



# TASMANIAN GOVERNMENT GAZETTE

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## Notices to Creditors

ARNOLD ARTHUR WRIGHT, late of 708 Glen Huon Road, Glen Huon in Tasmania, Farmer/Never Married, died on 5 March 2019.

Creditors, next of kin and others having claims in respect of the property of the abovenamed deceased, are required by the Executors, MARSHALL LLOYD ROBERTS, MARGARET FAY MURPHY and VIVIENNE AVRIL ROBERTS, C/- Tremayne Fay Rheinberger Lawyers, 119 Macquarie Street, Hobart in Tasmania to send particulars of their claim in writing to the Registrar of the Supreme Court of Tasmania by 6 July 2019, after which date the Executor may distribute the assets, having regard only to the claims of which they then have notice.

Dated this fifth day of June, 2019.

TREMAYNE FAY RHEINBERGER LAWYERS  
Solicitors for the Estate.

XRISI FIOTAKIS (also known as CRISSI FIOTAKIS and also known and shown on the record of death as CHRIS FIOTAKIS) late of 714 Sandy Bay Road, Sandy Bay in Tasmania who died on the 19th day of April 2019.

Creditors, next of kin and others having claims in respect of the property of the abovenamed deceased are required by the Executors, PHYLLIS FIOTAKIS and REBECCA SANDRA REID, care of Murdoch Clarke of 10 Victoria Street, Hobart in Tasmania to send particulars to the said Executor and to the Registrar of the Supreme Court of Tasmania (care of GPO Box 167, Hobart, Tasmania, 7001) on or before the 17th day of July, 2019 after which date the Executors may distribute the assets, having regard only to the claims of which the Executors then have notice.

Dated this fifth day of June, 2019.

MURDOCH CLARKE, Solicitors to the Estate.

TERRENCE JOHN HORTON late of 123 Carlton Beach Road, Dодges Ferry, TAS 7173, died on 5 March 2019, retired Fisherman/ Surfboard Shaper / divorced.

Creditors, next of kin and others having claims in respect of the property of the abovenamed deceased, are required by the Executor JUSTIN PATRICK MCMULLEN, to send particulars to McMullen Lawyers of First Floor, 2 Bayfield St Rosny Park TAS 7018 or the Registrar of the Supreme Court of Tasmania by the 5th day of July, 2019 after which date the Executor may distribute the assets, having regard only to the claims that he then has notice.

Dated this fifth day of June, 2019.

MCMULLEN LAWYERS, Solicitors for the Executor.

### Tasmanian Government Gazette

Text copy to be sent to Acrodata Tasmania Pty Ltd.  
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JOYCE CHARLES late of Coroneagh Park, 50 Ironcliffe Road, Penguin in Tasmania, Home Duties, Widowed, Deceased.

Creditors, next of kin and others having claims in respect of the property or estate of the deceased, JOYCE CHARLES who died on 16th day of March 2019 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 5th day of July 2019, after which date the Executor may distribute the assets, having regard only to the claims of which it then has notice.

Dated this fifth day of June, 2019.

NATASHA DAVIS, Trust Administration Assistant.

JULIE DIANNE THORNBURY late of 1/21 Charles Street, Triabunna in Tasmania, Administrator, Widowed, Deceased.

Creditors, next of kin and others having claims in respect of the property or estate of the deceased, JULIE DIANNE THORNBURY who died on 16th day of February 2019 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 5th day of July 2019, after which date the Executor may distribute the assets, having regard only to the claims of which it then has notice.

Dated this fifth day of June, 2019.

KYLIE WILLIAMS, Trust Administrator.

MAX EDWARD JAMES STANSALL late of Lillian Martin Home 281 Cambridge Road, Mornington in Tasmania, Retired, Widowed, Deceased.

Creditors, next of kin and others having claims in respect of the property or estate of the deceased, MAX EDWARD JAMES STANSALL who died on 13th day of March 2019 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 5th day of July 2019, after which date the Executor may distribute the assets, having regard only to the claims of which it then has notice.

Dated this fifth day of June, 2019.

HAYLEY WILD, Trust Administrator.

## Administration and Probate

Administration and Probate Act 1935

*Notice for Claims*

TERRENCE CEDRIC LOCKLEY late of 5 Raprinner Street Carlton Beach in Tasmania.

Creditors, next of kin and others having claims in respect of the property or estate of the deceased TERRENCE CEDRIC LOCKLEY who died on the 27 January 2019 are required by the Executors HILLARY KARL WOOLLEY and JUSTIN FRANCIS OTLOWSKI C/- Simmons Wolfhagen of Level 4, 99 Bathurst Street, Hobart in Tasmania to send particulars to Simmons Wolfhagen and to the Registrar of the Supreme Court of Tasmania, GPO Box 167, Hobart in Tasmania 7001 by the 5 July 2019 after which date the Executors may distribute the assets, having regard only to the claims of which they then have notice.

Dated this fifth day of June, 2019.

SIMMONS WOLFHAGEN, Solicitors for the Executors.

Administration and Probate Act 1935

*Notice of Application to Reseal Probate*

Notice is hereby given that, after the expiration of 14 days from the publication hereof, SHANEEN MARY CROUCH of 18 Wentworth Place, Point Piper NSW 2027, GEORGE MICHAEL WOLSELEY CROUCH of 86 Simpson Street, Bondi NSW 2026, ANDREW NAPIER AITKEN of 12 Hooper Street, Randwick NSW 2031 and IAN ALEXANDER JOLLY (in the will called IAN JOLLY) of 2 Omagh Place, Killarney Heights NSW 2087 the executors of the will and codicil of the estate of MICHAEL JENKINS CROUCH, late of 18 Wentworth Place, Point Piper NSW 2027, deceased, to whom probate of the said will and codicil was granted by the Court of New South Wales on 28 September 2018, 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 fifth day of June, 2019.

RUSSELL KENNEDY AITKEN LAWYERS  
Solicitors for the Applicant.

Administration and Probate Act 1935

*Notice of Application to Reseal Probate*

Notice is hereby given that, after the expiration of 14 days from the publication hereof, MARILYN JAN HOLLINS of 12 Ford Parade, Lindisfarne, the executor of the will of the estate of KEITH CHARLES HOLLINS, late of 4 Lambe Place, Cherrybrook in New South Wales, deceased, to whom probate of the said will was granted by the Court of the Supreme Court of New South Wales on the 16 December 2013, 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 fifth day of June, 2019.

BUTLER MCINTYRE & BUTLER  
Acting on behalf of the Applicants.

Administration and Probate Act 1935

*Notice of Application to Reseal Probate*

Notice is hereby given that, after the expiration of 14 days from the publication hereof, PUBLIC TRUSTEE FOR THE NORTHERN TERRITORY OF NICHOLS PLACE, CORNER OF CAVENAGH AND BENNETT STREETS, DARWIN, NORTHERN TERRITORY, the executor of the will of the estate of MERVYN THOMAS DOYLE, late of 1 LAKES CRESCENT, MARRARA, NORTHERN TERRITORY 0812, deceased, to whom probate of the said will was granted by the Court of THE NORTHERN TERRITORY on the 4 APRIL 2019, 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 fifth day of June, 2019.

DAYNE JOHNSON HWL EBSWORTH LAWYERS

## Dissolution

NOTICE OF DISSOLUTION OF PARTNERSHIP

MATTHEW JAMES WILLIAMS hereby gives notice pursuant to section 41 of the Partnership Act 1891 (Tas) that the partnership subsisting between MATTHEW JAMES WILLIAMS and COREY DOUGLAS WESTBURY, carrying on business as Nipaluna Pizza at Hobart in Tasmania, was dissolved on 17 April 2019.

## 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>Land Tax Act 2000</i>	S. R. 2019, No. 28	<i>Land Tax (Exemption Extension) Order (No. 2) 2019</i>
(2) <i>Duties Act 2001</i>	S. R. 2019, No. 29	<i>Duties (Concession Extension) Order (No. 2) 2019</i>
(3) <i>Threatened Species Act 1995</i>	S. R. 2019, No. 30	<i>Threatened Species Protection Order 2019</i>

#### GENERAL PURPORT OR EFFECT OF THE ABOVEMENTIONED STATUTORY RULES

(1) *Land Tax (Exemption Extension) Order (No. 2) 2019*

This order amends the *Land Tax Act 2000* by extending, until 30 June 2023, the eligible period that applies in respect of a land tax exemption for certain newly constructed properties, and former short-stay accommodation premises, in certain circumstances.

(2) *Duties (Concession Extension) Order (No. 2) 2019*

This order amends the *Duties Act 2001* by extending, until 30 June 2020, the eligible periods that apply in respect of a duties concession for specified first home buyers, or specified pensioners buying property, in certain circumstances.

(3) *Threatened Species Protection Order 2019*

This order amends the *Threatened Species Act 1995* by –

- (a) adding certain species to, and omitting certain species from, the Schedules of endangered, vulnerable and rare flora and fauna; and
- (b) updating certain taxonomic, authority and common name references in those Schedules.

Copies of the abovementioned statutory rules may be purchased at The Print Division Tasmania,  
118 Bathurst Street, Hobart, Phone: 03 6210 9633, Email: [parliament@acodata.com.au](mailto:parliament@acodata.com.au)

ROBYN WEBB, Chief Parliamentary Counsel

## Professional Standards

### PROFESSIONAL STANDARDS ACT 2005

#### NOTIFICATION PURSUANT TO SECTION 14

Pursuant to section 14 of the *Professional Standards Act 2005*, I authorise the publication of **The Instrument Amending the Australian Property Institute Valuers Limited Scheme** submitted to me by the Professional Standards Councils of New South Wales pursuant to the mutual recognitions of the New South Wales and Tasmanian professional standards legislation. The Scheme is published with this authorisation and commences 2 months after publication. The scheme remains in force from the date of its commencement until its expiry, unless the scheme is revoked, extended, or its operation ceases as specified in the Act.

HON SARAH COURTNEY MP  
Minister for Building and Construction

#### INSTRUMENT AMENDING THE AUSTRALIAN PROPERTY INSTITUTE VALUERS LIMITED PROFESSIONAL STANDARDS SCHEME

#### PROFESSIONAL STANDARDS ACT 1994 (NSW)

#### PREAMBLE

- A. The Australian Property Institute Valuers Limited ('APIV') is an occupational association.
- B. The APIV Professional Standards Scheme ('Scheme') commenced on 1 September 2016.
- C. This instrument of amendment is prepared pursuant to s 16A of the *Professional Standards Act 1994* (NSW) ('the Act') by APIV for the purposes of amending the Scheme.

#### AMENDMENTS TO THE SCHEME

1. This instrument is prepared under the Act by the APIV whose business address is:
 

6 Campion street  
DEAKIN ACT 2600
- 1A. All references to the 'Australian Property Institute Valuers Ltd Scheme' in the Scheme are omitted and substituted with 'Australian Property Institute Valuers Ltd Professional Standards Scheme'.
2. Subclause 3.2 is omitted and the following subclause is substituted:
  - 3.2 If a person or corporation, who or which was at the time of the act or omission giving rise to occupational liability, a person or corporation to whom this scheme applied and against whom a proceeding relating to occupational liability is brought, is able to satisfy the court that such person or corporation has the benefit of a Professional Indemnity Insurance Policy:
    - (a) of a kind which complies with the APIV Insurance Standards,
    - (b) insuring such person or corporation against the occupational liability to which the cause of action relates, and
    - (c) under which the amount payable in respect of that occupational liability is not less than the Monetary Ceiling relating to the class of person and the kind of work to which the cause of action relates,

that person or corporation is not liable in damages in relation to that cause of action above the monetary ceiling specified in this scheme.

3. Subclause 3.3 is omitted and the following subclause is substituted:

- 3.3 The monetary ceiling (maximum amount of liability) required for the purposes of limitation of liability under this scheme at the time at which the act or omission giving rise to the cause of action occurred is:
  - (a) in respect a cause of action relating to a Low Risk Valuation: \$1.0million;
  - (b) in respect of any other cause of action, to be determined according to the following table:

Class	Description	Upper End Value	Monetary Ceiling
1	Category A Member	\$0.0 million to < \$3.0 million	\$1.0 million
2	Category B Member	\$3.0 million to < \$5.0 million	\$2.0 million
3	Category C Member	\$5.0 million to < \$10.0 million	\$3.0 million
4	Category D Member	\$10.0 million to < \$15.0 million	\$4.0 million
5	Category E Member	\$15.0 million to < \$40.0 million	\$5.0 million
6	Category F Member	\$40.0 million >	\$10.0 million

4. Clause 5.1 is amended by:

- (a) adding the following definition after the definition of "APIV Insurance Standards":

"Binding Determination" means Valuation of Real Property undertaken for the purpose of making a binding determination acting as an expert pursuant to an agreement or deed where all relevant parties have agreed to indemnify, release or hold the valuer harmless in respect of any liability in connection with the valuation.

- (b) adding the following definitions after the definition of "Category F Member":

"Expert Evidence Valuation" means any Valuation of Real Property undertaken for the purpose of providing expert evidence in relation to a proceeding before a court or tribunal where the expert's primary duty is to the court or tribunal (excluding a Valuation of Real Property undertaken for resumption purposes).

"Financial Reporting Valuation" means any Valuation of Real Property undertaken for the purpose of the preparation and issue of financial reports by any entity in the general course of the entity's operations. It excludes special purpose financial reports prepared in respect of a specific transaction including any sale, merger, takeover or fundraising.

"Insurance Valuation" means any Valuation of Real Property undertaken for the purpose of advising on the insurable value or real property in connection with any proposed purchase of insurance.

"Low Risk Valuation" means any:

- (a) Valuation of Real Property undertaken in the capacity as an arbitrator;
- (b) Binding Determination;
- (c) Expert Evidence Valuation;
- (d) Financial Reporting Valuation;
- (e) Insurance Valuation;



- (f) Valuation of Real Property undertaken for the purpose of determining a rate or tax that applies in respect of the property; or
- (g) Valuation of Real Property undertaken for Resumption purposes.
- “Monetary Ceiling” means the applicable monetary ceiling specified in clause 3.3 of the scheme.
- (c) adding the following definition after the definition of “Professional Indemnity Insurance Policy”:
- “Resumption” means compulsory acquisition of land (including compulsory acquisition or appropriation of Crown land) under the provision of any Act of the Commonwealth or a State authorising compulsory acquisition or appropriation of land.
- (d) omitting the definition of “Upper End Value” and substituting:
- “Upper End Value” means the highest Valuation of Real Property (excluding any Low Risk Valuation) performed by the relevant member in the most recent 12 month period.
- (e) adding the following definitions after the definition of “Upper End Value”:
- “Valuation of Real Property” means valuation of any right, interest or benefit related to the ownership, occupation or use of real property including land and all things that are a natural part of the land as well as any improvements to the land.

#### COMMENCEMENT

5. This instrument, and the resulting amended Scheme, shall commence on the date which is two months after:
- (a) it has been published in the Gazette in each of New South Wales, the Northern Territory, South Australia, Tasmania, Victoria and Western Australia; and
- (b) notice has been given of the amendment in both the Australian Capital Territory and Queensland.

THE AUSTRALIAN PROPERTY INSTITUTE  
VALUERS LIMITED  
PROFESSIONAL STANDARDS SCHEME  
*PROFESSIONAL STANDARDS ACT 1994 (NSW)*

#### PREAMBLE

- A. The Australian Property Institute Valuers Limited (APIV) is an occupational association.
- B. The APIV has made an application to the Professional Standards Council (PSC), constituted under the *Professional Standards Act 1994* (NSW) (the Act), for a scheme under the Act.
- C. The scheme is prepared by the APIV for the purposes of limiting occupational liability to the extent to which such liability may be limited under the Act.
- D. The APIV has furnished the PSC with a detailed list of the risk management strategies intended to be implemented in respect of its members and the means by which those strategies are intended to be implemented.
- E. The APIV has furnished the PSC with APIV insurance standards with which members must comply for purposes of this scheme.
- F. The scheme is intended to remain in force for five (5) years from its commencement unless, prior to that time, it is revoked, its operation ceases, or it is extended pursuant to Section 32 of the Act.

#### THE AUSTRALIAN PROPERTY INSTITUTE VALUERS LIMITED PROFESSIONAL STANDARDS SCHEME

##### 1. Occupational association

- 1.1. The Australian Property Institute Valuers Limited Professional Standards Scheme (the scheme) is a scheme under the Act prepared by the APIV whose business address is:

6 Campion Street, DEAKIN  
ACT 2600

- 1.2. The scheme is intended to operate in New South Wales, the Australian Capital Territory, the Northern Territory, Queensland, South Australia, Victoria, Western Australia and Tasmania.
- 1.3. The scheme is intended to limit occupational liability by insurance arrangements pursuant to s21 of the Act. The relevant insurance arrangements are the APIV Insurance Standards.<sup>1</sup>

##### 2. Persons to Whom the Scheme Applies<sup>2</sup>

- 2.1. The scheme applies to all members of the APIV. All members of the APIV are required to hold or have the benefit of a Professional Indemnity Insurance Policy against occupational liability that complies with the insurance standards of the APIV and the insurance requirements set out in Clause 3.2, unless exempted by the APIV.
- 2.2. This scheme also applies to all persons to whom the scheme applied under Clause 2.1 at the time of any act or omission giving rise to occupational liability.<sup>3</sup>
- 2.3. The APIV may, on application by a member to whom this scheme applies under Clause 2.1, exempt the member from the scheme.

##### 3. Limitation of Liability

- 3.1. This scheme only affects the liability for damages<sup>4</sup> arising from a single cause of action to the extent to which the liability results in damages exceeding \$1,000,000.

1 These are published on the API website at <https://www.api.org.au/resources/apiv-limitation-of-liability-scheme-resources>

2 Sections 18 and 19 of the Act provide that if the scheme applies to a body corporate, the scheme also applies to each officer of the body corporate and if the scheme applies to a person, the scheme also applies to each partner of the person, and if the scheme applies to a person the scheme also applies to each employee of the person, provided that if such officer of the corporation or partner of the person or employee of the person is entitled to be a member of the same occupational association, such officer, partner or employee is a member of the occupational association. Section 20 provides that the scheme may also apply to other persons as specified in that section. Section 20A extends the limitation of liability of persons to whom the scheme applies by virtue of sections 18 to 20.

3 For the purposes of the operation of the scheme in New South Wales, “occupational liability” has the same meaning as it has in the Act and excludes any liability which may not from time to time be limited pursuant to the Act. Similarly, for the purposes of the operation of the scheme in other jurisdictions in which it applies, “occupational liability” has the same meaning as it has in the corresponding legislation of those jurisdictions and excludes any liability which may not from time to time be limited pursuant to that legislation.

Occupational liability is defined in s4(1) of the Act to mean “civil liability arising (in tort, contract or otherwise) directly or vicariously from anything done or omitted by a member of an occupational association acting in the performance of his or her occupation”. However, s5(1) of the Act provides that the Act does not apply to liability for damages arising from the death of or personal injury to a person, a breach of trust or fraud or dishonesty. [Note: All jurisdictions other than NSW and WA exclude a lawyer acting in a personal injury matter.] Section 5(2) of the Act also provides that the Act does not apply to liability which may be the subject of proceedings under Part 13 or 14 of the *Real Property Act 1900* (NSW).

4 Damages as defined in section 4(1) of the Act means (a) damages awarded in respect of a claim or counter-claim or claim by way of set-off and (b) costs in or in relation to the proceedings ordered to be paid in connection with such an award (other than costs incurred in enforcing a judgment or incurred on an appeal made by a defendant), and (c) any interest payable on the amount of those damages or costs.

3.2. If a person or corporation, who or which was at the time of the act or omission giving rise to occupational liability, a person or corporation to whom this scheme applied and against whom a proceeding relating to occupational liability is brought, is able to satisfy the court that such person or corporation has the benefit of a Professional Indemnity Insurance Policy:

- (a) of a kind which complies with the APIV Insurance Standards,
- (b) insuring such person or corporation against the occupational liability to which the cause of action relates, and
- (c) under which the amount payable in respect of that occupational liability is not less than the Monetary Ceiling relating to the class of person and the kind of work to which the cause of action relates,

that person or corporation is not liable in damages in relation to that cause of action above the monetary ceiling specified in this scheme.

3.3. The monetary ceiling (maximum amount of liability) required for the purposes of limitation of liability under this scheme at the time at which the act or omission giving rise to the cause of action occurred is:

- (a) in respect a cause of action relating to a Low Risk Valuation: \$1.0 million;
- (b) in respect of any other cause of action, to be determined according to the following table:

Class	Description	Upper End Value	Monetary Ceiling
1	Category A Member	\$0.0 million to < \$3.0 million	\$1.0 million
2	Category B Member	\$3.0 million to < \$5.0 million	\$2.0 million
3	Category C Member	\$5.0 million to < \$10.0 million	\$3.0 million
4	Category D Member	\$10.0 million to < \$15.0 million	\$4.0 million
5	Category E Member	\$15.0 million to < \$40.0 million	\$5.0 million
6	Category F Member	\$40.0 million >	\$10.0 million

3.4. Clause 3.2 only affects liability for damages arising from a single cause of action to the extent to which the liability in damages exceeding such amount as is specified in Clause 3.1.

3.5. This scheme limits the occupational liability in respect of a cause of action founded on an act or omission occurring during the period when the scheme was in force of any person to whom the scheme applied at the time the act or omission occurred.

3.6. This scheme does not limit the occupational liability of a member in the event the member does not have the benefit of a Professional Indemnity Insurance Policy in accordance with Clause 3.2 at the time the act or omission occurred.

#### 4. Conferral of discretionary authority

4.1. Pursuant to section 24 of the Act, this scheme confers on the APIV a discretionary authority to specify, on application by a member to whom the scheme applies, in relation to that person a higher monetary ceiling (maximum amount of liability) not exceeding \$20 million, in relation to the person either in all cases or in any specified case or class or case.

#### 5. Definitions

5.1. Relevant definitions for the purposes of the scheme are as follows:

“APIV” means the Australian Property Institute Valuers Limited.

“APIV Insurance Standards” mean the insurance standards approved by the APIV.

“Binding Determination” means any Valuation of Real Property undertaken for the purpose of making a binding determination acting as an expert pursuant to an agreement or deed where all relevant parties have agreed to indemnify, release or hold the valuer harmless in respect of any liability in connection with the valuation.

“Category A Member” means a person who is a member of the APIV to whom the scheme applies and who is:

- (a) a sole trader whose Upper End Value is less than \$3 million;
- (b) an individual or corporation who is a member of a partnership whose Upper End Value is less than \$3 million; or
- (c) a corporation whose Upper End Value is less than \$3 million;

“Category B Member” means a person who is a member of the APIV to whom the scheme applies and who is:

- (a) a sole trader whose Upper End Value is \$3 million or more but less than \$5 million;
- (b) an individual or corporation who is a member of a partnership whose Upper End Value is \$3 million or more but less than \$5 million; or
- (c) a corporation whose Upper End Value is \$3 million or more but less than \$5 million;

“Category C Member” means a person who is a member of the APIV to whom the scheme applies and who is:

- (a) a sole trader whose Upper End Value is \$5 million or more but less than \$10 million;
- (b) an individual or corporation who is a member of a partnership whose Upper End Value is \$5 million or more but less than \$10 million; or
- (c) a corporation whose Upper End Value is \$5 million or more but less than \$10 million.

“Category D Member” means a person who is a member of the APIV to whom the scheme applies and who is:

- (a) a sole trader whose Upper End Value is \$10 million or more but less than \$15 million;
- (b) an individual or corporation who is a member of a partnership whose Upper End Value is \$10 million or more but less than \$15 million; or
- (c) a corporation whose Upper End Value is \$10 million or more but less than \$15 million.

“Category E Member” means a person who is a member of the APIV to whom the scheme applies and who is:

- (a) a sole trader whose Upper End Value is \$15 million or more but less than \$40 million;
- (b) an individual or corporation who is a member of a partnership whose Upper End Value is \$15 million or more but less than \$40 million; or
- (c) a corporation whose Upper End Value is \$15 million or more but less than \$40 million.

“Category F Member” means a person who is a member of the APIV to whom the scheme applies and who is:

- (a) a sole trader whose Upper End Value is \$40 million or more;
- (b) an individual or corporation who is a member of a partnership whose Upper End Value is \$40 million or more; or
- (c) a corporation whose Upper End Value is \$40 million or more.

“Expert Evidence Valuation” means any Valuation of Real Property undertaken for the purpose of providing expert evidence in relation to a proceeding before a court or tribunal where the expert’s primary duty is to the court or tribunal (excluding a Valuation of Real Property undertaken for resumption purposes).

“Financial Reporting Valuation” means any Valuation of Real Property undertaken for the purpose of the preparation and issue of financial reports by any entity in the general course of the entity’s operations. It excludes special purpose financial reports prepared in respect of a specific transaction including any sale, merger, takeover or fundraising.

“Insurance Valuation” means any Valuation of Real Property undertaken for the purpose of advising on the insurable value or real property in connection with any proposed purchase of insurance.

“Low Risk Valuation” means any:

- (a) Valuation of Real Property undertaken in the capacity as an arbitrator;
- (b) Binding Determination;
- (c) Expert Evidence Valuation;
- (d) Financial Reporting Valuation;
- (e) Insurance Valuation;
- (f) Valuation of Real Property undertaken for the purpose of determining a rate or tax that applies in respect of the property; or
- (g) Valuation of Real Property undertaken for Resumption purposes.

“Monetary Ceiling” means the applicable monetary ceiling specified in clause 3.3 of the scheme.

“most recent 12 month period” means the 12 months prior to the date and time of inception of the member’s Professional Indemnity Insurance Policy.

“Professional Indemnity Insurance Policy” means a policy of insurance that provides cover for the member in compliance with the APIV Insurance Standards.

“Resumption” means compulsory acquisition of land (including compulsory acquisition or appropriation of Crown land) under the provision of any Act of the Commonwealth or a State authorising compulsory acquisition or appropriation of land.

“the Act” means the *Professional Standards Act 1994* (NSW).

“Upper End Value” means the highest Valuation of Real Property (excluding any Low Risk Valuation) performed by the relevant member in the most recent 12 month period.

“Valuation of Real Property” means valuation of any right, interest or benefit related to the ownership, occupation or use of real property including land and all things that are a natural part of the land as well as any improvements to the land.

## 6. Duration

- 6.1. This scheme will commence on 1 September 2016 and will be in force for a period of five (5) years from the date of commencement.
- 6.2. In the event the scheme, or a Notice relating to the scheme, is published in the Gazette of any jurisdiction after the commencement date, the scheme will commence on such day 2 months after the date of its publication in that jurisdiction.

## 7. Miscellaneous

- 7.1. Notwithstanding anything to the contrary contained in this scheme, if in particular circumstances giving rise to occupational liability, the liability of any person who is subject to this scheme should be capped by both this scheme and also by any other scheme under Professional Standards Legislation (whether of this jurisdiction or under the law of any other Australian state or territory) and if the amount of such caps should differ, then the cap on the liability of such person arising from such circumstances which is higher shall be the applicable cap.

## Staff Movements

### Permanent Appointments

Agency	Duties Assigned	Employee	Probation Period	Date of Effect
Justice	Executive Officer	S Nichols	6 Months	11/06/2019
Health	Registered Nurse (515196)	S deBruyn	6 Months	03/07/2019
Health	Allied Health Assistant	G Clark	6 Months	03/06/2019
Health	Allied Health Assistant	K Martin	6 Months	27/05/2019
Health	Allied Health Assistant	N Robertshaw	6 Months	03/06/2019
Health	Elective Surgery Booking Clerk (501869)	N Clarke	Nil	20/05/2019
Health	Administrative Assistant (502425)	E Woolmore	6 Months	27/05/2019
Health	Customer Service Officer	L Chandler	6 Months	27/05/2019
Health	Clinical Programs Support Officer	L Weitnauer	6 Months	01/07/2019
Public Trustee	Client Account Manager	S Higham	6 Months	27/05/2019
Health	Registered Midwife	C Farnhill	6 Months	05/05/2019
TasTAFE	Education Manager	V Khetarpal	6 Months	15/05/2019
TasTAFE	Stores Assistant	C Rayner	6 Months	03/06/2019
Health	Registered Midwife	T Purcell	6 Months	05/05/2019
Education	Teacher Assistant	N Preshaw	6 Months	03/06/2019
Justice	Child Safety Administrative Assistant	A Castle	3 Months	30/05/2019
Education	Teacher Assistant	A Cowen	6 Months	27/05/2019
Health	Registered Nurse	A Edwards	6 Months	26/05/2019
Justice	Court Diversion Officer	M Holloway	Nil	27/05/2019
Justice	Legal Practitioner	T Zacharek	Nil	22/05/2019
Health	Multicultural Health Liaison Officer	J Brennan	6 Months	29/05/2019
Primary Industries, Parks, Water and Environment	Valuer	B Haydon	Nil	30/05/2019
Education	Library Services Coordinator - Literacy	C Ropelinen	6 Months	30/05/2019
Health	Medical Receptionist/Audio-Typist	E Ludeke	6 Months	11/06/2019
Education	Education Facility Attendant	B Silver	6 Months	13/05/2019
Education	Teacher Assistant	A Halls	6 Months	29/04/2019
Education	Teacher Assistant	J Wicks	6 Months	29/04/2019
Education	Teacher	L Hamilton	12 Months	29/04/2019
Education	Teacher Assistant	D Westthorp	6 Months	29/04/2019
Education	Teacher Assistant	M Wilton	6 Months	29/04/2019
Education	Education Facility Attendant	D Coleman	6 Months	29/04/2019
Education	Principal Policy Analyst	A McAuliffe	6 Months	11/06/2019
Education	School Administration Clerk	M Bridges	6 Months	27/05/2019
Health	Registered Nurse	G Salisbury	Nil	02/06/2019
Health	Registered Nurse	S Krishnamurthy	Nil	02/06/2019
Health	Registered Nurse	E Pinelli	6 Months	02/06/2019
Education	Education Facility Attendant	F Jessup	6 Months	08/05/2019
Health	Business Services Coordinator	D Hickman	6 Months	03/06/2019
State Growth	Loans Administration Officer	M Lukic	Nil	31/05/2019
Health	Customer Service Officer	M Wall	Nil	01/07/2019
Health	Customer Service Officer (521768)	E Bryant	6 Months	01/07/2019
Health	Customer Service Officer	K Feely	6 Months	01/07/2019
Health	Dental Technician	D Pugh	6 Months	01/07/2019
Education	Teacher Assistant	J Pash	6 Months	30/05/2019



Health	Registered Nurse	G Johnson	6 Months	11/06/2019
Health	Registered Nurse	L Donnelly	6 Months	11/06/2019

### Extension or Renewal of Fixed-Term Appointments beyond 12 months

Agency	Duties Assigned	Employee	Term	Date of Effect
Premier and Cabinet	Communications and Protocol Assistant	L Petrie	2 Months	01/07/2019

### Fixed-Term Appointments of greater than 12 Months

Agency	Duties Assigned	Employee	Term	Date of Effect
Justice	Legal Practitioner	R Fisher	24 Months	27/05/2019
Primary Industries, Parks, Water and Environment	Field Officer	M Bantick	24 Months	27/05/2019
Justice	Program Director Justice Connect	A Smith	36 Months	01/07/2019
Justice	Judges Associate to Justice Pearce	C Devine	13 Months	12/08/2019

### Promotion of Permanent Employees

Agency	Duties Assigned	Employee	Date of Effect
Health	Associate Midwifery Unit Manager	J Brookes	21/04/2019
Health	Associate Midwifery Unit Manager	S Bayley	21/04/2019
Health	Associate Midwifery Unit Manager	C Leeson	21/04/2019
Health	Associate Midwifery Unit Manager	D Wojcik	21/04/2019
Health	Associate Midwifery Unit Manager	L Jankowiak	21/04/2019
Health	Associate Midwifery Unit Manager	B Appleby	21/04/2019
Health	Associate Midwifery Unit Manager	S Greatbatch	21/04/2019
Education	Centre Leader Child and Family Centres	M Thomas	10/06/2019
Health	Team Leader - Medical Transcription Service	L McKenzie	03/06/2019
Health	Clinical Nurse Consultant - Cancer Care	D Thompson	02/06/2019
Education	HR Injury Management Consultant	C Siddall	31/05/2019

### Resignation of Permanent Employees

Agency	Duties Assigned	Employee	Date of Effect
Health	Enrolled Nurse	J Banks	26/05/2019
Health	Psychologist	C Macleod	20/05/2019
Health	Physiotherapist	A Alford	30/05/2019
Health	Registered Nurse	J Paech	28/05/2019
Health	Data Analytics and Online Services Officer	M Reid	28/05/2019
Treasury and Finance	Executive Support Officer	C Waterhouse-Cornock	07/06/2019
Health	Human Resource Consultant	M Pengelly	29/05/2019
Health	Supply Officer	J Acheson	31/05/2019
Health	Nurse Manager - Central Sterilising Department	C Lovell	29/05/2019

### Retirement of Permanent Employees

Agency	Duties Assigned	Employee	Date of Effect
Health	Registered Nurse	G Cherry	31/05/2019
Health	Registered Nurse	R Titmarsh	27/05/2019

### Transfer of Permanent Employees

Agency	Duties Assigned	Employee	Transferred Agency	Date of Effect
Premier and Cabinet	Executive Officer	E Wilkins	Communities Tasmania	03/06/2019



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