



TASMANIAN GOVERNMENT GAZETTE

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Mines Work Health and Safety

MINES WORK HEALTH AND SAFETY (SUPPLEMENTARY REQUIREMENTS) ACT 2012

I HEREBY declare that, pursuant to section 20(4) of the *Mines Work Health and Safety (Supplementary Requirements) Act 2012*, 1 January 2016 is the date on which sections 20(1) and 20(2) of the Act are to apply to a mine to which section 20(3) of the Act applies.

Accordingly, where the number of hours worked at a mine is less than 3,000 per month, the commencement date for the requirements regarding a health and safety management system is 1 January 2016.

Further information is available from WorkSafe Tasmania Helpline by telephoning 1300 366 322 (inside Tasmania) or (03) 6166 4600 (outside Tasmania) or via email to wsinfo@justice.tas.gov.au

MARTIN SHIRLEY,
Regulator.

Tasmanian Government Gazette

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Tasmanian Government Gazette & Tasmanian State Service Notices

Publication and Copy Closure Dates

CHRISTMAS PERIOD 2013

COPY deadline for the *Tasmanian Government Gazette* and *State Service Notices* to be published on Wednesday 18 December 2013:—

All copy for the *Tasmanian Government Gazette* and *State Service Notices* must be received by 4 p.m. on Friday 13 December 2013.

COPY deadline for the *Tasmanian Government Gazette* to be published on Wednesday 25 December 2013:—

All copy for the *Tasmanian Government Gazette* must be received by 12 noon on Friday 20 December 2013.

Note: There will be no State Service Notices section on 25 December 2013.

NEW YEAR 2014

COPY for the *Tasmanian Government Gazette* and *State Service Notices* to be published on Wednesday 1 January 2014:—

All copy for the *Tasmanian Government Gazette* and *State Service Notices* must be received by 12 Noon on Tuesday 24 December 2013.

Notices to Creditors

RUSSELL FREDERICK SHEWAN late of 14 Horsham Street Ulverstone in Tasmania married deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Russell Frederick Shewan who died on the twenty-fourth day of August 2013 are required by the Executor Tasmanian Perpetual Trustees Limited of Cimitiere House Level 2 113 Cimitiere Street Launceston in Tasmania to send particulars to the said Company by the eighteenth day of January 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this eighteenth day of December 2013.

PATRICIA BRYAN, Trust Administration Assistant.

PHYLLIS WINIFRED PEARSON late of Eliza Purton Nursing Home 26-28 Lakin Street Ulverstone in Tasmania divorced deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Phyllis Winifred Pearson who died on the twenty-fourth day of September 2013 are required by the Executor Tasmanian Perpetual Trustees Limited of Cimitiere House Level 2 113 Cimitiere Street Launceston in Tasmania to send particulars to the said Company by the eighteenth day of January 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this eighteenth day of December 2013.

REBECCA SMITH, Trust Administrator.

RAYMOND NORRIS JEREMIAH late of Eliza Purton Nursing Home 26-28 Lakin Street Ulverstone in Tasmania widower deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Raymond Norris Jeremiah who died on the sixth day of October 2013 are required by the Executor Tasmanian Perpetual Trustees Limited of Cimitiere House Level 2 113 Cimitiere Street Launceston in Tasmania to send particulars to the said Company by the eighteenth day of January 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this eighteenth day of December 2013.

REBECCA SMITH, Trust Administrator.

NEIL VINTON THOMPSON late of Unit 5 Hawkins Street Latrobe in Tasmania technician and divorced deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Neil Vinton Thompson who died on the thirtieth day of September 2013 are required by the Executor Tasmanian Perpetual Trustees Limited of Cimitiere House Level 2 113 Cimitiere Street Launceston in Tasmania to send particulars to the said Company by the eighteenth day of January 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this eighteenth day of December 2013.

REBECCA SMITH, Trust Administrator.

BERNICE JOAN THORPE late of Unit 1 38 Bethune Place Newnham in Tasmania partner deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Bernice Joan Thorpe who died on the fifteenth day of September 2013 are required by the Executor Tasmanian Perpetual Trustees Limited of Cimitiere House Level 2 113 Cimitiere Street Launceston in Tasmania to send particulars to the said Company by the eighteenth day of January 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this eighteenth day of December 2013.

KAY PHILPOTT, Trust Administrator Assistant.

LINDSAY GORDON BRAIN late of Presbyterian Care Tasmania 8 Blenheim Street Norwood in Tasmania married deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Lindsay Gordon Brain who died on the twenty-fourth day of September 2013 are required by the Executor Tasmanian Perpetual Trustees Limited of Cimitiere House Level 2 113 Cimitiere Street Launceston in Tasmania to send particulars to the said Company by the eighteenth day of January 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this eighteenth day of December 2013.

KAY PHILPOTT, Trust Administrator Assistant.

WINIFRED JILL GODDARD late of Masonic Peace Haven 185 Penquite Road Norwood in Tasmania retired nurse single deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Winifred Jill Goddard who died on the fourteenth day of October 2013 are required by the Executor Tasmanian Perpetual Trustees Limited of Cimitiere House Level 2 113 Cimitiere Street Launceston in Tasmania to send particulars to the said Company by the eighteenth day of January 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this eighteenth day of December 2013.

JON ELLINGS, Trust Administrator.

HAZEL GWEN TURNBULL late of Fred French Masonic Nursing Home 9 Amy Road Newstead in Tasmania retail widowed deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Hazel Gwen Turnbull who died on the sixth day of October 2013 are required by the Executor Tasmanian Perpetual Trustees Limited of Cimitiere House Level 2 113 Cimitiere Street Launceston in Tasmania to send particulars to the said Company by the eighteenth day of January 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this eighteenth day of December 2013.

JON ELLINGS, Trust Administrator.

HILDEGARD GERTRUD ZIEGELER late of Rosary Gardens New Town in Tasmania home duties/retired kindergarten teacher widow deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Hildegard Gertrud Ziegeler who died on the twenty-third day of September 2013 are required by the Executor Tasmanian Perpetual Trustees Limited of Cimitiere House Level 2 113 Cimitiere Street Launceston in Tasmania to send particulars to the said Company by the eighteenth day of January 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this eighteenth day of December 2013.

REBECCA SMITH, Trust Administrator.

JOSEPH FRANCIS SULLIVAN (also known as JOSEPH FRANCIS BRIAN SULLIVAN) late of 69 Howrah Road Howrah in Tasmania widower deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Joseph Francis Sullivan (also known as Joseph Francis Brian Sullivan) who died on the sixth day of September 2013 are required by the Executor Tasmanian Perpetual Trustees Limited of Cimitiere House Level 2 113 Cimitiere Street Launceston in Tasmania to send particulars to the said Company by the eighteenth day of January 2013 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this eighteenth day of December 2013.

MIKALA DAVIES, Trust Administrator.

ELIZABETH MARY DRIESSEN late of 12 Excalibur Place Lindisfarne in Tasmania home duties and widow deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Elizabeth Mary Driessen who died on the twenty-fourth day of June 2013 are required by the Executor Tasmanian Perpetual Trustees Limited of Cimitiere House Level 2 113 Cimitiere Street Launceston in Tasmania to send particulars to the said Company by the eighteenth day of January 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this eighteenth day of December 2013.

LAURA ALLEN, Trust Administrator.

TOM QUINN late of Lillian Martin Nursing Home 281 Cambridge Road Mornington in Tasmania married deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Tom Quinn who died on the nineteenth day of August 2013 are required by the Executor Tasmanian Perpetual Trustees Limited of Cimitiere House Level 2 113 Cimitiere Street Launceston in Tasmania to send particulars to the said Company by the eighteenth day of January 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this eighteenth day of December 2013.

MATTHEW FERGUSON, Trust Administrator.

PERCY MAXWELL COOPER late of 62 Everton Place Acton in Tasmania and formerly of 19 Binalong Road Mornington in Tasmania, widow/retired plumber-drainage contractor: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Percy Maxwell Cooper who died on the twenty-eighth day of May 2013 are required by the Executors Janice Anne French and Gregory Donald French c/- Simmons Wolfhagen of 168 Collins Street Hobart in Tasmania to send particulars to Simmons Wolfhagen by the seventeenth day of January 2014 after which date the Executors may distribute the assets, having regard only to the claims of which they then have notice.

Dated the sixteenth day of December 2013.

SIMMONS WOLFHAGEN, Solicitors for the Executors.

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

CARYL ANNE WATKINS late of 2/62 Central Avenue Moonah in Tasmania home duties/widow deceased

GREGORY KENNETH BAKER late of 29/12 South Street Bellerive in Tasmania retired clerk/bachelor deceased

Dated this 18th day of December 2013

PETER MALONEY, Chief Executive Officer, Public Trustee.

Administration and Probate

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 Jason Dean Howcroft of 30a Poole Street Motueka in New Zealand contractor/defacto and Rhys Justin Howcroft of 214 Carella Street Howrah in Tasmania customs officer/married the Executors of the Will of EDWARD CLIVE HOWCROFT late of Mount Maunganui in New Zealand retired/widowed deceased to whom Probate of the said Will was granted by the High Court of New Zealand on the twenty-third day of January Two Thousand and Thirteen 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 eighteenth day of December 2013.

BUTLER MCINTYRE & BUTLER,
Solicitors for the Estate.

ADMINISTRATION AND PROBATE 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 of FREDA VIOLET THORNE formerly of Mount Saint Canice Saint Canice Avenue Sandy Bay in Tasmania and late of 4/120 Albert Road Moonah in Tasmania retired laundry worker/never married with the will annexed may be granted to Adeline Ada Scholma of 12 Pearsall Avenue Blackmans Bay in Tasmania home duties/married sister of the said deceased and one of the ultimate residuary legatees of the said deceased.

Dated this eighteenth day of December, 2013.

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

THE ADMINISTRATION AND PROBATE 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 PHYLLIS JEAN HIGGS (Also known as PHYLLIS JEAN HIGGS) late of Melaleuca Nursing Home East Devonport in Tasmania home duties/single woman deceased may be granted to the Public Trustee

Dated this eighteenth day of December 2013.

PETER MALONEY,
Chief Executive Officer, Public Trustee.

Anti-Discrimination

ANTI-DISCRIMINATION ACT 1998

Office of the Anti-Discrimination Commissioner, Tasmania

EXEMPTION/S GRANTED

(13/09/017)

THE following exemption from the provisions of the *Anti-Discrimination Act 1998* (Tas) (the Act) has been granted:

In accordance with section 57(3)(a) of the *Anti-Discrimination Act 1998* (Tas) (the Act), the application by the Tasmanian Department of Premier and Cabinet under section 56 of the Act for the renewal of exemption from the provisions of the Act prohibiting discrimination in employment is granted.

1. On 3 November 2010, Exemption 10/141 was granted under section 57 of the Act to permit the Tasmanian Government to employ graduates under the Tasmanian State Service Graduate Program for People with Disabilities (the Program).
2. Exemption 10/141 expressly applied to the Tasmanian State Service, the Department of Premier and Cabinet and those Tasmanian Government Departments and Agencies that employ graduates under the Program.
3. Consistent with section 25 of the Anti-Discrimination Act 1998, which provides an exception for discrimination 'if it is for the purpose of carrying out a scheme for the benefit of a group which ... has a special need because of a prescribed attribute', and section 26 of the Act, which provides an exception for discrimination 'in any program, plan or arrangement designed to promote equal opportunity for a group which is disadvantaged or has a special need because of a prescribed attribute', the exemption is renewed to permit the Tasmanian State Service to recruit and employ graduates with disability who are eligible under the Program, and for related education and training of those graduates within the Tasmanian State Service.
4. The exemption is renewed for the Tasmanian State Service to discriminate in favour of a person or persons with disability who are eligible to participate in the Program under the following published Program Criteria:

A person will be eligible to participate in the Program if they meet the definition of 'disability' derived from Disability Services Act 1992 (Tas), where a disability is one:

 - a) which is attributable to an intellectual, psychiatric, sensory or physical impairment or a combination of those impairments; and
 - b) which is permanent or likely to be permanent; and
 - c) which may result in-
 - i) a substantially reduced capacity of a person for communication, learning or mobility; and
 - ii) the need for continuing support services; and
 - d) which may or may not be of a chronic episodic nature.

It covers people with intellectual, psychiatric, sensory or physical impairments, as well as individuals with cognitive impairments who fall within the equivalent Commonwealth legislation.

Persons who have a disability and have been assessed by Centrelink as requiring specialist employment assistance and have been referred to any approved Disability Employment Services provider will also be eligible to participate in the Program.

5. The exemption is for the purposes of delivering the Program as a program designed to promote equal employment opportunity for graduates with disability and does not exempt direct or indirect discrimination against a person with disability who is eligible to participate in the Program or any other ground under the *Anti-Discrimination Act 1998* (Tas).
6. The provision of any reasonable adjustments required to accommodate the needs of Program applicants and participants to ensure equal employment and training opportunity is the responsibility of the employer, and any failure to make those reasonable adjustments will not be exempt from the Act. The employer is not precluded from accessing external sources of funding or support to achieve the provision of reasonable adjustments.
7. Tasmanian State Service employment conditions will apply.
8. Selection of graduates for the Program will be a merits-based process to be undertaken by individual agency panels that should include a representative from the State Service Management Office or the Community Development Division in the Department of Premier and Cabinet. Short-listed applicants will be able to have a support person at interview.
9. It is a condition of the renewal of this exemption that:
 - a. Tasmanian State Service Departments or Agencies that employ graduates under the Program ensure the provision of training for all graduates employed in the Program: rights awareness under the Anti-Discrimination Act 1998 (Tas) provided by the Office of the Anti-Discrimination Commissioner at no cost.
 - b. The State Service Management Office encourage Departments or Agencies employing graduates under the program to identify disability awareness training needs for those managers and staff who will be working with those graduates and implement suitable training to respond to those needs.
 - c. The State Service Management Office provide a report within one month of the end of each calendar year on:
 - i. The number of graduates employed under the Program in the previous year and their disability.
 - ii. The Agencies employing graduates under the Program.
 - iii. Employment outcomes to date for graduates employed under the Program.
 - iv. The training provided under 9(a) above.
 - v. Steps taken by the State Service Management Office under 9(b).
10. The exemption is renewed for the period of three (3) years from 20 November 2013 to 19 November 2016.

A person may apply to the Anti-Discrimination Tribunal for a review of the Commissioner's decision within 28 days from the date of this notice being published.

ROBIN BANKS, Anti-Discrimination Commissioner.

ANTI-DISCRIMINATION ACT 1998

Office of the Anti-Discrimination Commissioner, Tasmania

EXEMPTION/S GRANTED

(13/10/046)

IN ACCORDANCE with section 57 of the *Anti-Discrimination Act 1998* (Tas) (the Act), the application by the University of Tasmania under section 56 of the Act for an exemption from the provisions of the Act prohibiting discrimination on the basis of race in connection with employment has been granted.

1) Consistent with:

- a) section 25 of the Act, which provides an exception for discrimination ‘if it is for the purpose of carrying out a scheme for the benefit of a group which ... has a special need because of a prescribed attribute’; and
- b) section 26 of the Act, which provides an exception for discrimination ‘in any program, plan or arrangement designed to promote equal opportunity for a group of people who are disadvantaged or have a special need because of a prescribed attribute’; and
- c) section 41 of the Act, which provides an exception for discrimination ‘in employment, if it is based on a genuine occupational ... requirement in relation to a particular position’;

the exemption is granted to permit the University of Tasmania to recruit and employ an Aboriginal and/or Torres Strait Islander to the position of Professor of Aboriginal Research and Leadership on the basis that this recruitment and appointment is for the purpose of:

- d) advancing knowledge of Aboriginal and Torres Strait Islander cultures and societies;
- e) promoting cross-cultural understandings; and
- f) providing a prominent place within the University of Tasmania for Aboriginal Australian values, traditions and discourse.

This is consistent with the Act on the basis that is a scheme, under section 25, for the benefit of a group’, being Aborigines and Torres Strait Islanders, that has special needs because of race; a program, under section 26, designed to promote equal opportunity for Aborigines and Torres Strait Islanders, being a group of people who are disadvantaged or have a special need because of race; and, under section 41, being Aborigine and/or Torres Strait Islander is a genuine occupational requirement of this particular position.

- 2) The exemption is limited to permitting the employment and engagement by the University of Tasmania of a person who is Aboriginal and/or Torres Strait Islander in the role of Professor of Aboriginal Research and Leadership identified in paragraph 1 above.
- 3) The exemption does not exempt the University of Tasmania to engage in any other direct or indirect discrimination or prohibited conduct on any basis under the Act.
- 4) The exemption is for the period of three years subject to the University of Tasmania ensuring that:
 - a) it will report on or before 4 June 2014 to the Anti-Discrimination Commissioner on actions taken in reliance on this exemption; and
 - b) it will report to the Anti-Discrimination Commissioner on or before 4 June 2014, 4 June 2015 and 4 June 2016 on developments in the University’s strategic direction in respect of Aboriginal and Torres Strait Islander staff and students and actions taken to progress that strategic direction.

A person may apply to the Anti-Discrimination Tribunal for a review of the Commissioner’s decision within 28 days from the date of this notice being published.

ROBIN BANKS, Anti-Discrimination Commissioner.

Land Use Planning and Approvals

LAND USE PLANNING AND APPROVALS ACT 1993

PART 2A – PLANNING DIRECTIVES

I, BRYAN ALEXANDER GREEN, Minister for Planning, hereby give notice pursuant to section 13(2)(b) of the *Land Use Planning and Approvals Act 1993* (the Act) that I have:

- (a) revoked “Planning Directive No. 4 – Standards for Single Dwellings in Interim Planning Schemes” last modified on 2 October 2013, pursuant to section 15 of the Act; and
- (b) issued Planning Directive No. 4.1 - Standards for Residential Development in the General Residential Zone, pursuant to section 13(1)(a) of the Act.

This planning directive takes effect on 28 February 2014.

The planning directive is available on the Tasmanian Planning Commission’s website: www.planning.tas.gov.au.

Enquiries concerning the planning directive can be directed to the Tasmanian Planning Commission on (03) 6233 2795 or email enquiry@planning.tas.gov.au

Dated this eighteenth day of December 2013

BRYAN ALEXANDER GREEN, Minister for Planning.

Royal Assent

Government House

Hobart, Tasmania

13 December 2013

His 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 amend the *Land Use Planning and Approvals Act 1993* consequent on the enactment of the *Historic Cultural Heritage Amendment Act 2013*.

Land Use Planning and Approvals Amendment (Historic Cultural Heritage) Act 2013

(Act No. 51 of 2013)

A Bill for an Act to amend the *Land Use Planning and Approvals Act 1993* to remove the veto power of the Wellington Park Management Trust over applications for permit for development within Wellington Park.

Land Use Planning and Approvals (Developments on Mount Wellington) Amendment Act 2013

(Act No. 62 of 2013)

A Bill for an Act to amend the *Evidence (Children and Special Witnesses) Act 2001*, the *Criminal Code Act 1924* and the *Legal Aid Commission Act 1990*.

Evidence (Children and Special Witnesses) Amendment Act 2013

(Act No. 63 of 2013)

A Bill for an Act to amend the *Children, Young Persons and Their Families Act 1997*.

Children, Young Persons and Their Families Amendment Act 2013

(Act No. 64 of 2013)

A Bill for an Act to provide for background checking and registration of people who work with vulnerable people and for related purposes.

Registration to Work with Vulnerable People Act 2013
(Act No. 65 of 2013)

A Bill for an Act to amend the *Criminal Code Act 1924*.

Criminal Code Amendment (Firearms) Act 2013
(Act No. 66 of 2013)

A Bill for an Act to amend the *Pollution of Waters by Oil and Noxious Substances Act 1987*.

Pollution of Waters by Oil and Noxious Substances Amendment Act 2013
(Act No. 67 of 2013)

A Bill for an Act to amend certain legislation and provide for transitional matters consequent on the enactment of the *Mental Health Act 2013*, to repeal and rescind certain legislation consequent on that enactment and for related purposes.

Mental Health (Transitional and Consequential Provisions) Act 2013
(Act No. 69 of 2013)

A Bill for an Act to amend the *Historic Cultural Heritage Act 1995*.

Historic Cultural Heritage Amendment Act 2013
(Act No. 70 of 2013)

By His Excellency's Command

DAVID OWEN, Official Secretary.

Living Marine Resources

LIVING MARINE RESOURCES MANAGEMENT ACT 1995

Fisheries (Scalefish) Rules 2004, Rule 9

PUBLIC NOTICE – DATES OF THE CLOSED SEASON FOR PART OF THE COMMERCIAL SCALEFISH FISHERY

I, ROBERT GOTT, Director (Marine Resources), acting under Rule 9 of the *Fisheries (Scalefish) Rules 2004* and in accordance with delegated authority under section 20(1) of the *Living Marine Resources Management Act 1995* hereby determine that the dates of the closed season for the commercial fishery for garfish that involves the take or possession for commercial purposes of all species of garfish (family *Hemiramphidae*) in State waters, for northern and southern waters are as follows:

Southern Waters closed between:

- 15 November 2014 and 14 December 2014
- 15 November 2015 and 14 December 2015
- 15 November 2016 and 14 December 2016

Northern Waters closed between:

- 15 January 2014 and 14 February 2014
- 15 January 2015 and 14 February 2015
- 15 January 2016 and 14 February 2016

Northern and southern waters are delineated by a line following the north coast of Tasmania, joined and bounded in the west by a line of latitude through Cape Grim and in the east by a line of latitude through Cape Naturaliste. All waters to the north of this

line are Northern Waters and all waters to the south of this line are Southern Waters.

Dated this 10th day of December 2013

ROBERT GOTT, Director (Marine Resources).

INFORMATION

No commercial fisher may take, or be in possession of any species of garfish of the family *Hemiramphidae* in State waters during the closed period. The closure does not apply to recreational fishers.

Please contact the Wild Fisheries Management Branch on (03) 6165 3044 if you require further information.

LIVING MARINE RESOURCES MANAGEMENT ACT 1995

Fisheries (Biosecurity) Order 2013

I MAKE the following order under section 270 of the *Living Marine Resources Management Act 1995*:

1. Short title

This order may be cited as the *Fisheries (Biosecurity) Order 2013*.

2. Specification

This order is made –

- (a) in respect of the harmful disease abalone viral ganglioneuritis; and
- (b) to implement treatment and testing requirements designed to prevent the introduction of that disease into State waters.

3. Directions issued

(1) That an abalone processor must, unless otherwise authorised, ensure that no abalone live-holding water is discharged into State waters from any holding premises used under the relevant licence unless that water has-

- a) been treated using a system capable of achieving, on comparing water immediately prior to entering treatment with water immediately on leaving treatment, a minimum 3 log 10 reduction in total marine heterotrophic bacteria; and
- b) achieved a discharge concentration value of <3 log 10 (≤ 999 bacterial colony forming units per mL).

(2) That an abalone processor must, in each of the testing periods-

- a) cause a water sample to be taken by an agent of an approved service from each holding premises used under the relevant licence; and
- b) cause the water sample to be tested by an approved laboratory for the discharge concentration value referred to in subclause (1)(b); and
- c) submit the results of that testing to the Secretary.

5. Interpretation

In this order –

"abalone" means live fish of the genus *Haliotis*;

"abalone processor" means the holder of a fish processing licence that authorises the processing of abalone;

“approved laboratory” means a laboratory approved to conduct tests relevant to ascertaining performance related to the standards in subclauses 3(1)(a) and 3(1)(b);

“approved service” means a service approved to take samples to be provided for testing by an approved laboratory;

“Tasmania’s biosecurity regions” means the regions specified in Part 1 and defined in Part 2 of the Schedule to this order;

“holding premises” means premises used to hold abalone taken from outside the relevant biosecurity region for those premises;

“introduction” includes re-introduction;

“relevant biosecurity region”, for premises, means, with reference to Tasmania’s biosecurity regions, the biosecurity region adjacent to that part of the State’s coastline where, or closest to where, those premises are situated;

“relevant licence”, for an abalone processor, means the fish processing licence that authorises the abalone processor to process abalone;

“testing periods” means the following periods:

- a) October of each calendar year;
- b) the four week period commencing six weeks before each Chinese New Year.

6. Fisheries (Biosecurity) Order (No. 2) 2012 revoked

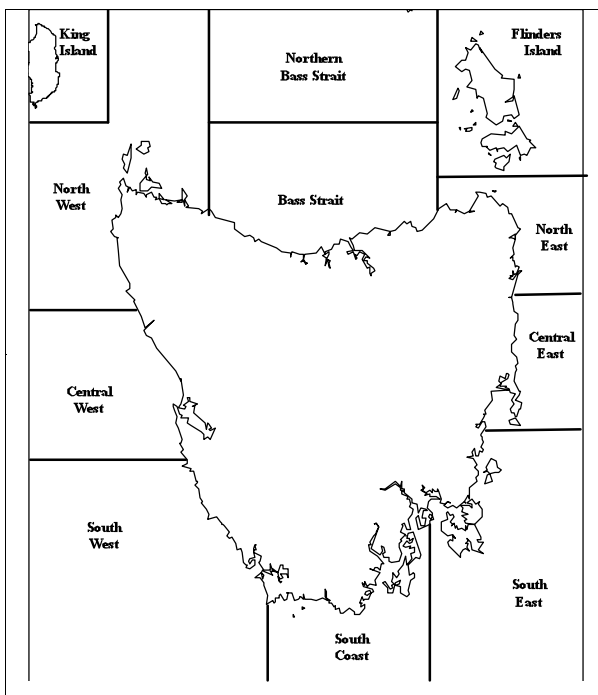
Fisheries (Biosecurity) Order (No. 2) 2012 dated 18 December 2012 and published in Gazette number 21298 on 2 January 2013 is hereby revoked.

Dated this 13th day of December 2013

ROBERT GOTT, Director Marine Resources.

Schedule

Part 1- Abalone biosecurity regions



Part 2 - Description of abalone biosecurity regions

Region name	Reg. Code	Fishing Blocks	Boundary 1 (GPS Coords)	Boundary 2 (GPS Coords)	Description
Northern Bass Strait	NBS	50,51,52,53,54,55,56,57	146°00'00"E to 147°35'00"E	39°12'00"S to 40°20'00"S	Includes Hogan, Kent, Curtis, Rodondo /Moncoeur Groups and Bass Pyramid
Flinders Island	FI	32A-C, 33A-C, 34A-D, 35A-E, 36A-B, 37A-D, 38A-C	147°35'00"E to 148°45'00"E	39°12'00"S to 40°40'00"S	Flinders Island Vicinity
Bass Strait	BS	41, 42, 43, 44, 45, 46	145°22'42"E to 147°27'00"E	North Coast to 40°40'00"S	Port Latta to Anderson Bay
King Island	KI	1A-C, 2A-C, 3A-C, 4A-C			King Island vicinity
North-East	NE	29D, 30A-C, 31A-B, 39A-B, 40A-C	East of 147°27'00"E	40°40'00"S to 41°27'00"S	North of Scamander River
Central-East	CE	25, 26A-D, 27A-E, 28A-C, 29 A-C	East of coastline	41°27'00"S to 42°30'00"S	South of Scamander River to Cape Bougainville
South-East	SE	Part 17A, 17B, 19A-B, 20A-C, 21A-C, 22A-C, 23A-B, 24A-E	East of 147°30'00"E	South of 42°30'00"S	South of Hermitage Beach. East of Cape Contrariety.
South Coast	SC	12B-D, 13A-E, 14A-D, 15, 16A-D, Part 17A, 18	146°02'00"E to 147°30'00"E		East of South West Cape to west of Cape Contrariety.
South-West	SW	10A-D, 11A-D, 12 A	West of 146°02'00"E.	South of 42°36'13"S	West of South West Cape. South of Meerim Beach.
Central-West	CW	7A-C, 8A-C, 9A-C	West of coastline	41°30'00"S to 42°36'13"S	South of Italian River to Meerim Beach
North-West	NW	5A-D, 6A-D, 47A-B, 48A-C, 49A-C	West of 145°22'42"E	North of 41°30'00"S	West of Port Latta. North of Italian River

INFORMATION

This order issues directions aimed at preventing the introduction into State waters of the harmful disease abalone viral ganglioneuritis. The order takes effect on the day on which it is published in the Gazette and remains in effect for 12 months.

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>Electricity Supply Industry Act 1995</i>	S. R. 2013, No. 102	<i>Electricity Supply Industry Concession Order 2013</i>
(2) <i>Electricity Supply Industry Act 1995</i>	S. R. 2013, No. 103	<i>Electricity Supply Industry Concession Amendment Order 2013</i>

GENERAL PURPORT OR EFFECT OF THE ABOVEMENTION

(1) *Electricity Supply Industry Concession Order 2013*

This order determines the persons to whom concessions for the supply of electricity are to be provided by authorised retailers, the amount of those concessions that are to be provided, and the manner in which the concessions are to be provided.

(2) *Electricity Supply Industry Concession Amendment Order 2013*

This order amends the *Electricity Supply Industry Concession Order 2013* by adding left ventricular assist devices to the list of devices in relation to which concessions are to be granted.

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.

P. R. CONWAY, 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.'

RUTH FORREST, MLC, Chairperson.

Forest Practices

Forest Practices Authority
02 December, 2013

FOREST PRACTICES ACT 1985

NOTIFICATION

IN ACCORDANCE with the provision of Section 14 of the *Forest Practices Act 1985*, and on the recommendation of the Forest Practices Authority, His 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

Application No.	Owner	Land Title Reference	Location	Municipal Area
1249R	Davenport, R & AJ	C/T Vol 53646 Fol 1	Telita	Dorset Council

Given under my hand at Hobart in Tasmania on 02 December, 2013.

By His Excellency's Command,
B. GREEN, Minister for Energy & Resources

P. G. UNDERWOOD, Governor.

Forest Practices Authority
02 December, 2013

FOREST PRACTICES ACT 1985

NOTIFICATION

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SCHEDULE

REVOCATION OF PRIVATE TIMBER RESERVE

WHOLE TITLE

Application No.	Owner	Land Title Reference	Location	Municipal Area
1204R	Gee, RE & AL	C/T Vol 212415 Fol 1	Loyetea	Central Coast Council
1418R	Newman, NJ & JK	C/T Vol 237664 Fol 1	Oldina	Waratah/Wynyard Council

Given under my hand at Hobart in Tasmania on 02 December, 2013.

By His Excellency's Command,
B. GREEN, Minister for Energy & Resources

P. G. UNDERWOOD, Governor.

Forest Practices Authority
02 December, 2013

FOREST PRACTICES ACT 1985

NOTIFICATION

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SCHEDULE

REVOCATION OF PRIVATE TIMBER RESERVE

WHOLE TITLE

Application No.	Owner	Land Title Reference	Location	Municipal Area
1107R	Tasmanian Land Conservancy Inc.	C/T Vol 102690 Fol 4 C/T Vol 152912 Fol 2	Hamilton	Central Highlands Council

Given under my hand at Hobart in Tasmania on 02 December, 2013.

By His Excellency's Command,

P. G. UNDERWOOD, Governor.

B. GREEN, Minister for Energy & Resources

Forest Practices Authority
02 December, 2013

FOREST PRACTICES ACT 1985

NOTIFICATION

IN ACCORDANCE with the provision of Section 14 of the Forest Practices Act 1985, and on the recommendation of the Forest Practices Authority, His 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

Application No.	Owner	Land Title Reference	Location	Municipal Area
1418R	Newman, NJ & JK	C/T Vol 207399 Fol 1	Oldina	Waratah/Wynyard Council

Given under my hand at Hobart in Tasmania on 02 December, 2013.

By His Excellency's Command,

P. G. UNDERWOOD, Governor.

B. GREEN, Minister for Energy & Resources

Electoral

Tasmania - *Electoral Act 2004*

Part 5, Division 3

Divisions of Bass, Braddon, Denison, Franklin and Lyons

On 4 December 2013 the Tasmanian Electoral Commission appointed the following ordinary, mobile and pre-poll polling places for purposes of a general election for the House of Assembly. All polling places are appointed for all divisions.

ORDINARY POLLING PLACES WITHIN THE DIVISION OF BASS

Blessington Upper	Karoola	Ringarooma
Branxholm	Kings Meadows	Riverside
Bridport	Lady Barron	Riverside West
Cosgrove Park	Launceston	Rocherlea
Derby	Launceston Central	Scottsdale
Dilston	Lebrina	South Launceston
East Launceston	Legana	St Leonards
Elphin	Lilydale	Summerhill
Five Ways	Mowbray	Targa
General Hospital	Newnham	Trevallyn
George Town	Newstead	Waverley
George Town South	Norwood	West Launceston
Gladstone	Nunamara	Weymouth
Hadspen	Pipers River	Whitemark
Hillwood	Prospect	Windmill Hill
Inveresk	Prospect Vale	Winnaleah
Invermay	Ravenswood	Youngtown

ORDINARY POLLING PLACES WITHIN THE DIVISION OF BRADDON

Abbotsham	Highclere	Sisters Creek
Acton	Irishtown	Smithton
Ambleside	Latrobe	Somerset
Boat Harbour	Marrawah	South Burnie
Burnie	Mawbanna	South Riana
Calder	Melrose	Sprent
Cooee	Miandetta	Spreyton
Currie	Montagu	Stanley
Devonport	Montello	Stowport
Devonport Central	Moorleah	Strahan
Devonport North	Natone	Sulphur Creek
Devonport North West	North Motton	Togari
Devonport South	Penguin	Tullah
Devonport West	Preston	Turners Beach

Don	Queenstown	Ulverstone Central
East Devonport	Reekara	Ulverstone East
Edith Creek	Riana	Ulverstone South
Elliott	Ridgley	Waratah
Forest	Rocky Cape	West Ulverstone
Forth	Romaine	Wivenhoe
Gawler	Rosebery	Wynyard Central
Grassy	Savage River	Wynyard West
Gunns Plains	Shorewell Park	Yolla
Havenview	Sisters Beach	Zeehan
Heybridge		

ORDINARY POLLING PLACES WITHIN THE DIVISION OF DENISON

Austins Ferry	Hobart City	North Hobart
Battery Point	Lenah Valley	North Hobart Central
Battery Point West	Lenah Valley East	Roseneath
Cascades	Lower Sandy Bay	Rosetta
Chigwell	Lutana	Sandy Bay
Claremont	Merton	Sandy Bay Beach
Collinsvale	Montrose	South Hobart
Derwent Park	Moonah	Taroona
Dynnyrne	Moonah East	Waimea Heights
Elwick	Moonah North	West Hobart
Fern Tree	Mount Nelson	West Hobart Central
Glenorchy	Mount Stuart	West Hobart North
Glenorchy Central	New Town	West Hobart South
Goodwood	New Town West	Windermere
Hobart		

ORDINARY POLLING PLACES WITHIN THE DIVISION OF FRANKLIN

Adventure Bay	Howrah	Port Huon
Alonnah	Huonville	Ranelagh
Barnes Bay	Judbury	Richmond
Bellerive	Kettering	Risdon Vale
Blackmans Bay	Kingston	Rokeby
Cambridge	Kingston Beach	Sandfly
Clarence	Lauderdale	Sandford
Clarendon Vale	Lindisfarne	Seven Mile Beach
Cradoc	Lindisfarne Village	Snug
Cygnets	Maranoa Heights	South Arm
Dover	Margate	Southport
Franklin	Middleton	Surges Bay

Geeveston	Montagu Bay	Tranmere
Geilston Bay	Mornington	Warrane
Glen Huon	Mountain River	Warrane North
Howden	Old Beach	Woodbridge

ORDINARY POLLING PLACES WITHIN THE DIVISION OF LYONS

Avoca	Exeter	Oatlands
Bagdad	Fingal	Orford
Beaconsfield	Forcett	Ouse
Beauty Point	Frankford	Parattah
Bicheno	Gagebrook	Perth
Bishopsbourne	Glengarry	Pontville
Bothwell	Glenora	Port Arthur
Bracknell	Granton	Port Sorell
Bridgewater	Gravelly Beach	Primrose Sands
Brighton	Gretna	Pyengana
Broadmarsh	Hagley	Railton
Bronte	Hamilton	Ross
Buckland	Kelso	Saltwater River
Campania	Kempton	Sassafras
Campbell Town	Lachlan	Scamander
Carrick	Levendale	Sheffield
Chudleigh	Longford	Sidmouth
Claude Road	Lower Barrington	Sorell
Colebrook	Magra	St Helens
Coles Bay	Mathinna	St Marys
Copping	Maydena	Swansea
Cressy	Meander	Taranna
Deloraine	Midway Point	Tea Tree
Dodges Ferry	Miena	Triabunna
Dromedary	Mole Creek	Tunnack
Dunalley	Molesworth	Wesley Vale
Elizabeth Town	Moriarty	Westbury
Ellendale	New Norfolk	Westerway
Epping	New Norfolk North	Whitemore
Evandale	Nubeena	Wilmot

MOBILE AND PRE-POLL POLLING PLACES WITHIN THE DIVISION OF BASS

Pre-poll polling places

Launceston

Mobile polling places

Bass Mobile Unit 1
Bass Mobile Unit 3

Bass Mobile Unit 2
Bass Mobile Unit 4

Places at which a mobile polling place may be operated

Ainslie House (Launceston)	Mount Esk Aged Care Facility
Ainslie House Hostel & Nursing Home (Low Head)	NESM Hospital
Aldersgate Home	North East Aminya Hostel
Aldersgate Village	Northbourne Park Units
Cadorna House	Presbyterian Homes Legana
Calvary on St Lukes Campus	Presbyterian Homes Norwood
Dudley House	Prospect Court Retirement Village
Fred French Masonic Home	St Vincents Hospital
George Town Hospital	Sandhill
Glenara Lakes Apartments	The Manor Nursing Home & Hostel
James Scott Wing Nursing Home	Tyler Village
Masonic Peace Memorial Haven	

MOBILE AND PRE-POLL POLLING PLACES WITHIN THE DIVISION OF BRADDON

Pre-poll polling places

Burnie	Devonport
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Mobile polling places

Braddon Mobile Unit 1	Braddon Mobile Unit 2
Braddon Mobile Unit 3	Braddon Mobile Unit 4

Places at which a mobile polling place may be operated

Coroneagh Park Nursing Home	Mt St Vincent Nursing Home and Therapy Centre
Eliza Purton Home for the Aged	North West Private Hospital Burnie
Emmerton Park Aged Care Facility	North West Regional Hospital Burnie
IBIS Care Wynyard	Smithton District Hospital
Karingal Community	Uniting Aged Care Strathdevon
Meercroft Care Inc	Umina Park
Melaleuca Home for the Aged	Yaraandoo Nursing Home
Mersey Community Hospital	

MOBILE AND PRE-POLL POLLING PLACES WITHIN THE DIVISION OF DENISON

Pre-poll polling places

Glenorchy	Hobart
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Mobile polling places

Denison Mobile Unit 1	Denison Mobile Unit 2
Denison Mobile Unit 3	Denison Mobile Unit 4
Denison Mobile Unit 5	

Places at which a mobile polling place may be operated

Barrington Lodge	St Ann's Homes Davey Street
Calvary Health Care Tasmania	St Helens Private Hospital
Glenview Home	St John's Campus
Guilford Young Grove	Sandown Village
Mary Ogilvy House	Strathaven
Mary's Grange Nursing Home	Strathglen
Queenborough Rise	The Gardens Claremont
Rosary Gardens	The Hobart Private Hospital
Royal Hobart Hospital	Vaucluse Gardens Lodge

MOBILE AND PRE-POLL POLLING PLACES WITHIN THE DIVISION OF FRANKLIN

Pre-poll polling places

Kingston	Rosny Park
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Mobile polling places

Franklin Mobile Unit 1	Franklin Mobile Unit 2
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Places at which a mobile polling place may be operated

Bishop Davies Court	Huon Eldercare
Bowditch Hostel	Maranatha Retirement Homes
Eastside Care Lillian Martin Home	St Ann's Homes Compton Downs
Esperance Multipurpose Health Centre	Snug Village
Freemasons Homes of Southern Tasmania	The Hobart Clinic
Hawthorn Village	The Queen Victoria Home

MOBILE AND PRE-POLL POLLING PLACES WITHIN THE DIVISION OF LYONS

Pre-poll polling places

Nil

Mobile polling places

Lyons Mobile Unit 1	Lyons Mobile Unit 2
Lyons Mobile Unit 3	Lyons Mobile Unit 4

Places at which a mobile polling place may be operated

Beaconsfield District Health Service	May Shaw Health Centre
Beaconsfield Park Inc	Medea Park Residential Care
Campbell Town Health and Community Service	Midlands Multi-Purpose Health Centre
Corumbene Nursing Home for the Aged Inc	Millbrook Rise Centre
Deloraine District Hospital	Rubicon Grove
Eskleigh Home	St Helens District Hospital
Glendel Homes	Tandara Lodge
Grenoch Home	Uniting Aged Care Ningana
Kanangra Hostel	

TASMANIAN ELECTORAL COMMISSION

ELECTORAL ACT 2004

SECTION 45

Application to REGISTER A POLITICAL PARTY

I have received an application to register a political party. The application has been signed by the party secretary, James William McDonald, 27 Surrey Street, Grange, South Australia.

The proposed name of the party is:

PALMER UNITED PARTY

The proposed ballot paper name of the party is:

PALMER UNITED PARTY

The name and address of the person, who is to be the registered officer of the party, are Jacqueline Louise Lambie, 9 Platinum Drive, Park Grove.

The name and address of the person, who is to be the deputy registered officer of the party, are Kevin Francis Morgan, 187 Penguin Road, West Ulverstone.

The names and addresses of at least 100 members of the party, who are to be the registered members, are as follows:

Absolom, Courtney Jane	3/12 Sherburd Street, Kingston
Adams, Kerry	9 Barclay Place, Gagebrook
Antel, Monica Maria	40 Poets Road, West Hobart
Atkins, Richard Gerald	471 Sandy Bay Road, Sandy Bay
Ayers, Wendy	65 Norwood Avenue, Launceston
Barlow, Patrick Gerald	1/9A Seventh Avenue, West Moonah
Belbin, Maxine Lee	2/9 Church Street, Kingston
Beltane, Jack	44 Dodgin Street, Wynyard
Bennett, Tony Michael	17 Ross Street, Montello
Betts, Michelle Maree	123 Best Street, Devonport
Brown, Jeannette Lee	6 Cedar Place, Romaine
Brown, Julian	6 Cedar Place, Romaine
Burns, Adrian Scott	111 Carella St, Howrah
Butterworth, Leonard Neil	91 Glenora Road, New Norfolk
Carsen, Samuel	3/12 Sherburd Street, Kingston
Chaffey, Steven Charles	19 Monash Avenue, Lenah Valley
Charleston, Annette	2436 Wilmot Road, Wilmot
Clark, Leigh James	1 Third Ave, New Norfolk

Clark, Sharon Ann	1 Third Ave, New Norfolk
Cohen, Gregory Ronald	832 Ridgley Highway, Ridgley
Collins, Derek John	Esplanade, New Norfolk
Cooper, Mark Andrew	2 Harpers Court, Trevallyn
Dalton, Adrian John	25 Mountain Place, Molesworth
Deakin, Ann Frances	20 Alberts Road, Somerset
Deakin, Kevin John	75 Haywoods Lane, Somerset
Deakin, Windsor Douglas	20 Alberts Road, Somerset
Denny, Bryan Joele	54 Kellow Place, Sandford
Denny, Robyn Louise	54 Kellow Place, Sandford
Dimmick, Althea Rosemary	10 Hamilton Street, Latrobe
Dimmick, Terence Neville	10 Hamilton Street, Latrobe
Dobson, Christopher Lee	116 Summerleas Road, Kingston
Drysdale, Brenda Therese	116 Summerleas Road, Kingston
Figg, Jake	14 Fenwick Crescent, Derwent Park
Figg, Mary Dianne	506 South Arm Road, Lauderdale
Figg, Michael Greer	506 South Arm Road, Lauderdale
Fulham, Sally Louise	73 Nicholls Street, Devonport
Fuller, Andrew Dean	86 River Road, West Ulverstone
Fuller, Cheryl Louise	86 River Road, West Ulverstone
Garlick, Rodney Stephen	4 Sirius Street, Howrah
Giblin, Robert Geoffrey	420 West Tamar Road, Riverside
Gleich, Celenia H	521 Quamby Brook Road, Quamby Brook
Gleich, Karl-Heinz	521 Quamby Brook Road, Quamby Brook
Green, Deidre Lettreacia	265 Fern Glade Road, Stowport
Green, Jarrad Leigh	19 Winter Avenue, Upper Burnie
Green, Kylie Marie	19 Winter Avenue, Upper Burnie
Green, Stephen	265 Fern Glade Road, Stowport
Grewar, Mark Bretton	43 West Barrack Street, Deloraine
Grube, Genevieve Frances	2 Kingston Heights, Kingston Beach
Grube, Mark Christopher	2 Kingston Heights, Kingston Beach
Gunnarsson-Wiener, Elfriede	10 Peacock Place, Legana
Guy, Adrian Gerard Douglas	40 O'Brien Street, Glenorchy
Hagmaier, Gerd	18/263 Port Road, Boat Harbour Beach
Harrex, Brett Anthony	4 Back River Road, New Norfolk
Hayes, Shane Carl	22 Junee Street, Chigwell
Haywood, Bruce	38 Proctors Road, Dynnyrne
Hind, Kevin	30 Liapoota Road, Tewkesbury
Honnor, Wendy	2/2 Welman St, Launceston
Hunniford, Paul Anthony	44 Riverway Road, Montrose
Jackman, Andrea Mary	137 Acton Rd, Acton Park
Jackman, Noel Desmond	137 Acton Rd, Acton Park
Kingston, Edward Maurice	6 Bangalee Street, Lauderdale
Knitschke, Hartmut B	94 Ravenswood Road, Ravenswood
Laird, Shauna	30 Liapoota Road, Tewkesbury
Lambie, Jacqueline Louise	9 Platinum Drive, Park Grove
Lester, Christopher Paul	895 Back River Road, Magra
Lester, Robyn Jo-Anne	61 Charlotte Street, New Norfolk

Lockley, Anthony John	4 Godfrey Road, Claremont
Mackey, Andrew John Sinclair	37 Mannata St, Lauderdale
Mackey, Debbie Lee	37 Mannata St, Lauderdale
Malone, Geoffrey Andrew	2/58 Malachi Drive, Kingston
Martin, Rodney Maxwell	42 King Street, Scottsdale
Mather, Ronald John	1046 Murchison Highway, Elliott
McAllister, Matthew Alexander	11 Alliance Drive, Cambridge
McGrath, John Edward	8 Woodridge Place, Tolmans Hill
Miettinen, Rauno Allan	968 Calder Road, Calder
Mitchell, John Stuart	1 Delwood Drive, Lutana
Monson, Susan Beverley	28 Brooks Road, Forest
Morgan, Kevin Francis	187 Penguin Road, West Ulverstone
O'Keefe, Melissa Ann	8 Delmore Place, Margate
Orman, Kristine Janet	32 North Crescent, New Norfolk
Orman, Trevor McKinlay	32 North Crescent, New Norfolk
Page, Janis Fiona	624 Myalla Road, Milabena
Paradisis, Alex	5 Tranquility Crescent, Bridgewater
Parish, Timothy Noel	75 Low Head Road, Low Head
Rainbow, Sharon	35 Miandetta Drive, Margate
Robinson, Hedley Robert	836 Lorinna Road, Lorinna
Sadler, Jeffrey Keith	59A New Town Road, New Town
Shiel, Michael Thomas	43 Milton Crescent, West Moonah
Shoobridge, Jessica Elizabeth Constance	47 Hobart Road, New Norfolk
Shoobridge, Wayne Anthony	47 Hobart Road, New Norfolk
Sierink, Arnold Jacob	8A South Street, Bellerive
Sierink, Maureen Anne	8A South Street, Bellerive
Smith, Russell John	4 Vieste Drive, Glenorchy
Stacey, Barbara May	55 Sirius Street, Howrah
Stacey, Michael William Frederick	55 Sirius Street, Howrah
Stomm, Andre Michael	63 Elizabeth Street, Mangana
Stringer, Justin-Leigh	28 Chesterman Street, Moonah
Talbot, Michael John Patrick	1094 Murchison Highway, Elliott
Taws, Jayson Dale	1 Derwent Avenue, Margate
Thurley, Debra Joyce	93 South Arm Road, Rokeby
von Stieglitz, Quentin	88 Cherry Road, Trevallyn
Wiener, Sven	4 Gosling Grove, Legana

Section 46 of the *Electoral Act 2004* provides that a person may, not later than 30 days after the publication of this notice, lodge an objection against the registration of the party with the Tasmanian Electoral Commission. The objection may only be on a ground specified in Section 47 of the *Act*.

Julian Type – ELECTORAL COMMISSIONER - 18 December 2013

Level 2, Telstra Centre, 70 Collins St Hobart
Phone 03 6233 2000

Cities/Councils

BURNIE CITY COUNCIL
HIGHWAYS BY-LAW
BY-LAW NO. 3 OF 2013

A By-Law of the Burnie City Council made under Section 145 of the *Local Government Act 1993* for the purpose of regulating and controlling conduct on the highways in the municipal area.

PART 1
PRELIMINARY

Short Title

1. This By-Law may be cited as the *Highways By-Law No. 3 of 2013*.

Interpretation

2. In this By-Law:

‘authorised officer’ means an employee of Council authorised by Council for the purpose of this by-law;

‘Council’ means the Burnie City Council;

‘crossing’ means any construction in or over a highway, including a verge, kerb and channel or table drain, and footpath or nature strip to provide a vehicular access;

‘customer servery’ means a facility in a building that enables a business or person to trade, distribute or sell, goods and / or services to the members of the public without entering the building;

‘General Manager’ means the General Manager of the Council;

‘hawker’ includes a pedlar or itinerant vendor who, in the course of a business, profession, trade or calling, travels around the area by any means whatsoever (other than to commercial premises) to sell goods and / or services to the public;

‘highway’ means a “local highway” or “highway under local management as defined in the *Local Government (Highways) Act 1982*” and includes part of a highway and a mall;

‘highway pavement’ means that portion of the highway between the kerb and channel and / or table drains, primarily used for vehicles;

‘infringement notice’ means a notice issued by an authorised officer to a person who commits an offence against this by-law;

‘livestock’ includes but is not limited to horses, cattle, swine, sheep, goats and deer;

‘local highway’ has the meaning assigned to it in the *Local Government (Highways) Act 1982*;

‘material’ includes stones, clay, earth, metal, cement, concrete, glass, dust, ashes, refuse, oil, liquid and animal droppings or other offensive or noxious substances;

‘occupy a highway’ means to place on or above a highway any advertisement, goods, items, tables and chairs, or build or locate or establish any structure for sale or to enable the service of food and / or beverages and / or for any other purpose or to fence off any part of the highway;

‘penalty unit’ means the amount of money set under the *Penalty Units and Other Penalties Act 1987* as amended;

‘permit’ means a statement in writing with or without conditions issued by an authorised officer authorising an activity regulated by this by-law;

‘recovery fee’ is a fee payable to the Council to recover the expenses incurred in dealing with an impounded sign;

‘roadside vendor’ means any person who in the course of a business, profession, trade or calling, sets up a stall in or on any highway to sell wares to the public;

‘sale’ includes to sell, agree to sell, offer or expose for sale, or keep in possession for sale;

‘Environmental Health Officer’ means an environment health officer appointed pursuant to section 61 of the *Local Government Act*.

‘shopping trolley’ includes any wheeled apparatus used for conveying items from one place to another.

‘signboard’ means any board, sign, plaque, or banner, that in any way makes an announcement or is an advertisement for any restaurant, shop, place of business, product, goods or services or any other thing which is not

permanently attached to any building or other structure;

‘stall’ means any table, wagon, trailer, wheelbarrow, vehicle or transportable structure used by any person to sell and distribute goods and / or services to the public, solicit donations and / or sell raffle/lottery tickets;

‘table drain’ means a constructed depression adjacent to a highway pavement which conveys surface water away from the area;

‘vehicle’ means a vehicle of any description of designed to move or to be moved on one (1) or more wheels or tracks and includes but is not limited to, passenger vehicles, trucks and construction equipment;

‘vehicular access’ means that part of a highway designed for, or used as a means of entry and exit by vehicles between the highway pavement and the frontage of land adjoining a highway;

‘vending machine’ means any device from which goods are able to be dispensed and includes an automatic teller machine.

servery is placed on or projects over a highway.

Penalty: a fine not exceeding 10 penalty units and for a continuing offence a further daily fine not exceeding 2 penalty units.

- (2) A person must not install or cause to be installed a vending machine or customer servery in such a position that in order to operate the machine or use the servery a person must stand or queue on a highway, unless the owner or operator has first obtained a permit under this By-law authorising the installation.

Penalty: a fine not exceeding 10 penalty units and for a continuing offence, a further daily fine not exceeding 2 penalty units.

- (3) Any person may apply under Part 7 of this by-law for a permit.

Division 2 - Signboards

Signboard Permits

5. (1) A person must not place or display a signboard on a highway unless the person has first obtained a permit under this by-law.

Penalty: a fine not exceeding 2 penalty units and for a continuing offence a further daily fine not exceeding 1 penalty unit.

- (2) Any person placing a signboard on a highway must ensure that:

- (i) it is constructed and located in accordance with any conditions stipulated in the permit;
- (ii) any directions given to that person by an authorised officer concerning that signboard are complied with.

Penalty: a fine not exceeding 2 penalty units, and for a continuing offence a further

PART 2 USE OF HIGHWAYS

Division 1 - Occupation

Occupation, Obstruction or Enclosure of Highway

3. (1) A person must not occupy a highway or place any obstruction or enclose a highway for any purpose unless that person has first obtained a permit under this by-law.

Penalty: a fine not exceeding 2 penalty units and for a continuing offence a further daily fine not exceeding 1 penalty unit.

- (2) Any person may apply under Part 7 of this by-law for a permit.

Vending Machines / Customer Servery

4. (1) A person must not install or cause to be installed a vending machine or customer servery in such a position that any part of the vending machine or customer

weekly fine not exceeding 1 penalty unit.

- (3) An authorised officer may remove and impound a signboard that:
- (i) has not been placed so that it complies with a direction by an authorised officer, or
 - (ii) has not been placed so that it complies with a permit issued under this by-law.
- (4) A person may recover an impounded signboard by payment of a recovery fee as determined by the Council.
- (5) Any person may apply under Part 7 of this by-law for a permit.

Division 3 - Hawkers

Permit Required for Hawking

6. (1) A person must not act as a hawker unless the person has first obtained a permit under this by-law.
- Penalty: a fine not exceeding 2 penalty units.
- (2) Any person may apply under Part 7 of this by-law for a permit.

Permit required for roadside vendors

7. (1) A person must not act as a roadside vendor unless the person has first obtained permit under this by-law to do so.
- Penalty: a fine not exceeding 2 penalty units
- (2) Any person may apply under Part 7 of this by-law for a permit.

Prohibition of trading activities in certain areas

8. A person must not act as a roadside vendor on any highway, unless:
- (1) the land has been designated as land upon which a roadside vendor may carry on trading activities; and

Penalty: a fine not exceeding 2 penalty units

- (2) the person has a permit pursuant to this clause to carry on trading activities on the land; and
- (3) Any person may apply under Part 7 of this by-law for a permit.

Permit required for stalls

9. (1) A person must not set up, place, keep, maintain or park any stall on a highway to sell wares or to pursue any business, trade or employment without first obtaining a permit under this by-law to do so.

Penalty: a fine not exceeding 2 penalty units

Division 4 - Vehicles for Sale

Sale of Vehicles on a Highway

10. A person must not park a vehicle on a highway for the purpose of attempting to sell that vehicle.

Penalty: a fine not exceeding 2 penalty units.

Division 5 - Noise

Making Noise on a Highway

11. (1) A person must not on any highway play, allow or cause to be played any musical instrument nor use nor allow to be used nor cause to be used any amplifier, loud speaker or loudhailer fitted to the exterior of a vehicle unless that person has first obtained a permit under this by-law.

Penalty: a fine not exceeding 2 penalty units.

- (2) Any person may apply under Part 7 of this by-law for a permit.

Leaving shopping trolleys on a highway

12. A person must not leave unattended or abandoned a shopping trolley on a highway.

Penalty: a fine not exceeding 2 penalty units.

PART 3

MATERIALS ON HIGHWAYS

Materials on Highways

13. (1) No person other than an authorised officer or Council contractor or employee is to deposit or allow to be deposited any material from that vehicle onto a highway unless the person has first obtained a permit under this by-law.

Penalty: a fine not exceeding 5 penalty units and for a continuing offence a further daily fine not exceeding one (1) unit.

- (2) Any person may apply under Part 7 of this by-law for a permit.

Wheels of Vehicles to be Cleaned

14. Unless a permit pursuant to clause 13 has been obtained a person must not drive any vehicle for a commercial purpose or allow any such vehicle to be driven onto or over a highway unless the wheels of that vehicle are first cleaned of any material adhering to those wheels.

Penalty: a fine not exceeding 5 penalty units.

Directions

15. (1) An authorised officer may issue a written direction
- (a) to any person who drives any vehicle or who permits any vehicle to be driven on any highway from which any material has been dropped or deposited onto a highway to remove that material.
- (b) to any person who is the owner or occupier of any land in the municipal area from which the material referred to in sub-clause (a) has come to remove that material.
- (2) A person to whom a direction is given must comply with that direction.

Penalty: a fine not exceeding 10 penalty units.

Council Expenses in Carrying Out Work

- 16.(1) Upon the expiry of any time limit contained in a direction issued pursuant to clause 15 the Council may undertake all or part of any work that is the subject of that direction.
- (2) Any expense incurred by the Council in undertaking the work referred to in sub-clause (1) is to be paid by the person to whom that direction was issued and the Council may recover any such expense as a debt due to it.
- (3) The Council may immediately undertake the work referred to in sub-clause (1) if it believes that the failure to carry out such work poses an immediate danger to those using the highway.

PART 4

FOOTPATHS, KERBS AND CHANNELS, TABLE DRAINS AND VEHICULAR ACCESS

Division 1 - Traversing of Footpaths, Kerbs and Channels, Table Drains or Vehicular Access

Construction of a new or altered vehicular access from local highway

17. (1) A person must not create, relocate, or alter a vehicular access over any verge, kerb, channel or table drain, footpath or nature strip of a highway without first obtaining a permit under this by-law.

Penalty: a fine not exceeding 5 penalty units and for a continuing offence a further daily fine not exceeding 1 penalty unit.

- (2) Any person may apply under Part 7 of this by-law for a permit.

Temporary or occasional access

18. (1) A person must not create a temporary access to drive a vehicle or allow a vehicle to be driven over any verge, kerb and channel, table drain, footpath or nature strip of a highway to or from any

adjoining land, including land where building or excavating works are in progress or are about to commence unless the owner of the land or the builder or contractor who has conduct of the work has first obtained a permit under this by-law.

Penalty: a fine not exceeding 5 penalty units and for a continuing offence, a further daily fine not exceeding 1 penalty unit.

- (2) Any person may apply under Part 7 of this by-law for a permit.

Damaging footpath etc

19. A person must not cause or allow to be caused any damage to a foot path, kerb and channel, table drain, footpath or nature strip or vehicular access.

Penalty: a fine not exceeding 5 penalty units.

Factors to be considered in granting a permit

20. In deciding whether or not to grant a permit pursuant to clause 17 or 18 of this by-law, regard must be had to the following:

- (1) minimising the risk of damage to the highway;
- (2) minimising the risk to vehicular and pedestrian safety;
- (3) minimising the risk of damage to any infrastructure located within the highway.

Directions

21. An authorised officer may issue a written direction to any person who damages a highway, including any pavement, kerb and channel, table drain, footpath or nature strip for vehicular access to re-instate the damaged area in a proper and workmanlike manner and in doing so must comply with any relevant Council standard or specifications and must do so within the time specified in the direction.

Penalty: a fine not exceeding 10 penalty units.

Council Expenses in Carrying Out Work

- 22.(1) Upon the expiry of any time limit contained in a direction issued pursuant to clause 21 the Council may undertake all or part of any work that is the subject of that direction.

- (2) Any expense incurred by the Council in undertaking the work referred to in sub-clause (1) is to be paid by the person to whom that direction was issued and the Council may recover any such expense as a debt due to it.

- (3) The council may immediately undertake the work referred to in sub-clause (1) if it believes that the failure to carry such work poses an immediate danger to those using the highway.

Division 2 – Construction of Crossings

Construction of a Crossing Over Footpaths, Kerbs and Channels Table Drains or Vehicular Accesses

- 23 (1) A person must not construct nor cause to be constructed nor place nor cause to be placed any crossing over a verge, kerb and channel, table drain, footpath or nature strip that forms part of a highway for vehicular access unless the person has first obtained a permit under this by-law.

Penalty: a fine not exceeding 10 penalty units.

- (2) If a permit is granted the crossing is to be constructed in a proper and workmanlike manner, complying with any relevant Council standard or specification.

- (3) Any person may apply under Part 7 of this by-law for a permit.

Direction to Construct a Crossing Over a Footpath, Kerb and Channel, Table Drain or Vehicular Access

24. (1) The owner of any land that abuts a highway if required to do so by an authorised officer must provide a crossing over the verge, kerb and channel, table drain, footpath or nature strip for vehicular access.

Penalty: a fine not exceeding 10 penalty units.

- (2) The crossing must be constructed in a proper and workmanlike manner and must comply with any relevant Council standard or specification.

Penalty: a fine not exceeding 10 penalty units.

Directions

25. (1) An authorised officer may issue a written direction to any person to:
- (a) repair or carry out maintenance to a crossing over which access to that person's land is gained;
 - (b) remove a crossing;
 - (c) reinstate the verge, kerb and channel, table drain or footpath or nature strip following the removal of a crossing; or
 - (d) construct a crossing.
- (2) Any work that is the subject of a written direction is to be carried out in a proper and workmanlike manner and in accordance with any relevant Council standard or specification and must be completed within the time specified in the direction.

Penalty: a fine not exceeding 10 penalty units.

Council Expenses in Carrying Out Work

26. (1) Once any time limit imposed by a direction issued pursuant to clause 25 has expired the Council may undertake all or part of any work that is the subject of any such direction.
- (2) Any expense incurred by the Council in undertaking the work referred to in sub-clause (1) is to be paid by the person to whom that direction was issued and the Council may recover any such expense as a debt due to it.
- (3) The Council may immediately undertake the work referred to in sub-clause (1) if it

believes that the failure to carry out such work poses an immediate danger to those using the highway.

PART 5 DAMAGE TO HIGHWAYS

Carrying out works on highway

27. (1) A person other than an authorised officer or Council employee or contractor must not carry out any work or allow any work to be carried out to a highway unless the person has first obtained a permit under this By-law.

Penalty: a fine not exceeding 10 penalty units and for a continuing offence a further daily fine not exceeding 2 penalty units.

- (2) Any person may apply under Part 7 of this by-law for a permit.

Directions

28. An authorised officer may issue a written direction to any person to reinstate the damage caused to a highway and to do so in a proper and workmanlike manner, complying with any relevant Council standard or specification and to do so within the time specified in the direction.

Penalty: a fine not exceeding 10 penalty units.

Council Expenses in Carrying Out Work

29. (1) Once any time limit imposed by a direction pursuant to clause 28 has expired the Council may undertake all or any part of the work that is the subject of that direction.
- (2) Any expense incurred by the Council in undertaking the work referred to in sub-clause (1) is to be paid by the person to whom that direction was issued and the Council may recover any such expense as a debt due to it.
- (3) The Council may immediately undertake the work referred to in sub-clause (1) if it believes that the failure to carry out such

work poses an immediate danger to those using the highway.

Removal of Trees

30. A person must not wilfully destroy, cut, pluck, remove or injure any tree, shrub, flower or other vegetation growing on a highway other than for the purpose of destroying weeds or lopping trees under power lines.

Penalty: a fine not exceeding 10 penalty units.

PART 6

DRIVING LIVESTOCK ON HIGHWAYS

Stock on the highway

31. (1) The owner of livestock must not cause, allow or permit such livestock to be on a highway.
- (2) Sub-clause 1 does not apply when the livestock are on a highway and are under the effective control of the owner of the livestock or another competent person.
- (3) For the purpose of this by-law, 'effective control' means that the livestock are being moved, are crossing or being driven as provided for in Part 6 of the Burnie City Council Highways By-law No. 3 of 2013 or are being led as provided for in Division 3 of Part 22 of the Traffic (Road Rules) Regulations 1999.

Penalty: a fine not exceeding 10 penalty units and for a continuing offence a further daily fine not exceeding 2 penalty units.

Grazing

32. (1) A person must not allow livestock to graze on a highway unless the person has first obtained a permit under this by-law.
- Penalty: a fine not exceeding 10 penalty units and for a continuing offence, a further daily fine not exceeding 2 penalty units.
- (2) Any person may apply under Part 7 of this by-law for a permit.

Holding Yard

33. (1) A person must not use any part of a highway as a holding yard unless that person has first obtained a permit under this by-law.

Penalty: a fine not exceeding 10 penalty units.

- (2) Any person may apply under Part 7 of this by-law for a permit.

Movement of Livestock along a Highway

34. (1) A person must not drive livestock along a highway for the purpose of moving the livestock from one area to another if it is reasonably practical to use an alternative route.

Penalty: a fine not exceeding 10 penalty units.

- (2) A person must not drive livestock along a highway more often than once per month without first obtaining a permit under this by-law.

Penalty: a fine not exceeding 10 penalty units.

- (3) Any person may apply under Part 7 of this by-law for a permit.

Livestock Crossing

35. (1) A person must not drive livestock across a highway more often than once per week for the purpose of moving the livestock from one part of that person's land to another or from one farm to another without first obtaining a permit under this by-law.

Penalty: a fine not exceeding 10 penalty units.

- (2) Any person may apply under Part 7 of this by-law for a permit.

Driving Livestock within Town Areas

36. A person must not drive any livestock at any time on any highway within the town areas of Burnie and Ridgley.

Penalty: a fine not exceeding 10 penalty units.

PART 7
PERMITS

Applications

37. Any application for a permit pursuant to this by-law is to be in accordance with the relevant form and should where applicable be accompanied by the following:
- (a) A statement in writing of the type of activity proposed to be undertaken by the applicant; the date or dates when the activity will be carried out; the duration of the activity;
 - (b) A drawing with sufficient detail to determine the location and extent of the proposed activity;
 - (c) A statement in writing of the goods or services the person proposes to sell;
 - (d) A statement in writing of the location where the person proposes to sell or distribute the goods or services;
 - (e) Such other information as an authorised officer may reasonably require or as may be required by any act or regulation;
 - (f) For permits sought pursuant to Part 5 the application must state the name of the person or persons who will carry out the works; lodge a plan of the proposed work and where appropriate specifications for the work;
 - (g) For a permit sought pursuant to Part 6 the application must include the relevant matters required in earlier parts of this clause but also include details of how the livestock will be driven, how many people will accompany them and any other relevant information concerning controlling the animals on the highway.
 - (h) Any applicable fee.

Grant of Permits

38. An authorised officer may grant a permit pursuant to the provisions of this by-law.

Factors to be Considered when Granting a Permit

39. In addition to any matter elsewhere specified in this by-law, in deciding whether or not to grant a permit pursuant to this Division the authorised officer may have regard to the following and any other relevant matters:
- (a) pedestrian amenity and safety; and
 - (b) pedestrian access in the area; and
 - (c) the maintenance of public order in the area; and
 - (d) the movement of traffic in the area; and
 - (e) the manner of any proposed advertising; and
 - (f) the nature, size, shape, extent and location of any proposed highway furniture; and
 - (g) the effect on premises in the area, including other stalls, or vendors which trade in similar or associated wares to those proposed for sale; and
 - (h) the availability of suitable parking for motor vehicles in the area; and
 - (i) damage to any highway asset; and
 - (j) obstruction to any part of the highway; and
 - (k) any representations made by a commissioned police officer.

Factors to be considered by the Environmental Health Officer

40. In deciding whether or not the proposed method and manner of selling wares is satisfactory on the grounds of public health the authorised officer must have regard to the advice of an Environmental Health Officer on requirements of the *Food Act 2003* and the *Public Health Act 1997*, and any regulations made under those Acts, and the Food Standards Code.

Compliance with Terms and Conditions

41. The holder of a permit issued pursuant to this Division must comply with the terms and

conditions thereof or the permit could be subject to cancellation in accordance with Clause 45.

Standard Conditions

42. A permit may be issued pursuant to this by-law subject to the following conditions where appropriate:
- (a) any stall to be used in, during, or for purposes connected with the sale of food must be maintained to the satisfaction of the Environmental Health Officer; and
 - (b) hawking, itinerant sale of wares and the itinerant purchasing of wares is not permitted in the central business district; and
 - (c) such other conditions as the authorised officer may consider necessary in accordance with any matter under this by-law;
 - (d) the applicant signing an indemnity in the form approved by the General Manager; and
 - (e) the applicant providing evidence that he or she holds a current public liability policy that provides indemnity in the sum of 10 million dollars for the applicant for the activity for which the permit is sought.

Referral to the Council

43. No provision of this by-law is to be construed as preventing an authorised officer from referring any application for a permit to the General Manager or the Council.

Permits Generally

44. Every permit issued pursuant to any Division of this Part of the by-law is to:
- (a) bear the date on which it was issued; and
 - (b) remain in force for the period for which it was issued, unless it is cancelled or surrendered; and
 - (c) be carried by the holder at all times; and

- (d) be surrendered to the Council if it is cancelled or when it is due for renewal.

Cancellation of Permits

45. (1) An authorised officer may cancel any permit issued pursuant to this by-law if a permit holder commits any breach of this by-law or of any condition of any permit issued under this by-law.
- (2) The authorised officer may serve a notice in writing on a permit holder stating that a permit has been cancelled and the reason for the cancellation.
- (3) The notice of cancellation may be served in any of the following ways:
- (a) On the holder of the permit;
 - (b) By being posted to the address shown on the application for the permit.
- (4) Cancellation of any permit is effective from the day of service of the notice.

Production of the Permit

46. A permit holder is to immediately produce a permit issued pursuant to this By-law when requested to do so by a police officer, an authorised officer or in the case of a hawker a member of the public who is offered goods or services for sale.

Penalty: a fine not exceeding 2 penalty units.

Failure to Comply with the Condition of a Permit

47. Any person who is the holder of a permit issued pursuant to this by-law and who fails to comply with any condition of that permit is guilty of an offence.

Penalty: a fine not exceeding 10 penalty units.

PART 8 SUPPLY NAME & ADDRESS

Supply of name and address

48. (1) If required to do so by an authorised officer, in relation to a matter arising

under this by-law a person must provide his or her name and address.

- (2) A police officer may arrest a person if an authorised officer finds the person offending against this clause.

Penalty: a fine not exceeding 5 penalty units

PART 9
INFRINGEMENT NOTICES

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 used 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.

Amounts Payable

50. (1) An authorised officer may:
- (a) Issue an infringement notice to a person that the authorised officer has reason to believe is guilty of a specified offence;
- (b) Issue one infringement notice in respect of more than one specified offence.
- (2) 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.
- (3) The *Monetary Penalties Enforcement Act 2005* applies to an infringement notice issued under this by-law.

CLAUSE	GENERAL DESCRIPTION OF OFFENCE	Penalty (Penalty units)
3	Occupation, obstruction or enclosure of highway	1
4 (1) & (2)	Vending machines	2
5 (1) & (3)	Signboard permits	1
6	Hawking	1
7	Permit for roadside vendors	1
8(1)	Prohibition on trading activities	1
9(1)	Permit for stalls	1
10	Sale of vehicles on a highway	1
11	Making a noise on a highway	1
12	Leaving shopping trolley on highway	1
13	Materials on the highway	1
14	Wheels of vehicles to be cleaned	1
15	Directions	2
17	New or altered road access from highway	1
18	Driving over footpath etc when excavation works in progress	2
19	Damaging footpath etc	2
21	Directions	2
23(1)	Construction of crossing	2
24 (1) & (2)	Direction to construct a crossing	2
25	Directions	2
27	Carrying out works on a highway	2
28	Directions	2
30	Removal of trees	2
31	Stock on the highway	2
32(1)	Grazing	2
33(1)	Holding yard	2
34(1)	Movement of livestock	2
35	Livestock crossing	2
36	Driving livestock	2

CLAUSE	GENERAL DESCRIPTION OF OFFENCE	Penalty (Penalty units)
46	Production of permit	1
47	Failure to comply with permit	2
48	Supply of name and address	1

51. A person who fails to pay the fine specified in an infringement notice within the time specified therein, may be prosecuted for the alleged offence to which the notice relates and upon conviction will be liable to:
- (a) a penalty no greater than the penalty prescribed for the offence; and
 - (b) in the case of a continuing offence a further penalty as prescribed for the offence.

Certified as being in accordance with the *Local Government Act 1993* by A Wardlaw, General Manager.

Certified as being in accordance with the law by G.W. Tremayne, Legal Practitioner.

The common seal of the Burnie City Council has been hereunto affixed pursuant to a resolution of the Council pass on the 10th day of December 2013 in the presence of A Wardlaw, General Manager

Dated this 13th day of December 2013 at Burnie.



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