



TASMANIAN GOVERNMENT GAZETTE

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Notices to Creditors

FRANCES ADA PARSONS late of 7 Hanlon Court Sandy Bay in Tasmania single retired teacher/administration and single deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Frances Ada Parsons who died on the fifth day of June 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the seventeenth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this seventeenth day of September 2014.

JOHN ROBINSON, Trust Administrator.

FRANCES CLEAVER late of Unit 31 Roches Beach Living 86 Mannata Road Lauderdale in Tasmania home duties and widowed deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Frances Cleaver who died on the twenty-first day of May 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the seventeenth day of day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this seventeenth day of September 2014.

JOHN ROBINSON, Trust Administrator.

THOMAS YOUNG late of 6 Brent Street Glenorchy in Tasmania widower retired horse trainer deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Thomas Young who died on the fifth day of June 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the seventeenth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this seventeenth day of September 2014.

JOHN ROBINSON, Trust Administrator.

Tasmanian Government Gazette

Text copy to be sent to Mercury Walch Pty Ltd.
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GEOFFREY JAMES GORDON BECK late of BUPA South Hobart 14 Gore Street South Hobart in Tasmania retired retailer and married deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Geoffrey James Gordon Beck who died on the nineteenth day of June 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the seventeenth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this seventeenth day of September 2014.

JOHN ROBINSON, Trust Administrator.

PETER ANTHONY POWER late of Barossa Park Home 17A Clydesdale Avenue Glenorchy in Tasmania widower retired police officer deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Peter Anthony Power who died on the nineteenth day of July 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the seventeenth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this seventeenth day of September 2014.

LAURA ALLEN, Trust Administrator.

GREGORY JOSEPH BRADLEY late of 105 Derwent Park Road Moonah in Tasmania retired director/administrative officer and single deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Gregory Joseph Bradley who died on the nineteenth day of June 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the seventeenth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this seventeenth day of September 2014.

LAURA ALLEN, Trust Administrator.

BETTY MARGARET YATES late of Glenara Lakes Nursing Home 390 Hobart Road Youngtown in Tasmania waitress/home duties and separated deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Betty Margaret Yates who died on the eighth day of June 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the seventeenth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this seventeenth day of September 2014.

REBECCA SMITH, Trust Administrator.

IN THE Estate of JOAN MARGARET ROSENTHAL late of Tyler Village Home Prospect in Tasmania who died on the fourteenth day of February 2014 at Tyler Village Launceston: Notice is hereby given that all creditors next of kin and other persons having claims in respect of the property or the Estate of the abovenamed deceased are required by the Executors

Stephen James Fulton and Jane Lee Allen to send particulars in writing to The Registrar Probate Registry Supreme Court of Tasmania Salamanca Place Hobart in Tasmania on or before the twentieth day of October 2014 after which date the Executors may distribute the assets having regard only to the claims of which they then have notice.

Dated this seventeenth day of September 2014.

ARCHER BUSHBY, Solicitors for the Estate.

ADA IVY ELIZABETH THURSTON home duties/widow deceased who died on the third day of August 2012 late of 435 Shark Point Road Penna in Tasmania: Gregory Rex Thurston of 1/101 Railway Road North Mulgrave in New South Wales electrician/divorced man and Karen Elizabeth Spaulding of 99 Wangarra Road Frankston in Victoria retired/married woman as Legal Personal Representatives of Ada Ivy Elizabeth Thurston require that any person who has a claim against the Estate lodge written details of their claim with the Registrar of the Supreme Court of Tasmania at Salamanca Place Hobart in Tasmania within thirty days from the date of publication of this notice after which date the Legal Personal Representatives are at liberty to pay and distribute the assets of the estate dealing then only with the claims that they have notice.

Dated this seventeenth day of September 2014.

WORRALL LAWYERS, Lawyers acting on behalf of the Legal Personal Representatives of the Estate.

Administration and Probate

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 LEO DOYLE BEZZANT late of 76 Dip Road Grove in Tasmania retired bank officer widower deceased may be granted to Lawrence James Bezzant of 47 Lewis Avenue Seven Mile Beach in Tasmania retired bank officer married the brother of the said deceased.

Dated this seventeenth day of September 2014.

BAKER WILSON LAWYERS, Barristers & Solicitors.

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 MARGARET ANNE KILBY divorced/retired customer service officer late of 72 Hargrave Crescent Mayfield in Tasmania deceased intestate may be granted to Stuart Douglas Stubbings of 9 Lennon Rise Newstead in Tasmania married/builder the lawful son of the said Margaret Anne Kilby deceased.

Dated this seventeenth day of September, 2014.

RAE & PARTNERS LAWYERS, (Solicitors for the Estate).

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 LORRAINE PATRICIA WHITELEY late of Unit 54 12 Casino Rise Prospect in Tasmania pensioner/widow intestate may be granted to Lynette Jane Rednianko cleaner/single of 4 Nanette Court Prospect in Tasmania the daughter of the said deceased.

Dated this seventeenth day of September 2014.

RAE & PARTNERS, per Phillip John Lebski,
Solicitors for the Applicant.

ADMINISTRATION AND PROBATE ACT 1935

Notice of Application to Reseal Probate

NOTICE is hereby given that after expiration of fourteen days from the publication hereof Geoffrey Koh Boon Leong of 1 Waldhorn Drive Grindelwald in Tasmania retired/married and Aileen Koh May Lee of 33 Clower Avenue Rouse Hill in New South Wales missionary/married and David Koh Boon Chai of 80 Atkinson Road Grindelwald in Tasmania registered nurse/married the Executors of the Will of KONG CHOO LAWRENCE KOH deceased to whom Probate of the said Will was granted in the Subordinate Courts of The Republic of Singapore on the fourth day of July 2014 will apply to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that the Seal of the Supreme Court of Tasmania may be affixed to the said Probate pursuant to Part VI of the Administration and Probate Act 1935.

Dated this seventeenth day of September 2014.

RAE & PARTNERS, Solicitors for the Applicant.

ADMINISTRATION AND PROBATE ACT 1935

Notice of Intention to Apply for Letters of Administration

NOTICE is hereby given that after the expiration of 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 JOSHUA THOMAS SIMPSON late of 70 Barnes Road South Spreyton in Tasmania deceased intestate may be granted to Amanda Tracey Simpson of 70 Barnes Road South Spreyton in Tasmania the wife of the said deceased.

Dated this seventeenth day of September 2014.

WALSH DAY JAMES MIHAL, 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 TERRENCE JOHN HILL (also known as TERRY HILL) late of 56 Sattler Street Gagebrook in Tasmania retired/divorced man deceased intestate may be granted to Matthew John Hill of 159 Abbottsfield Road Claremont in Tasmania food and beverage attendant/married man the son of the said Terrence John Hill deceased.

Dated this seventeenth day of September 2014.

WORRALL LAWYERS, Lawyers 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 MERILYN JOY HOWARD late of 5 Flinders Street, Warrane in Tasmania, retired seamstress, Mmarried deceased intestate may be granted to David John Howard of 5 Flinders Street Warrane in Tasmania retired tyre serviceman widower the husband of the said deceased.

Dated the fourteenth day of September 2014.

DAVID JOHN HOWARD.

Emergency Management

EMERGENCY MANAGEMENT ACT 2006

APPOINTMENT OF MUNICIPAL EMERGENCY MANAGEMENT
CO-ORDINATOR

NOTICE is hereby given that in accordance with Section 23 of the *Emergency Management Act 2006*, the following appointment has been made for a period of three (3) years commencing on the date of this Notice.

Mr Sam Fenney, Municipal Emergency Management
Coordinator, Sorell Council

Dated the ninth day of September 2014.

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

EMERGENCY MANAGEMENT ACT 2006

APPOINTMENT OF DEPUTY MUNICIPAL EMERGENCY
MANAGEMENT CO-ORDINATOR

NOTICE is hereby given that in accordance with Section 23 of 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 Anthony Fanning, Deputy Municipal Emergency
Management Coordinator, King Island Council

Dated the ninth day of September 2014.

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

EMERGENCY MANAGEMENT ACT 2006

APPOINTMENT OF MUNICIPAL EMERGENCY MANAGEMENT
CO-ORDINATOR

NOTICE is hereby given that in accordance with Section 23 of 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 Arthur Johnstone, Municipal Emergency Management
Coordinator, King Island Council

Dated the ninth day of September 2014.

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

Mental Health

MENTAL HEALTH ACT 2013

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

Alisha Ann Daniels

Dated the ninth day of September 2014.

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

MENTAL HEALTH ACT 2013

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

Philippa Maree Cannan

Dated the ninth day of September 2014.

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

MENTAL HEALTH ACT 2013

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

Shane Bone
Paul Templar

Dated the ninth day of September 2014.

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

Anti-Discrimination

ANTI-DISCRIMINATION ACT 1998

OFFICE OF THE ANTI-DISCRIMINATION COMMISSIONER, TASMANIA

EXEMPTION/S GRANTED

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

1. Speak Out Association of Tasmania Inc (Speak Out) – (14/08/065) – Application for exemption granted under section 57 of the Act for a period of three years.

This exemption has been granted to permit Speak Out to restrict its full membership to people with intellectual disability on the basis that it is for the purposes of:

- a) ensuring people with intellectual disability have a secure role in Speak Out management and shaping the future of the organisation and developing pertinent self-advocacy training; and

- b) maintaining Speak Out's traditional membership base as a self-advocacy organisation by and for people with intellectual disability.

Granted on the 27th day of August 2014.

2. The exemption is for the period of three years subject to the fulfilment of the condition that Speak Out:
 - a. reports on or before 27 February 2015 to the Anti-Discrimination Commissioner on actions taken in reliance on this exemption;
 - b. provides the Anti-Discrimination Commissioner with a copy of its Constitution once amended;
 - c. on at least one occasion in the 12 months immediately after this order is made organises and promotes community education for its Board of Management, Members, Members Executive and staff of Speak Out through the Office of the Anti-Discrimination Commissioner's community education program to increase awareness of rights and obligations under the *Anti-Discrimination Act 1998* (Tas).

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

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

1. Anglicare Tasmania Inc (Anglicare Tasmania) – (14/07/017) – Application for exemption granted under section 57 of the Act for a period of three years.

This exemption has been granted to permit Anglicare Tasmania to advertise and employ women only in the positions of Community Support Worker and Residential Disability Support Worker in the Disability and Acquired Injury Support Service/Community Aged Care service at Anglicare Tasmania on the basis that the recruitment and appointment is for the purposes of:

- a) ensuring the individual needs of clients are met, specifically in the areas of personal care needs such as toileting, showering, grooming and dressing in accordance with Client plans;
- b) ensuring the individual needs of clients are met and respected, specifically in the areas of developmental, social, recreational and emotional needs in accordance with rehabilitation, healthcare and support focus plans;
- c) providing appropriate support to Anglicare Tasmania Inc's clients by ensuring the continued presence of female staff in these positions whilst this need from its clients remains.

In the event that Anglicare Tasmania Inc:

- d) has clients in its Disability and Acquired Injury Support Service / Community Aged Care Service division who are male and request the provision of personal care support from male workers; and
- e) has no or insufficient male Community Support Workers and/or Residential Disability Support Workers to fulfil such requests;

this exemption extends to permit Anglicare Tasmania Inc to recruit and employ men only to fulfil those requests.

Granted on the 27th day of August 2014.

2. The exemption is for the period of three years subject to the fulfilment of the condition that Anglicare Tasmania:
- a) reports on or before 30 January 2015 to the Anti-Discrimination Commissioner on actions taken in reliance on this exemption;
 - b) on at least one occasion in the 12 months immediately after this order is made organises and promotes training for its Disability and Acquired Injury Support Service staff through the Office of the Anti-Discrimination Commissioner's training and education program to increase awareness of rights and obligations under the Anti-Discrimination Act 1998 (Tas);
 - c) on at least one occasion in the 12 months immediately after this order is made organises and promotes community education for its clients through the Office of the Anti-Discrimination Commissioner's training and education program to increase awareness of rights and obligations under the Anti-Discrimination Act 1998 (Tas).

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

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

1. Hobart Women's Health Centre – (14/09/006) – Application for a renewal of an exemption (11/150) granted under section 57 of the Act for a period of three years.

This exemption has been granted to permit Hobart Women's Health Centre to:

- a) provide services and facilities to women and women's groups;
- b) recruit and employ women only in all paid and volunteer positions with the Hobart Women's Health Centre on the basis that it is for the purposes of providing specific health and wellbeing services to women, by women; and
- c) recruit and engage women only to the Board of Governance.

Granted on the 4th day of September 2014.

The exemption is for the period of three years subject to Hobart Women's Health Centre:

- a) reporting on or before 1 March 2015 to the Anti-Discrimination Commissioner on actions taken in reliance on this exemption; and
- b) on at least one occasion in the 12 months immediately after this order is made organising and promoting training for Hobart Women's Health Centre staff (paid and unpaid) and Board members through the Office of the Anti-Discrimination Commissioner's training and education program to increase awareness of rights and obligations under the Anti-Discrimination Act 1998 (Tas); and

- c) on at least one occasion in the 12 months immediately after this order is made organising and promoting community education for its clients through the Office of the Anti-Discrimination Commissioner's community education program to increase awareness of rights and obligations under the *Anti-Discrimination Act 1998* (Tas).

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 Acquisition

LAND ACQUISITION ACT 1993

NOTICE OF ACQUISITION

(Section 18)

IN PURSUANCE of Section 18 of the *Land Acquisition Act 1993*, I, WARRICK PETER COVERDALE, Valuer-General acting as a delegate of the Minister of the Crown for the time being administering the Land Acquisition Act 1993 do hereby declare that the land in the Schedule hereto is taken and vested in the Crown absolutely under the said Act for road purposes.

Given under my hand this 11th day of September 2014.

W. P. COVERDALE, Valuer-General,
Department of Primary Industries, Parks,
Water and Environment
134 Macquarie Street, Hobart.

SCHEDULE

All that 36.9m² of land situate in the Town of Strahan being Lot 1 on Plan of Survey P168196 in the Office of the Recorder of Titles being portion of the land comprised in Folio of the Register Volume 139387 Folio 1 of which Margetts Enterprises Pty Ltd and Wheldon Enterprises Pty Ltd is the registered proprietor.

Location: Macquarie Heads Developmental Road
Municipal Area: West Coast (24-25-38)

LAND ACQUISITION ACT 1993

NOTICE OF ACQUISITION

(Section 18)

IN PURSUANCE of Section 18 of the *Land Acquisition Act 1993*, I, WARRICK PETER COVERDALE, Valuer-General acting as a delegate of the Minister of the Crown for the time being administering the Land Acquisition Act 1993 do hereby declare that the land in the Schedule hereto is taken and vested in the Crown absolutely under the said Act for road purposes.

Given under my hand this 11th day of September 2014.

W. P. COVERDALE, Valuer-General,
Department of Primary Industries, Parks,
Water and Environment
134 Macquarie Street, Hobart.

SCHEDULE

All that 349m2 of land situate in the Town of Strahan being Lot 1 on Plan of Survey P168198 in the Office of the Recorder of Titles being portion of the land comprised in Folio of the Register Volume 244967 Folio 1 of which Dare Price Roberston is the registered proprietor.

Location: Macquarie Heads Developmental Road
Municipal Area: West Coast (24-25-37)

LAND ACQUISITION ACT 1993

NOTICE OF ACQUISITION

(Section 18)

IN PURSUANCE of Section 18 of the Land Acquisition Act 1993, I, WARRICK PETER COVERDALE, Valuer-General acting as a delegate of the Minister of the Crown for the time being administering the *Land Acquisition Act 1993* do hereby declare that the land in the Schedule hereto is taken and vested in the Crown absolutely under the said Act for road purposes.

Given under my hand this 11th day of September 2014.

W. P. COVERDALE, Valuer-General,
Department of Primary Industries, Parks,
Water and Environment
134 Macquarie Street, Hobart.

SCHEDULE

All that 1,757m2 of land situate in the Town of Strahan being Lot 1 on Plan of Survey P168197 in the Office of the Recorder of Titles being portion of the land comprised in Folio of the Register Volume 138766 Folio 3 of which Stephen Maxwell McGuinness and Gaylene Joy McGuinness are the registered proprietors.

Location: Macquarie Heads Developmental Road
Municipal Area: West Coast (24-25-36)

LAND ACQUISITION ACT 1993

NOTICE OF ACQUISITION

(Section 18)

IN PURSUANCE of Section 18 of the *Land Acquisition Act 1993*, I, WARRICK PETER COVERDALE, Valuer-General acting as a delegate of the Minister of the Crown for the time being administering the Land Acquisition Act 1993 do hereby declare that the land in the Schedule hereto is taken and vested in the Crown absolutely under the said Act for road purposes.

Given under my hand this 11th day of September 2014.

W. P. COVERDALE, Valuer-General,
Department of Primary Industries, Parks,
Water and Environment
134 Macquarie Street, Hobart.

SCHEDULE

All that 5,105m2 of land situate in the City of Clarence being Lot 1 on Plan of Survey P168228 in the Office of the Recorder of Titles being portion of the land comprised in Folio of the Register Volume 159613 Folio 2 of which Tranmere Point Pty Ltd is the registered proprietor.

Location: South Arm Highway - Tollard Drive
Municipal Area: Clarence (24-25-35)

LAND ACQUISITION ACT 1993

NOTICE OF ACQUISITION

(Section 18)

IN PURSUANCE of Section 18 of Land Acquisition Act 1993 ("the Act"), Tasmanian Irrigation Pty Ltd ACN 133 148 384 (being an acquiring authority in accordance with the Act) does hereby declare that the land described in Schedule 1 hereto is taken and vested in Tasmanian Irrigation Pty Ltd absolutely under the Act for the authorised purpose being for the purposes of the Dial Blythe Irrigation District appointed, named and defined under section 176(2) of the *Water Management Act 1999* in the Gazette on 19th February 2014.

Given under my hand this 8th day of September 2014.

For and on behalf of Tasmanian Irrigation Pty Ltd

CHRIS OLDFIELD, Chief Executive Officer
for Tasmanian Irrigation Pty Ltd,
PO Box 84, Evandale Tas 7212

SCHEDULE 1 - FREEHOLD LAND

All that 3.76 hectares or thereabouts of land situate in the Parish of Riana, Land District of Devon being lots 2 and 3 on Plan of Survey P168269 in the Office of the Recorder of Titles and being part of lot 1 on Plan 229035 comprised in Folio of the Register Volume 229035 Folio 1 of which Benjamin Alan Samuel Johnson and Johanna Antoinette Johnson are the registered proprietors.

Royal Assent

Government House
Hobart, Tasmania
11 September 2014

HIS EXCELLENCY the Lieutenant-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 *Climate Change (State Action) Act 2008*.

Climate Change (State Action) Amendment Act 2014
(Act No.7 of 2014)

A Bill for an Act to amend the *Vehicle and Traffic Act 1999*.
Vehicle and Traffic Amendment (Power-Assisted Pedal Cycles) Act 2014
(Act No.8 of 2014)

A Bill for an Act to amend the *Criminal Code Act 1924*.
Criminal Code Amendment (Interference with War Memorials) Act 2014
(Act No.9 of 2014)

A Bill for an Act to amend the *Local Government Act 1993*.
Local Government Amendment (Mayoral Candidate Eligibility) Act 2014
(Act No. 10 of 2014)

By His Excellency's Command

DAVID OWEN, Official Secretary.

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>Economic Regulator Act 2009</i>	S. R. 2014, No. 93	<i>Economic Regulator (MAIB Premiums) Amendment Order 2014</i>

GENERAL PURPORT OR EFFECT OF THE ABOVEMENTIONED STATUTORY RULES

(1) *Economic Regulator (MAIB Premiums) Amendment Order 2014*

This order amends the *Economic Regulator (MAIB Premiums) Order 2013* by removing references to Tasmania in relation to the calculation of the escalator index.

Copies of the abovementioned statutory rules may be purchased at Mercury Walsh 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.

Cities/Councils

**BRIGHTON COUNCIL
ENVIRONMENTAL HEALTH BY-LAW**

By-Law No. 1 of 2014

A BY-LAW of the Brighton Council made under the provisions of Section 145 of the *Local Government Act 1993* (Tas) for the purpose of controlling matters of environmental health.

PART 1 - PRELIMINARY

1. Short Title

This By-Law may be cited as the Environmental Health By-Law No. 1 of 2014.

2. Repeal

The Brighton Council – Environmental Health By-law, By-law No. 1 of 2004 made on the 5th of October 2004 and notified in the Tasmanian Government Gazette on the 17th of November 2004 at page 1683 is hereby repealed.

3. Definitions and Interpretation

In this By-law, unless the contrary intention appears –

‘**Act**’ means the *Local Government Act 1993* (Tas);

‘**Authorised Officer**’ means:

- (a) an employee of the Council appointed by the General Manager as an authorised officer for the purpose of this By-law; and
- (b) Environmental Health Officers;

‘**By-Law**’ is a reference to this Environmental Health By-Law being No. 1 of 2014;

‘**Council**’ means the Brighton Council (ABN 12 505 460 421) constituted pursuant to the Act;

‘**Environmental Health Officer**’ means the person (or persons) appointed by Council from time to time in the positions of Senior Environmental Health Officer and Environmental Health Officer;

‘**General Manager**’ means the person appointed by Council from time to time to the position of general manager in accordance with section 61 of the Act;

‘**Municipal Area**’ means the municipal area of the Brighton Council defined in accordance with section 16 of the Act;

‘person’ includes a body corporate;

‘proprietor’ includes the owner, occupier or any person having the control or management of any land;

‘Residential Zone’; means the area of land zoned Residential under the Brighton Planning Scheme 2000; and

‘Rural Zone’; means the area of land zoned Rural under the Brighton Planning Scheme 2000.

PART 2 - CARAVANS

4. Interpretation of Part 2

In this Part 2 –

‘caravan’ means:

- (a) any object or structure which has the general characteristics of a caravan, house on wheels, a covered van or trailer and any vehicle used or adapted for occupation; and
- (b) includes any structure, awning, verandah, lean-to, tent, carport or any other enclosed or partly enclosed area used or capable of being used in connection with, or attached to any caravan; and
- (c) may or may not have the wheels or axles attached; and
- (d) may be resting directly on the ground or placed on blocks or other supports;

‘caravan licence’ means a licence to occupy a caravan ;

‘occupy’ includes reside or live in any caravan for the purposes of shelter, entertainment, sleeping, resting, cooking, eating, or for any other similar use whether on a temporary or permanent basis;

‘uninhabitable state’ means:

- (a) there is no electricity, water, sanitation or other form of domestic utility connection servicing the caravan and no bedding is made up; and
- (b) in the reasonable opinion of an Authorised Officer, the caravan does not show signs of current or recent human habitation.

5. Application of Part 2

Part 2 of this By-Law does not apply to a caravan that is:

- (a) parked for less than forty eight (48) hours on Council land which is signposted or otherwise designated as a RV rest stop;
- (b) situated on land for which a planning permit has been issued under the *Land Use Planning and Approvals Act 1993* (Tas) permitting the use and/or development of caravans, including but not limited to caravan parks;
- (c) used on a temporary basis by persons engaged in a travelling show, including but not limited to a circus, the annual Brighton Rural Show or some other form of public performance; or
- (d) used by Council work gangs or Council contractors involved in construction work for the Council.

6. Application for caravan licence

- (a) A person may apply for a caravan licence by submitting to an Environmental Health Officer:
 - i. an application made in accordance with the form in Schedule 1 of this By-law; and
 - ii. the application fee determined by Council.
- (b) Upon receipt of an application made in accordance with clause 6(a), an Environmental Health Officer may request that the applicant supply additional information for the purpose of assessing the application. If an applicant fails to comply with a request made pursuant to this clause 6(b), the relevant application will be refused.
- (c) Subject to subclauses 6(d), 6(e) and 6(f) of this By-Law, an Environmental Health Officer may grant or refuse an application made in accordance with subclause 6(a) and if an application is granted the Environmental Health Officer may impose reasonable terms and conditions upon a caravan licence.
- (d) A caravan licence will not be granted where the applicant intends to keep the caravan on land located in a Residential Zone.

- (e) Where an applicant intends to occupy a caravan on land located in a Rural Zone, a caravan licence will only be granted if the applicant can demonstrate that approval has been granted under the *Building Act 2000* (Tas) to construct a residential dwelling on the land identified in the application.
- (f) A caravan licence will not to be granted unless an Environmental Health Officer has approved the proposed method for the disposal of refuse and on-site wastewater during the period of occupancy.
- (g) All caravan licences will remain valid for a maximum period of twenty six (26) weeks from the date of issue, after which time they will automatically expire.
- (h) An Environmental Health Officer may cancel any caravan licence issued pursuant to this By-Law by giving written notice of cancellation to the holder of the licence in the event that the terms and conditions of the licence are breached.

7. Licence necessary to occupy a caravan

- (a) A person must not occupy a caravan without a licence.

Penalty: Fine not exceeding 12 penalty units.

- (b) The proprietor of any land within the Municipal Area must not authorise, allow or otherwise permit any person to occupy a caravan upon their land unless such occupancy is authorised by a current caravan licence.

Penalty: Fine not exceeding 12 penalty units.

8. Storage of caravans

A caravan being stored on any land within the Municipal Area must at all times be kept and maintained in an uninhabitable state.

Penalty: Fine not exceeding 12 penalty units.

PART 3 - BUILDING SITE SANITATION

9. Interpretation of Part 3

In this Part 3 –

‘**builder**’ in relation to a building site, has the meaning given to that term in section 3 of the *Building Act 2000* (Tas);

‘building site’ means a place where building work is carried out;

‘toilet’ includes a facility that has a seat and a removable pan, a water closet or a portable toilet; and

‘urinal’ means a facility used solely for the receipt of human urine.

10. Work Health and Safety Act 2012 (Tas)

For the avoidance of doubt, the provisions of Part 3 of this By-law are in addition to, and not in derogation of, the provisions of the *Work Health and Safety Act 2012* (Tas) and all regulations thereto.

11. Location of toilets and urinals

A builder must not fail to comply with any reasonable direction which may be given by an Authorised Officer concerning the siting of toilets and urinals on building sites.

Penalty: Fine not exceeding 2 penalty units.

PART 4 – CONTROL OF INCINERATORS AND OPEN AIR BURNING

12. Interpretation of Part 4

In this Part 4 –

‘barbecue’ means any device, structure or equipment used or adapted for use for the cooking of food for human consumption in the open air;

‘incinerator’ includes any fireplace, fire pot, construction or container not housed inside a building, which is used for the purpose of burning any flammable material and which is not licensed under the provisions of the *Environmental Management and Pollution Control Act 1994* (Tas), but does not include a barbecue being used for any *bona fide* purpose in connection with the cooking of food for human consumption;

‘Building Code of Australia’ means the code produced by the Australian Building Code Board relating to the design and construction of buildings; and

‘open-air fire’ means any fire that is conducted outside a building, including a fire conducted in a garden, yard, alley, field, park, industrial site, construction site, building lot, parking lot, street or other open place.

13. Fire Services Act 1979 (Tas)

For the avoidance of doubt, the provisions of Part 4 of this By-law are in addition to, and not in derogation of, the provisions of the *Fire Service Act 1979* (Tas) and all regulations thereto.

14. Incinerator construction

A person must not operate an incinerator unless the incinerator:

- (a) is constructed of a suitable non-combustible material, including but not limited to brick, concrete, metal, or any combination of same;
- (b) is fitted with a lid or other form of spark arrestor which must be in active use during the burning of materials; and
- (c) is in a state of repair which, in the opinion of an Authorised Officer, is suitable for the safe burning of materials.

Penalty: Fine not exceeding 12 penalty units.

15. Location of incinerator and open-air fire

A person must not operate an incinerator or light an open-air fire:

- (a) within two (2) metres of any neighbouring property boundary; or
- (b) within ten (10) metres of the external wall of any structure, including but not limited to a dwelling or outbuilding; or
- (c) in any location where vegetation overhangs or is otherwise situated above the incinerator or the open-air fire.

Penalty: Fine not exceeding 12 penalty units.

16. Supervision of fires

A person must not, on land with an area which is less than two thousand (2000) square metres, leave unattended an active incinerator or an open-air fire unless it has been completely extinguished.

Penalty: Fine not exceeding 12 penalty units.

17. Capacity to extinguish fire

A person must not:

- (a) operate an incinerator or light an open-air fire; or
- (b) allow an incinerator to be operated or an open-air fire to be lit on that person's land,

unless a suitable means of extinguishing the relevant fire is available, including but not limited to a hose which is connected to a water supply and capable of reaching the relevant fire.

Penalty: Fine not exceeding 12 penalty units.

18. Burning of green vegetation

A person must not, on land with an area which is less than two thousand (2000) square metres, in an incinerator or in an open-air fire, burn green vegetation.

Penalty: Fine not exceeding 12 penalty units.

19. Time restrictions

Notwithstanding any other provisions of this By-Law to the contrary, a person must not light or allow to be lit or to remain alight any incinerator or open-air fire on land with an area which is less than two thousand (2000) square metres on any day or time other than Monday, Wednesday or Saturday between the hours of 10 a.m and 4 p.m.

Penalty: Fine not exceeding 12 penalty units.

20. Extinguishing fires

(a) Any person who is burning any material in contravention of this By-Law must not fail to extinguish the relevant fire where directed to do so by an Authorised Officer.

Penalty: Fine not exceeding 12 penalty units.

(b) An Authorised Officer may undertake or coordinate the extinguishing of any fire which is the subject of a direction given under clause 20(a) of this By-Law where the relevant direction is not complied with within a reasonable time.

(c) The Council may recover all costs incurred by it as a result of any action taken pursuant to clause 20(b) from the person who failed to comply with the relevant direction given pursuant to clause 20(a).

PART 5 – ANIMAL CONTROL

21. Interpretation of Part 5

In this Part 5 –

‘**animal**’ includes any live companion animal, domestic animal, farm animal, fowls or native animal;

‘cattle’ means a bull, cow, ox, steer, heifer, or calf;

‘companion animal’ means an animal kept by a person as a companion pet;

‘domestic animal’ includes an animal or bird that is:

- (a) kept by an owner or some other person who has charge of the animal; and
- (b) reliant upon human contact to satisfy its welfare requirements;

‘effective control’ means:

- (a) confined by a cage or enclosure, or fence and closed gates; or
- (b) on a leash; or
- (c) under the direct supervision of a competent person; or
- (d) confined by such other appropriate method that prevents uncontrolled animal activity;

‘farm animal’ means a horse, stock or any other animal that is commonly being farmed or grazed;

‘feral animal’ means any animal which is not native to Australia and which is living in a wild state and substantially independent of human contact;

‘fowl’ includes a domestic hen, but does not include a rooster;

‘horse’ includes a stallion, mare, gelding, pony, filly, colt, foal, ass, donkey, mule, or any other animal used for burden, draught or for carrying people, irrespective of size;

‘native animal’ means any animal native to Australia;

‘nuisance’ has the same meaning as ‘nuisance’ under s.199 of the *Local Government Act 1993* and includes anything relating to an animal that –

- (a) causes, or is likely to cause, danger or harm to the health, safety or welfare of any person; or
- (b) causes, or is likely to cause, a risk to public health; or
- (c) gives rise to unreasonable or excessive levels of noise or pollution;

‘pest animal’ means a feral animal, vermin or vectors;

‘poultry’ includes ducks, fowl, geese, guinea fowl, peacocks, pheasants and pigeons, or any other birds kept in an aviary;

‘prepared food’ includes:

- (a) a product manufactured altered or modified for the purpose of consumption by animals; or
- (b) commercial products or household scraps used for the purpose of animal consumption,

but does not include hay or straw of any type;

‘property’ means any land, dwelling, flat or unit in separate occupation;

‘public land’ means land owned, vested in or managed by Council or any Government department, agency or instrumentality;

‘stock’ includes cattle, goats, deer, sheep, pigs, or a combination of two or more of them;

‘stray animal’ includes any animal not in the current care and control of any person but excludes a feral animal;

‘vermin’ means rats, mice, flies, fleas, lice, or any other animal or insect pest; and

‘welfare’ means the basic health, protection, care and comfort of any animal.

22. Prohibition on keeping certain animals in the Residential Zone

Subject to clause 24 of this By-Law, a person must not have or keep, on a temporary or permanent basis, any of the following in a Residential Zone:

- (a) horses, farm animals or stock;
- (b) sheep;
- (c) goats;
- (d) bees;
- (e) roosters;
- (f) peacocks;
- (g) pigs;
- (h) geese;

- (i) turkeys; and/or
- (j) ducks,

or any other animal of a non-domestic nature which the General Manager considers ought not be kept in a Residential Zone.

Penalty: Fine not exceeding 12 penalty units.

23. Permission to keep animals in Residential Zone

- (a) Clause 22 of this By-Law does not apply where:
 - i. a person has sought and obtained the written permission of the General Manager to keep the relevant animal; and
 - ii. the premises or land on which the relevant animal is to be kept is a minimum of one (1) hectare in area; and
 - iii. the portion of the premises or land to which the relevant animal has access is effectively fenced so that the animal cannot approach within:
 - A. fifteen (15) metres of any dwelling, schoolroom, hospital, child health centre, workroom or food premises; and
 - B. two (2) metres of a street boundary, or any adjoining property; and
 - iv. boundary fencing suitable for the containment of the relevant animal is installed and maintained in good condition.
- (b) The requirements of subclause 23(a)(iii)B may be waived by if:
 - i. the owners of each property adjoining the relevant premises or land lodges a declaration with Council indicating that the fencing requirements are not necessary; and
 - ii. the General Manager is satisfied that a waiver of the fencing requirements will not give rise to a nuisance.
- (c) In determining whether or not to grant the permission referred to in in sub clause 23(a)(i), the General Manager must take into account whether or not the relevant animals will unreasonably interfere with the health or amenity of the relevant neighbourhood.

24. Effective control of animals

- (a) Subject to sub-clause 24(b), the owner of any animal must ensure that their animal does not:
- i. enter or remain on any private property without the consent of the owner or occupier of such property; or
 - ii. enter any public land unless there is a sign displayed on that land authorising the entry of that kind of animal.

Penalty: Fine not exceeding 12 penalty units.

- (b) Sub-clause 24(a) of this By-Law does not apply to
- i. domestic cats or domestic dogs; or
 - ii. a situation where farm animals or stock are on a public road and are under the effective control of a competent person.

25. Keeping of fowls

- (a) A person must not keep more than a total of six (6) fowls on a property within a Residential Zone.

Penalty: Fine not exceeding 12 penalty units.

- (b) A person must not, in any area, keep any fowl or fowls within twelve (12) metres of any dwelling house or two (2) metres of a property boundary or allow the fowl or fowls to have access to any area which is within twelve (12) metres of a dwelling house.

Penalty: Fine not exceeding 12 penalty units.

26. Maintenance of premises used by animals or fowls

- (a) The occupier of any premises must:
- i. keep any structures, buildings, enclosures or areas to which animals have access in a clean and sanitary condition;
 - ii. keep any bedding or floor coverings used by animals, or to which animals have access, in a clean and sanitary condition;
 - iii. regularly empty any container used for the keeping of animal waste, animal food or manure and keep such container in a clean and sanitary condition; and

- iv. not use or include any part of an adjoining property fence as part of an animal enclosure.

Penalty: Fine not exceeding 12 penalty units.

- (b) A person must not discharge, deposit, or allow or permit to be discharged or deposited, any animal waste including but not limited to faeces:
 - i. on to any property excepting the property on which the relevant waste is produced; or
 - ii. into any water course or drain,

Penalty: Fine not exceeding 12 penalty units.

27. Pest animals

- (a) An Authorised Officer may direct an owner or occupier of land where pest animals are present to take steps to remove or eradicate the relevant pest animals.
- (b) A person must not fail to comply with a direction given by an Authorised Officer pursuant to clause 27(a).

Penalty: Fine not exceeding 12 penalty units.

28. Storage of animal food for consumption

A person must not keep, store or allow to be kept or stored on any land, prepared food unless it is stored in a sealed receptacle constructed of a material that is resistant to access by pest animals.

Penalty: Fine not exceeding 12 penalty units.

PART 6 – OFFENCES AGAINST AUTHORISED OFFICERS

29. Obstruction, threats and intimidation

- (a) A person must not obstruct or hinder an Authorised Officer engaged in the exercise of the powers conferred by this By-Law.

Penalty: Fine not exceeding 12 penalty units.

- (b) A person must not intimidate, threaten or abuse an Authorised Officer.

Penalty: Fine not exceeding 12 penalty units.

30. Failure to provide information

A person must not:

- (a) refuse; or
- (b) fail to the best of the persons' knowledge, information and belief,

to answer any question that may be put to them by an Authorised Officer where such question concerns the investigation of a potential breach of this By-Law and/or the exercise of the Authorised Officer's powers under this By-Law.

Penalty: Fine not exceeding 12 penalty units.

PART 7 - INFRINGEMENT NOTICES AND ENFORCEMENT

31. Entry onto land

For the purposes of this By-Law, an Authorised Officer may:-

- (a) enter and remain on land for any reasonable purpose connected with the administration or enforcement of the By-Law; and
- (b) take photographs, audio, video or other recordings as reasonably required in connection with the administration of the By-Law.

32. Infringement notices

- (a) In this clause 32 '**specified offence**' means an offence against the clause specified in Column 1 of Schedule 2 of this By-Law.
- (b) An infringement notice may be issued in respect of a specified offence and the monetary penalty set out adjacent to the offence in Column 3 of Schedule 2 is the penalty payable under the infringement notice for that offence.
- (c) The General Manager or an Authorised Officer may –
 - i. issue an infringement notice to a person who the General Manager or authorised officer has reason to believe is guilty of a specified offence; and
 - ii. issue one infringement notice in respect of more than one specified offence.
- (d) In addition to any other method of service, an infringement notice alleging that a vehicle has been used in relation to a specified offence may be served by affixing it to that vehicle.

- (e) Payment of an infringement notice issued must be made to the General Manager within 28 days of the issue of the infringement notice to avoid the infringement notice being referred to the Director, Monetary Penalties Enforcement Service.
- (f) The Monetary Penalties Enforcement Act 2005 applies to an infringement notice issued under this by-law.

33. Monies payable to council recoverable as a debt

All monies payable to the Council or General Manager in respect of an infringement notice are a debt due to the Council and recoverable at law.

SCHEDULE 1: CARAVAN LICENCE APPLICATION FORM



Brighton Council

Application for Licence to Occupy a Caravan

Applicant's Details:

Mr/Mrs/Ms/Miss

Surname

Given Names

Telephone (Home)

Telephone (Work)

Mobile Telephone No.

About the Caravan:

Registration No.

Size (Length)

No. of Berth:

Manufacturer:

Colour

Site Details:

Address where caravan will be kept:

.....

.....

Type of water supply to caravan:

Proposed method of disposal of waste water (including toilet, bath, shower, hand-basin, sink and laundry):

Number of people to occupy caravan:

Period proposed to remain on site:

Name of Applicant:

Signature of Applicant:

Date:

Please attach a site plan to your application showing the outline of the property, the existing buildings and the proposed location of the caravan

SCHEDULE 2 - INFRINGEMENT NOTICE OFFENCES

Column 1 CLAUSE	Column 2 OFFENCE	Column 3 PENALTY (Penalty Units)
7 (a) & (b)	Licence necessary to occupy a caravan	3
8	Storage of caravans	3
11	Location of toilets and urinals	1
14	Incinerator construction	3
15	Location of incinerator and open-air fire	3
16	Supervision of fires	3
17	Capacity to extinguishing fire	3
18	Burning of green vegetation	3
19	Time restrictions	3
20	Extinguishing fires	3
22	Prohibition on keeping certain animals in the Residential Zone	3
24(a)	Effective Control of animals	3
25 (a) & (b)	Keeping of fowls	3
26 (a) & (b)	Maintenance of premises used by animals or fowls	3
27	Pest animals	3
28	Storage of animal food for consumption	3
29	Obstruction, threats and intimidation	3
30	Failure to provide information	3

Certified as being in accordance with the law by:

Marc Edwards, Abetz Curtis, Qualified Legal Practitioner.

Dated this 8th day of September 2014, at Hobart.

Certified as being made in accordance with the *Local Government Act 1993*.

Ronald Victor Sanderson, General Manager

Dated this 8th day of September 2014, at Hobart.

The Common Seal of the Brighton Council has been hereunto affixed this 8th day of September 2014 pursuant to a resolution of the Council passed on the 19th day of August 2014 in the present of:

(Seal)

Ronald Victor Sanderson, General Manager



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