into impervious soil, or solid rock, and backfilled with the appropriate quality clay, then thoroughly compacted. The keyway must extend for the entire length of the embankment including the hillside flanks, and must continue to the height of the embankment.

5.5 Rock

If rock is encountered under the embankment, appropriate measures must be taken to cut off seepage through the rock/soil interface and to prevent seepage in the rock joints coming into contact with the embankment soil. Such measures might involve the use of bentonite and a mortar or shotcrete blanket over the rock.

⁶ Required under section 164ZA of the *Water Management Act 1999*.

5.6 Outlet pipe materials and installation

The preferred outlet pipe material is High Density Polyethylene (HDPE) with a nominal pressure rating of at least PN 6.3. When selecting an appropriate pressuring rating, consideration should be given to the height of the dam and the head of water in the dam. For example, a pipe with a PN of 6.3 has a nominal pressure or head of 63 m or 630 kPa and would suit a dam with a height of up to 63 m. This is the lowest nominal pressure head that can be purchased commercially for HDPE pipe.

When installing outlet pipes, the following procedures must be followed:

- (i) a separate trench must be dug at natural ground level, not through any formed embankment, for the pipe to lay in;
- (ii) HDPE pipe lengths are to be joined by either fusion welding or, if they need to be disassembled, the pipe can be joined by Vitaulic joints (or depending on the application, a mixture of both);
- (iii) after joining of pipes, pressure testing must be undertaken to ensure that there are no leaks;
- (iv) the installation of baffle plates affixed to HDPE pipe must be constructed from HDPE material and each baffle plate must be at least 600 mm x 600 mm in dimension and 20 mm thick;
- (v) baffle plates must be placed over the length of the pipe at regular intervals, with a minimum of two baffle plates installed;
- (vi) clay must be hand-tamped with an appropriate hand held tamping machine such as a Wacker Packer, up to slightly above the top of the installed pipe so as not to damage or crush the pipe during embankment construction;
- (vii) the intake end of the outlet pipe must be fitted with a screen and encased in a concrete anchor block;
- (viii) the discharge end of the outlet pipe must be fitted with a valve to suit the diameter of the pipe.

5.7 Borrow pits

When rock is exposed in the excavation area, no attempt should be made to excavate into the rock. All exposed areas of gravel, jointed rock or other porous material in the storage area and under the embankment must be covered with at least 300 mm of compacted clay to ensure water tightness.

5.8 Embankment compaction

For dams with a wall height at, or greater than, 3.0 m, compaction must be undertaken with a tamper foot roller (sheeps foot roller) as follows:

- (i) all fill material for the embankment is to be placed in layers (or lifts) no greater than 150 mm thick;
- (ii) the largest size particle should not be greater than one third the height of the lift, that is, 50 mm;
- (iii) each layer should be thoroughly compacted before the next layer is placed, with a minimum of 6 passes per layer required;

- (iv) the minimum compaction effort is to be at 95% standard maximum dry density (MDD), with an average of 98% MDD being achieved; or standard Proctor (non-structural fill) as in context to modified Proctor (structural fill) as per Australian Standard: AS1289 *Methods of Testing Soil for Engineering Purposes*;
- (v) the material forming the embankment should be placed with sufficient moisture content to ensure proper compaction; the moisture content is to be within the range of -1% to +3% of optimum moisture content (OMC) - if the material is too dry, water should be added to achieve the OMC whereas if the material is too wet, it should be spread and mixed with suitable dry material;
- (vi) before each additional 150 mm lift is added to the embankment, the preceding lift should be scarified to ensure that the two lifts are properly joined so that no natural paths for seepage are present;
- (vii) a wheeled scraper or truck may be used for placing the clay on the dam site and spread with the blade of a bulldozer and then compacted using a tamper foot roller - machines with crawler tracks or tyres are not suitable and are not to be used for compaction.

5.9 Settlement of the embankment

An allowance of 5% of the height of the embankment is provided to allow settlement of the embankment over time. For example, if the permitted height of the dam is 5.0 m, the embankment may be built to 5.25 m (+5%) to allow for settlement.

5.10 Vegetation

Topsoil is to be spread over the exposed surfaces of the completed embankment to a depth of at least 150 mm and sown with pasture grass to establish a good cover as soon as possible.

5.11 Spillway

The spillway should be cut in solid material (preferably rock) that will resist erosion. The spillway discharge must be channelled away from the embankment.

5.12 Initial filling

Most dams that fail, do so on first filling and as such, a cautious approach should be taken in filling a dam for the first time.

Often these failures are due to dispersive soils, where salts leach out of the soil into the freshwater filling the dam, potentially leading to the erosion of a “pipe” through the embankment. If waterways are showing signs of significant erosion, this could be an indication of dispersive soils and that even more care may be required.

Where practical, a dam should be filled at a rate of not more than 0.3 metres depth per day and be subject to close monitoring. If there is a sudden increase in flows downstream of the dam due to seepage, indicated by discoloured or muddy water, filling of the dam should cease or the water level should be lowered and carefully watched.

Where concerns arise in regard to filling a dam for the first time, the local Regional Water Management Officer should be contacted immediately.

PART 6 REPAIR OR MODIFICATION OF AN EXISTING DAM

In addition to the requirements of Parts 3, 4 and 5 of this Code, where dam works consist of repair or modification of a dam, and a Departmental approved Preconstruction Report does not exist, the following requirements must be complied with:

- (i) all new material used in the repair or modification must be similar to that of the existing dam;
- (ii) all top soil in and around the site of the repair or modification must be removed prior to commencing dam works;
- (iii) the surface areas of the existing dam where works will be undertaken must be scarified and prepared so that the new and existing materials are laid down and joined without forming any laminations;
- (iv) the laying down and compaction effect of the new material is to be undertaken as per embankment compaction requirements of Part 5.8 of this Code.

PART 7 REMOVAL OF AN EXISTING DAM

In addition to the requirements of Part 3 of this Code, where dam works consist of the removal of a dam, and a Departmental approved Preconstruction Report does not exist, the following requirements must be complied with:

- (i) the dam must be dewatered prior to embankment removal;
- (ii) the inundation area is to be dry and able to take machinery traffic before dam works commence;
- (iii) all silt and fine materials laying on the bottom of the inundation area must be removed or stripped away and stockpiled;
- (iv) top soil must be stripped away from the surface of the embankment and stockpiled;
- (v) embankment material must be placed back within the inundation area and treated as per embankment compaction requirements of Part 5.8 of this Code;
- (vi) topsoil must be spread over the final compacted material to a depth of at least 150 mm and sown with pasture grass to establish a good cover as soon as possible.

PART 8 OTHER OBLIGATIONS OF DAM WORKS PERMIT HOLDERS

In undertaking any dam works, Division 3 permit holders must also be aware of their obligations under the:

- *Water Management (Safety of Dams) Regulations 2015*; and
- *Water Management Act 1999*.

8.1 Dam safety

The *Water Management (Safety of Dams) Regulations 2015* prescribe levels of competency in relation to the safety of dams that must be fulfilled for dam works undertaken under a Division 3 permit.

8.2 Notice of completion

In accordance with the requirements in section 164ZA of the Act, before the expiration of a dam works permit, and as soon as practicable after the dam works to which a permit relates have been completed, the holder of a Division 3 permit must submit to the Department a completed *Notice of Completion of Dam Works under a Division 3 Permit*^{7,8}.

⁷ An approved form is available at: <http://dpipwe.tas.gov.au/Documents/Division3NoCForm.pdf>

⁸ Ideally, notice of completion should be submitted after the first filling.

Forest Practices

FOREST PRACTICES ACT 1985

Forest Practices Authority
15th December, 2015

NOTIFICATION

IN ACCORDANCE with the provision of Section 14 of the *Forest Practices Act 1985*, and on the recommendation of the Forest Practices Authority, Her Excellency, the Governor-in-Council has declared the lands listed in the following schedule previously declared a Private Timber Reserve shall cease to be a Private Timber Reserve.

SCHEDULE
REVOCATION OF PART OF PRIVATE TIMBER RESERVE
PART TITLE

<i>Application No.</i>	<i>Owner</i>	<i>Land Title Reference</i>	<i>Location</i>	<i>Municipal Area</i>
1647R	Paulsen, AJ	C/T Vol 108262 Fol 2	Notley Hills	West Tamar Council
1181R	Perotti, S, LP, NC & AN	C/T Vol 137757 Fol 2	Moltema	Meander Valley Council

Given under my hand at Hobart in Tasmania on 15th December, 2015.

By Her Excellency's Command,
PAUL HARRISS, Minister for Resources

C. WARNER, Governor.

FOREST PRACTICES ACT 1985

Forest Practices Authority
15th December, 2015

NOTIFICATION

IN ACCORDANCE with the provision of Section 14 of the *Forest Practices Act 1985*, and on the recommendation of the Forest Practices Authority, Her Excellency, the Governor-in-Council has declared the lands listed in the following schedule previously declared a Private Timber Reserve shall cease to be a Private Timber Reserve.

SCHEDULE
REVOCATION OF PART OF PRIVATE TIMBER RESERVE

<i>Application No.</i>	<i>Owner</i>	<i>Land Title Reference</i>	<i>Location</i>	<i>Municipal Area</i>
1434R	Brodan Farming Pty Ltd	C/T Vol 50327 Fol 1	Deloraine	Meander Valley Council
1163R	Fitch, Isis	C/T Vol 210849 Fol 1	Nunamara	Launceston City Council

Given under my hand at Hobart in Tasmania on 15th December, 2015.

By Her Excellency's Command,
PAUL HARRISS, Minister for Resources

C. WARNER, Governor.

FOREST PRACTICES ACT 1985

Forest Practices Authority
15th December, 2015

NOTIFICATION

In accordance with the provision of Section 11 of the *Forest Practices Act 1985*, and on the recommendation of the Forest Practices Authority, Her Excellency, the Governor-in-Council has declared part of each of the lands listed in the following schedule to be Private Timber Reserves.

<i>Application No.</i>	<i>Owner</i>	<i>Land Title Reference</i>	<i>Location</i>	<i>Municipal Area</i>
2209	Rowe, Mark Andrew	C/T Vol 209172 Fol 1	Golden Valley	Meander Valley Council

Given under my hand at Hobart in Tasmania on 15th December, 2015.

By Her Excellency's Command,
PAUL HARRISS, Minister for Resources

C. WARNER, Governor.

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>Industrial Relations Act 1984</i>	S. R. 2015, No. 93	<i>Industrial Relations Regulations 2015</i>
(2) <i>Nature Conservation Act 2002</i>	S. R. 2015, No. 94	<i>Wildlife (General) Amendment (Deer) Regulations 2015</i>
(3) <i>Roads and Jetties Act 1935</i>	S. R. 2015, No. 95	Proclamation under section 7
(4) <i>Security and Investigations Agents Act 2002</i>	S. R. 2015, No. 96	<i>Security and Investigations Agents Regulations 2015</i>
(5) <i>Water Management Act 1999</i>	S. R. 2015, No. 97	<i>Water Management Amendment Regulations 2015</i>
(6) <i>Water Management Act 1999</i>	S. R. 2015, No. 98	<i>Water Management (Safety of Dams) Regulations 2015</i>
(6) <i>Supreme Court Civil Procedures Act 1932</i>	S. R. 2015, No. 99	<i>Supreme Court Amendment (Miscellaneous) Rules 2015</i>

GENERAL PURPORT OR EFFECT OF THE ABOVEMENTIONED STATUTORY RULES

(1) *Industrial Relations Regulations 2015*

These regulations –

(a) provide for the purposes of the *Industrial Relations Act 1984* –

- (i) directions in relation to, and the recording of, proceedings before the Tasmanian Industrial Commission; and
- (ii) various forms in respect of awards, industrial agreements and enterprise agreements under that Act; and
- (iii) various other matters arising under that Act; and

(b) are made consequentially on the repeal of the *Industrial Relations Regulations 2005* under section 11 of the *Subordinate Legislation Act 1992*.

(2) *Wildlife (General) Amendment (Deer) Regulations 2015*

These regulations amend the *Wildlife (General) Regulations 2010* by increasing the number of antlerless deer that a holder of a deer licence is permitted to take during the open season for deer.

(3) Proclamation under section 7 of the *Roads and Jetties Act 1935*

This proclamation amends an earlier proclamation (S.R. 1970, No. 67) by correcting the distance in kilometres contained in the item relating to the Mount William Developmental Road.

(4) Security and Investigations Agents Regulations 2015

These regulations –

- (a) prescribe infringement offences for the purposes of the *Security and Investigations Agents Act 2002* and the penalties payable for those offences; and
- (b) prescribe certain fees payable under that Act; and
- (c) are made consequentially on the repeal of the *Security and Investigations Agents Regulations 2005* under section 11 of the *Subordinate Legislation Act 1992*.

(5) Water Management Amendment Regulations 2015

These regulations amend the *Water Management Regulations 2009* by –

- (a) altering certain fees and penalties and prescribing new matters in relation to which fees and penalties are imposed; and
- (b) prescribing what constitutes an offset for the purposes of the Act; and
- (c) prescribing the terms of review for annual reviews of the operation of administrative processes under Part 8 of the Act; and
- (d) prescribing requirements for the keeping of records and information in relation to dam works and water licences.

(6) Water Management (Safety of Dams) Regulations 2015

These regulations, made under the *Water Management Act 1999* –

- (a) contain provisions in respect of activities and required levels of competency in relation to the safety of dams; and
- (b) rescind and replace the *Water Management (Safety of Dams) Regulations 2011*.

(7) Supreme Court Amendment (Miscellaneous) Rules 2015

These Rules of Court amend the *Supreme Court Rules 2000* by –

- (a) allowing Tasmania's official law reporters to search and inspect registry documents without judicial leave; and
- (b) allowing email to be used as a means of service for documents not required to be served personally; and
- (c) revising, by way of rules harmonisation, provisions relating to expert opinion evidence; and
- (d) limiting, by way of rules harmonisation, the circumstances in which GST can be included in a bill of costs for taxation; and
- (e) allow a filing fee to be charged on writs of execution.

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.



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