VOL. CCCXVI

OVER THE COUNTER SALES $2·75 INCLUDING G.S.T.

TASMANIAN GOVERNMENT GAZETTE

PUBLISHED BY
AUTHORITY
ISSN 0039-9795

WEDNESDAY 25 MAY 2011

No. 21 154

CONTENTS

Notice	*Page*
Administration and Probate	863
Cities/Councils	868
Forestry	865
Government Notices	865
Mining	866
Notices to Creditors	864
Rules Publication	867
Tasmanian State Service Notices	887

Tasmanian Government Gazette

Text copy to be sent to Print Applied Technology Pty Ltd.
Email: **govt.gazette@thepat.com.au** Fax: (03) 6216 4294
Mail: 123 Collins Street, Hobart TAS 7000

Order Information

When using this facility please ensure that your order and a copy of the material are faxed to Print Applied Technology Pty Ltd on (03) 6216 4294

Deadlines

All copy must be received by last mail Friday or 4pm Friday prior to publication. A proof will be emailed prior to publication. Please supply an email address in order for us to forward a proof. If your advertisement requires alterations, they are to be sent as soon as possible, but before 4pm on the Monday prior to publication. After this deadline Print Applied Technology Pty Ltd will not be held responsible for any errors and the advertisement will be printed.

Enquiries

Subscription and account enquiries phone (03) 6233 3148
Gazette Notice enquiries phone (03) 6233 6110

Out of Hours Special Gazette Notification

Out-of-hours notification for Special Gazettes phone (03) 6233 2690

Administration and Probate

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 ALEXANDER BROWN formerly of 4 Therese Avenue East Oakleigh in Victoria but late of 43 Como Crescent Newstead in Tasmania retired carpenter/joiner/widower deceased (with the Will annexed) may be granted to Andrew Alexander Brown of 18 Melbourne Street Launceston in Tasmania registered nurse/married and Fiona Duguid McKissock of 24 Ward Street Ashburton in Victoria doctor/married the residuary legatees and devisees of the said deceased.

Dated the twelfth day of May 2011.

CLARKE & GEE, 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 PREMYSL-FRANZ-RUDOLF PAVLICEK late of Breitscheid Germany medical practitioner married deceased who died on the fifth day of February 2002 at Konigswanter Germany intestate may be granted to David Russell Wallace of 4 Watchorn Street Hobart in Tasmania solicitor the duly appointed attorney of Jan David Pavlicek of Rommersdorfer Strasse 14 53604 Bad Honnef Germany unmarried lawful son of the said deceased.

Dated this twenty-fifth day of May 2011.

WALLACE WILKINSON & WEBSTER,
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 TERRANCE RICHARD DUFFY late of 7 Swan Street Newnham in Tasmania builder/divorced deceased intestate may be granted to Jonathan Terrance Duffy of 120 Mt Stuart Drive Newnham in Tasmania research engineer/married and Adam Troy Duffy of 9 Bronzewing Avenue Newnham in Tasmania builder/single the sons of the said deceased.

Dated the seventeenth day of May 2011.

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 BARRY JOHN GARDINER late of Unit 1/134 Woniora Road Shorewell Burnie in Tasmania bank clerk/unmarried may be granted to Richard Kent Ruddle of 55 Mount Street Burnie in Tasmania solicitor/unmarried the lawfully appointed attorney of Shane Barry Gardiner of Caroline Main Road Yahl in the State of South Australia 5291 dairy manager/married a son of the said deceased pursuant to Power of Attorney dated the tenth day of December 2010 registered number PA42162: Liam John Gardiner of Unit 3/201 Queen Street Altona in the State of Victoria 3018 carpenter/unmarried a son of the said deceased pursuant to Power of Attorney dated the thirteenth day of December 2010 registered number PA42163 and Ryan Collins Gardiner of 325 Hanlon Parade Portland in the State of Victoria 3305 maintenance worker/unmarried also a son of the said deceased pursuant to Power of Attorney dated the thirteenth day of December 2010 registered number PA42161.

Dated the seventeenth day of May 2011.

KAY & RUDDLE,
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 MICHAEL RAYMOND BROWN late of 2 Urquhart Street Queenstown in Tasmania retired truck driver/married deceased intestate may be granted to Pauline Ann Brown also of 2 Urquhart Street Queenstown in Tasmania home duties/widow and Anne-Maree Arnold of 26 Wilsdon Street Queenstown in Tasmania cashier/married the widow and daughter respectively of the said deceased.

Dated the thirteenth day of May 2011.

KAY & RUDDLE,
Solicitors for the said Applicants.

ADMINISTRATION AND PROBATE ACT 1935

Notice of Intention to Apply for Letters of Administration

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration in the Estate of ROHAN DALE HITE late of 11 Masons Road Milabena in Tasmania process operator/never married deceased intestate may be granted to Dale Anthony Hite of 268 Christmas Hills Road Elizabeth Town in Tasmania labourer/divorced and Sandra Maree Hite of 11 Masons Road Milabena in Tasmania home duties/divorced the lawful parents of the said deceased.

Dated the eighteenth day of May 2011.

GREG SMITH & CO., Solicitors for the Applicants.

ADMINISTRATION AND PROBATE ACT 1935

Notice of Intention to Apply for Letters of Administration

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration in the Estate of FABRIANA CESARO ADOLFO GALLOWAY (also known as FABRIANA GALLAWAY) late of 833 Cambridge Road Cambridge in Tasmania partner/business owner deceased intestate may be granted to Suellen Mary Smith (also known as Sue-Ellen Mary Smith) of Villa 448 Oceana Drive Tranmere in Tasmania partner/business owner the partner of the deceased.

Dated this twenty-fifth day of May 2011.

SIMMONS WOLFHAGEN, Solicitors for the Applicant.

Notices to Creditors

JOSEPHINE MYRTLE ARNOTT late of Unit 2 20 Llenroc Street Geilston Bay in Tasmania widow deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Josephine Myrtle Arnott who died on the first day of March 2011 are required by the Executor Tasmanian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the twenty-fifth day of June 2011 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fifth day of May 2011.

ALLIE BROWN, Senior Trust Administrator.

CONNIE CLARKE late of Bishop Davies Court 27 Redwood Road Kingston in Tasmania widow deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Connie Clarke who died on the fourth day of March 2011 are required by the Executor Tasmanian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the twenty-fifth day of June 2011 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fifth day of May 2011.

NIKKI PRISMALL, Trust Administration Assistant.

GRACE VICTORIA CROSS late of Yaraandoo Nursing Home Somerset in Tasmania home duties/retired clerk single deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Grace Victoria Cross who died on the eleventh day of March 2011 are required by the Executor Tasmanian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the twenty-fifth day of June 2011 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fifth day of May 2011.

MIKALA DAVIES, Trust Administrator.

AILEEN YVONNE HILL late of 29 Henslowes Road Ulverstone in Tasmania home duties widow deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Aileen Yvonne Hill who died on the third day of March 2011 are required by the Executor Tasmanian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the twenty-fifth day of June 2011 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fifth day of May 2011.

MIKALA DAVIES, Trust Administrator.

SHANE WILLIAM LONG late of 398 Native Plains Road Sassafras in Tasmania storeman/farmer married deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Shane William Long who died on the nineteenth day of March 2011 are required by the Executor Tasmanian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the twenty-fifth day of June 2011 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fifth day of May 2011.

ANN SCOTT, Trust Administrator.

ANNIE LONGSTAFF late of Masonic Peace Haven 185 Penquite Road Newstead in Tasmania pensioner/home duties widow deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Annie Longstaff who died on the twenty-fifth day of February 2011 are required by the Executor Tasmanian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the twenty-fifth day of June 2011 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fifth day of May 2011.

REBECCA SMITH, Trust Administrator.

MILDRED JOSEPHINE BLACKWELL late of Rosary Gardens Nursing Home 85 Creek Road New Town in Tasmania who died on the sixth day of January 2011: Creditors next of kin and others having claims in respect of the property of the abovenamed deceased are required by the Executors Benjamin Scott Swain and Rebecca Sandra Reid c/- Murdoch Clarke of 10 Victoria Street Hobart in Tasmania to send particulars to the said Executors and to the Registrar of the Supreme Court of Tasmania on or before the twenty-fifth day of June 2011 being one calendar month after which date the Executors may distribute the assets having regard only to the claims of which the Executors then have notice.

Dated this twenty-fifth day of May 2011.

MURDOCH CLARKE, Solicitors to the Estate.

SRINI VENKATACHALAM SRINIVASAN late of 2/15 Lumeah Avenue Lenah Valley in Tasmania taxi driver/divorced who died between the twenty-ninth day of September 2010 and the first day of October 2010: Creditors next of kin and others having claims in respect of the property or Estate of the abovenamed deceased are required by the Administrator pursuant to a Power of Attorney Andrew Benson Walker c/- Dobson Mitchell & Allport of 59 Harrington Street Hobart in Tasmania to send particulars of their claim to the Registrar of the Supreme Court of Tasmania in writing on or before the twenty-fifth day of June 2011 after which date the Administrator may distribute the assets having regard only to the claims of which the Administrator then has notice.

Dated this twenty-fifth day of May 2011.

DOBSON MITCHELL & ALLPORT,
Practitioners for the Estate.

NANCY SHERRIFF late of 77 Stony Rise Road Devonport in Tasmania home duties widow deceased: Creditors and next of kin and others having claims in respect of the Estate of the said deceased who died on the eighth day of January 2011 at the Mersey Community Hospital Latrobe in Tasmania are required by the Trustee Leighton John Sherriff of 18 Cherry Hill Road Latrobe in Tasmania to send particulars in writing to the Registrar at the Supreme Court of Tasmania GPO Box 167 Hobart 7001 by the twenty-fourth day of June 2011 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fifth day of May 2011.

TEMPLE-SMITH PARTNERS, Solicitors for the Applicant.

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

NANCY JEANNE YOUNG late of 229 Marys Hope Road Rosetta in Tasmania home duties-milliner/married woman deceased

JOHANNES ALBERTUS MARIA VAN DONSELAAR also known as and in the Will called JOHN ALBERTUS VAN DONSELAAR late of 1 Ford Parade Lindisfarne in Tasmania labourer/IT specialist/language teacher/divorced man deceased

Dated this twenty-fifth day of May 2011.

PETER MALONEY, Chief Executive Officer, Public Trustee.

Government Notices

HOUSE OF ASSEMBLY

NOTICE is hereby given that on 18 May 2011 the House of Assembly agreed to the following Resolution:—

DISALLOWANCE OF REGULATIONS

Occupational Licensing (Plumbing Work) Regulation 2010

THAT in accordance with the provisions of Section 47 of the *Acts Interpretation Act 1931*, Schedule 1 contained in the *Occupational Licensing (Plumbing Work) Regulations 2010* (*Statutory Rule 2010, No. 130*) dated 6 December 2010 made under the *Occupational Licensing Act 2005* and laid upon the Table of the House on Tuesday 8 March 2011 be disallowed.

Dated at Hobart this eighteenth day of May 2011.

P. R. ALCOCK, Clerk of the House.

Government House
Hobart, 17 May 2011

HIS Excellency the Governor wishes it to be known that he has this day granted permission to Donald George Wing to retain the title "Honourable" for life.

ANNE PARKER,
Official Secretary.

ABOLITION OF THE BOARD OF THE TASMANIAN ACADEMY AND TASMANIAN POLYTECHNIC

I, NICK McKIM MP, Minister for Education and Skills, being satisfied that the Boards of the Tasmanian Polytechnic and the Tasmanian Academy have fulfilled their obligations under Sections II and 12 of the *Education and Training (Transitional Provisions) Act 2010*, hereby determine pursuant to Section 4, Paragraphs (2) and (3) that the day the Boards are to be abolished is 25 May 2011. This notice also revokes the appointments of each member of the Academy Board and the Polytechnic Board and the members of their audit committees on the said date.

Dated this twenty-fifth day of May 2011.

N. McKIM, Minister for Education and Skills.

Mining

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

COMMONWEALTH OF AUSTRALIA

SURRENDER OF RETENTION LEASE

THE surrender of Retention Lease T/RL1 has been approved and will take effect on the date this Notice appears in the *Tasmanian Government Gazette*.

Dated this twenty fifth day of May 2011.

MICHAEL LEONARD,
Director of Mines,
Mineral Resources Tasmania

Forestry

FORESTRY ACT 1920

PROCLAMATION

I, THE Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, by this my proclamation made under Section 17 of the *Forestry Act 1920*–

(a) declare that that part of the land entered in the Register of Multiple Use Forest Land under section 132 of the *Public Land (Administration and Forests) Act 1991*, and specified in Item 1 of Schedule 1 to this proclamation be deleted from that register; and

(b) declare that this Proclamation takes effect on the day on which its making is notified in the *Gazette*.

Dated the sixteenth day of May 2011.

GOVERNOR

By His Excellency's Command

Minister for Energy and Resources

SCHEDULE 1 - AREA OF LAND

Item 1

All that area of land comprising about 10 hectares and identified as Lot 1 on Plan Number 7484 in the Central Plan Register, a reduced copy of which is set out by way of illustration only, in Schedule 2 - Plan 1 to this proclamation.

All that area of land comprising about 8 hectares and identified as Lot 1 on Plan Number 9079 in the Central Plan Register, a reduced copy of which is set out by way of illustration only, in Schedule 2 - Plan 2 to this proclamation.

All that area of land comprising about 9 hectares and identified as Lot 1 on Plan Number 7483 in the Central Plan Register, a reduced copy of which is set out by way of illustration only, in Schedule 2 - Plan 3 to this proclamation

All that area of land comprising about 18 hectares and identified as Lot 1 on Plan Number 9080 in the Central Plan Register, a reduced copy of which is set out by way of illustration only, in Schedule 2 - Plan 4 to this proclamation.

All that area of land comprising about 139 hectares and identified as Lot 1 on Plan Number 9081 in the Central Plan Register, a reduced copy of which is set out by way of illustration only, in Schedule 2 - Plan 5 to this proclamation.

SCHEDULE 2 – PLAN

Plan

1. Central Plan Register number 7484
2. Central Plan Register number 9079
3. Central Plan Register number 7483
4. Central Plan Register number 9080
5. Central Plan Register number 9081

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) *Dog Control Amendment Act 2009*	S. R. 2011, No. 41	Proclamation under section 2
(2) *Monetary Penalties Enforcement (Miscellaneous Amendments) Act 2011*	S. R. 2011, No. 42	Proclamation under section 2(1)
(3) *Prisoners (Interstate Transfer) Act 1982*	S. R. 2011, No. 43	*Prisoners (Interstate Transfer) Amendment Order 2011*
(4) *Vehicle and Traffic Act 1999* and *Vehicle and Traffic (Vehicle Operations) Regulations 2001*	S. R. 2011, No. 44	*Vehicle and Traffic (Vehicle Operations) (Exemption) Notice 2011*

General Purport or Effect of the Abovementioned Statutory Rules

(1) Proclamation under section 2 of the *Dog Control Amendment Act 2009*

This proclamation fixes 1 July 2011 as the day on which the remaining provisions of the *Dog Control Amendment Act 2009* commence.

(2) Proclamation under section 2(1) of the *Monetary Penalties Enforcement (Miscellaneous Amendments) Act 2011*

This proclamation fixes 1 June 2011 as the day on which the *Monetary Penalties Enforcement (Miscellaneous Amendments) Act 2011* commences, except Part 3 of that Act which was taken to have commenced on 28 April 2008.

(3) *Prisoners (Interstate Transfer) Amendment Order 2011*

This order-in-council amends the *Prisoners (Interstate Transfer) Order 1984* by effecting minor statute law revision to Schedule 1 to that order.

(4) *Vehicle and Traffic (Vehicle Operations) (Exemption) Notice 2011*

This notice, made under the *Vehicle and Traffic (Vehicle Operations) Regulations 2001* –

(a) exempts, for 3 years and for specified purposes, certain vehicles and combinations from the load limit applying to Mud Walls Secondary Road between Tea Tree Secondary Road and the Midland Highway; and

(b) revokes certain previous exemption notices made under those regulations that have expired.

Copies of the abovementioned statutory rules may be purchased at Print Applied Technology Pty Ltd, 123 Collins Street, Hobart, Phone (03) 6233 3289 or Toll Free 1800 030 940; 80B Wilson Street, Burnie and State Offices, 68 Rooke Street, Devonport.

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.

Cities/Councils

BURNIE CITY COUNCIL

PUBLIC RESERVES & PUBLIC BUILDINGS BY-LAW BY-LAW NO. 1 OF 2011

A By-law of the Burnie City Council, made under Section 145 of the Local Government Act 1993, to regulate, control, and protect public reserves and buildings owned by or under the control of the Burnie City Council.

PART 1 - PRELIMINARY

Short Title

1. This By-Law may be cited as the Public Reserves & Public Buildings By-law, Number 1 of 2011.

Interpretation

2. In this By-law, unless the context otherwise indicates:

"authorised officer" means an employee of Council authorised by Council for the purpose of this By-law;

"children's playground" means any area in which children's play equipment is installed and extends for a distance of 10 metres in all directions from the play equipment;

"Commissioner" has the same meaning as it does in the Collections for Charities Act 2001;

"Council" means the Burnie City Council;

'food business' has the meaning assigned to it in the *Food Act 2003*;

"General Manager" means the General Manager of the Burnie City Council;

"liquor" has the same meaning as under the *Police Offences Act 1935*;

"parking area" includes any area in a public reserve designated by Council for parking of vehicles and all equipment, signs, access ways, fences, and structures used or connected in any way with the parking area;

"parking space" means a space within a parking area, indicated by lines or other marks on the ground or indicated by any other method, of sufficient clear space to accommodate a vehicle within that space;

'Permit' means a statement in writing with or without conditions issued by an authorised officer authorising an activity regulated by this By-law;

'penalty unit' means the amount of money set under the *Monetary Penalties Enforcement Act 2005* as amended;

"public building" means a building owned or under the control of the Burnie City Council and includes both buildings and land on which they are situated;

"public reserve" means:

(i) any reserve, beach, coastal or river foreshore, rockery, area of bushland, natural area, planted embankment, nature strip, median strip, plantation, sports ground, recreation ground, swimming pool, park or garden, water storage area including but not limited to a dam or pond; and

(ii) any public building or area;and

(iii) any car park or land set aside for car parking that is part of or adjoins any of the areas referred to in (i) or (ii).

under the control or management of the Council and includes any structure or building erected on these areas;

"refuse" includes any solid or liquid domestic refuse, debris or rubbish and, without limitation, includes any glass, metal, plastic, cigarette butts, paper, fabric, wood and food;

"smoke" means to –

(a) smoke, hold or otherwise have control over an ignited cigarette, cigar or pipe;
or

(b) permit the release of smoke or fumes from a burning cigarette, cigar or pipe;

"wildlife" means any living creature other than:-

(a) a dog or cat; and

(b) domestic stock

PART 2 - USE OF RESERVES

Closure of Public Reserve

3. (1) An authorised officer may close a public reserve or any part of a public reserve to members of the public.

(2) A person must not enter or remain in a public reserve if it is closed to the public or any section of a public reserve if it is closed to the public without written authority from the General Manager.

Penalty: a fine not exceeding 5 penalty units

Hire of Public Reserve

4. (1) An authorised officer may let or hire a public reserve or a part of a public reserve.

(2) An authorised officer may impose terms and conditions in an agreement to lease or hire a public reserve.

Non-Compliance with Hire Conditions

5. A person must not fail to comply with the terms and conditions imposed in an agreement to lease or hire a public reserve.

Penalty: a fine not exceeding 20 penalty units.

Sub-Lease of Public Reserves

6. A person who has leased or hired a public reserve or part of a public reserve must not sub-lease or re-let the public reserve or part of a public reserve without written authority from an authorised officer.

Penalty: a fine not exceeding 20 penalty units.

Peaceable use of Public Reserves

7. A person must not in a public reserve do any act or thing which unreasonably interferes, or is likely to interfere with the lawful or peaceable use by the public of any public reserve or any nearby land.
Penalty: a fine not exceeding 10 penalty units.

Functions

8. A person must not conduct, arrange or participate in a function, party or reception in a public reserve at which more than 50 people are present without written authority from an authorised officer.

Penalty: a fine not exceeding 5 penalty units.

Creation of an entrance to a Public Reserve

9. (1) A person who has land adjoining a public reserve may not create an entrance to the public reserve unless the person has authority from an authorised officer.

(2) An authorised officer may impose items and conditions for the creation of an entrance.

(3) An authorised officer may notify a person in writing to close an entrance and may specify a method of doing so.

(4) A person who receives notice to close an entrance from their land to a public reserve must within 2 weeks of receiving the notice close the entrance and if a method is specified in the notice must do so by that method.

Penalty: a fine not exceeding 10 penalty units.

(5) The Council may execute any necessary work to close an entrance if:

(a) the person whose land it leads to is directed to close the entrance and they fail to do so; or

(b) the entrance is not closed in the manner notified by the authorised officer

(6) A person must not have an entrance to a public reserve without the written authority of the General Manager.

Penalty: a fine not exceeding 10 penalty units.

PART 3 - DISALLOWED ACTIVITIES

Erection of a structure

10. (1) A person must not erect a building, booth or other structure in a public reserve without written authority from an authorised officer.
Penalty: a fine not exceeding 5 penalty units.

(2) Council may remove an unauthorised structure and take any reasonable measure to return the public reserve to the condition it was in before the structure was erected.

Erection of a Sign

11. (1) A person must not erect or allow to be erected a sign, banner or billboard in a public reserve without the written authority of the General Manager.

Penalty: a fine not exceeding 10 penalty units.

(2) An authorised officer may remove an unauthorised sign and store it in a safe place until a fine imposed under this clause has been paid.

Dining in a Reserve

12. (1) In this clause "outside dining" means the consumption of food or beverages from a food business by the customers of that business.

(2) A person must not place, or cause, permit or allow to be placed any furniture which may encourage or allow outside dining in a public reserve except under the conditions of a licence or lease issued by the Council.

Penalty: a fine not exceeding 10 penalty units and for a continuing offence 1 penalty unit per day

Sale of Item

13. A person must not sell or offer for sale, lease, hire or carry on a business which includes the provision of goods, merchandise, food or drink in a public reserve without the written authority of the General Manager.
Penalty: a fine not exceeding 5 penalty units.

Distribution of Advertisement

14. A person must not distribute or arrange to be distributed any advertisement, book, card, notice, pamphlet, print, paper or placard in a public reserve without written authority from an authorised officer.

Penalty: a fine not exceeding 5 penalty units.

Preaching, Concerts and Similar Activities

15. A person must not organise or participate in an assembly, concert, preaching, or engage in public speaking, or any similar activity in a public reserve without the written authority of the General Manager.

Penalty: a fine not exceeding 10 penalty units.

Organised Sport

16. A person must not conduct or participate in any organised sport, contest or game in a public reserve without the written authority of the General Manager.

Penalty: a fine not exceeding 20 penalty units.

Organised Activities

17. A person must not in a public reserve conduct any amusement or entertainment for financial reward without the written authority of the General Manager.

Penalty: a fine not exceeding 20 penalty units.

Use of children's playground

18. (1) A person must not in a public reserve play any games involving the use of a ball within 10 metres of a children's playground.
Penalty: a fine not exceeding 2 penalty units.

(2) A person must not in any public reserve misuse or damage any playground equipment.

Penalty: a fine not exceeding 2 penalty units.

(3) A person must not smoke or consume liquor within 10 metres of a children's playground.

Penalty: a fine not exceeding 5 penalty units.

Playing Golf

19. A person must not in a public reserve play or practice golf or permit any person to play or practice golf except where signs or notice boards indicate that it is allowed.

Penalty: a fine not exceeding 5 penalty units.

Use of radios and loud speakers

20. (1) A person must not in a public reserve use or operate any television, radio, loudspeaker, tape recorder, compact disc player or any other method of amplifying or playing music recorded or otherwise in such a way as to annoy other users of the public reserve.

Penalty: a fine not exceeding 10 penalty units.

(2) The Council may, for the purposes of this clause, grant a Permit to a person on such terms as it thinks fit.

Use of Change Room and Public Toilet

21. A person must not in a public reserve if that person is over the age of 10 years, enter a change room or public toilet reserved for the use of people of the opposite sex except to assist someone who is injured, threatened or in danger, elderly, disabled or under the age of 10 years.

Penalty: a fine not exceeding 5 penalty units.

Collection of Money

22. (1) A person must not take up a collection of money in a public reserve without the written authority of the General Manager.

Penalty: a fine not exceeding 5 penalty units.

(2) Authority will not be provided by the General Manger for the collection of any money for a charitable purpose unless the person applying to the Council has an authority in writing granted by the Commissioner.

Camping

23. A person must not in a public reserve camp or set up a caravan without written authority from an authorised officer.

Penalty: a fine not exceeding 10 penalty units.

Climbing of trees and other objects

24. A person must not climb a tree, shrub, building, roof, seat or fence in a public reserve without written authority from an authorised officer.

Penalty: a fine not exceeding 5 penalty units.

Animals

25. (1) A person must not in a public reserve ride any animal or permit any animal referred to in subclause (2) that is owned by them, normally kept by them or under their control to walk, exercise, stray, forage or graze in a public reserve without the written authority of the General Manager, except:-

(a) on roads, paths or tracks or in areas provided for one of these activities; and

(b) where signs or notice boards indicate that it is allowed.

Penalty: a fine not exceeding 5 penalty units.

(2) In subclause (1) "animal" means an animal as defined in the Dog Control Act 2000 except a dog as defined in that Act and native birds and animals.

(3) The General Manager may permit an area in a public reserve to be used for horse riding.

Use of skates and cycles

26. A person must not in a public reserve ride, drive or use a bicycle, tricycle, scooter, skateboard or in-line skates or other similar conveyance except:

(a) on roads, paths or tracks provided for this type of traffic; and

(b) where signs or notice boards indicate that it is allowed; or

(c) with authority from an authorised officer.

Penalty: a fine not exceeding 5 penalty units.

Projectiles

27. A person must not in a public reserve throw a stone or other object, or use a slingshot, catapult, bow or arrow or a similar device, without the written authority of the General Manager.

Penalty: a fine not exceeding 5 penalty units

Deposit of refuse

28. (1) A person must not, without the written authority of the General Manager, deposit any refuse in a public reserve.

Penalty: a fine not exceeding 20 penalty units.

(2) A person is to be regarded as having deposited refuse in a public reserve with lawful authority;-

(a) (i) in a receptacle provided by the Council for the depositing of refuse; and

(ii) in accordance with any conditions specified by the Council by means of a notice displayed on or in the vicinity of the receptacle, in relation to the depositing of refuse in the receptacle; or

(b) if the person has placed a receptacle containing the refuse in that place for the purpose of the refuse being removed in the course of a refuse removal service provided by the Council; or

(c) if the person has deposited the refuse in that place:

(i) pursuant to an invitation contained in a notice published by the Council; and

(ii) in accordance with any conditions specified in the notice in relation to the depositing of refuse in that place;

(d) if the person has deposited refuse in that place with the authority of an authorised officer; or

(e) if the person has deposited the refuse in that place pursuant to an authority conferred by or under any statute.

Breaking of glass

29. A person must not in a public reserve wilfully break any glass item.
Penalty: a fine not exceeding 5 penalty units.

Disorderly conduct

30. A person must not in a public reserve:

(a) use threatening or offensive language; or

(b) act in a disorderly or indecent manner.

Penalty: a fine not exceeding 5 penalty units.

Abuse of an authorised officer

31. A person must not threaten, intimidate, or use abusive language to an authorised officer acting in the course of their employment in relation to or in connection with any matter relating to a public reserve.
Penalty: a fine not exceeding 5 penalty units.

Liquor

32. (1) Any child care centre operated by the Council is at all times to be a liquor free area.

(2) A person must not in a liquor free area without the written authority of the General Manager:

(a) have any alcoholic beverage in their possession or control; or

(b) consume any alcoholic beverage.

Penalty: a fine not exceeding 10 penalty units.

(3) In this clause "alcoholic beverage" means a beverage (other than a medicine) that:

(a) is intended for human consumption; and

(b) has an alcoholic content greater than 0.5% by volume when at a temperature of 20° Celsius.

PART 5 - DAMAGE TO PROPERTY

Damage to Council property

33. (1) A person must not in a public reserve remove or damage Council property.

Penalty: a fine not exceeding 10 penalty units.

(2) The provisions of sub-clause (1) do not apply to any employee, contractor or authorised volunteer of or engaged by the Council to plant vegetation of the nature that they are engaged by the Council to plant.

Damage to Items of Architectural, Archaeological (etc) Interest

34. (1) A person must not in a public reserve remove, damage, deface or disturb any object of an architectural, archaeological, historical or scientific interest without written authority from the General Manager.

Penalty: a fine not exceeding 20 penalty units.

(2) The provisions of sub-clause (1) do not apply to any employee, contractor or authorised volunteer of or engaged by the Council who does anything reasonably required in the course of that engagement.

Interference with items

35. (1) A person must not in a public reserve without the authority of an authorised officer move, remove, tamper with or damage:

(a) a tree, shrub, plant, flower, or garden bed;

(b) any sod, turf, loam, sand, gravel, stone or any other material;

(c) a water-pipe, tap, sprinkler, or hose; or

(d) a pond or fountain or the water in it except to drink from a drinking fountain.

Penalty: a fine not exceeding 10 penalty units.

(2) The provisions of sub-clause (1) do not apply to any employee, contractor or authorised volunteer of or engaged by the Council to plant vegetation of the nature that they are engaged by the Council to plant.

Protection of wildlife

36. (1) A person must not in a public reserve without the written authority of the General Manager:

(a) take or have in his or her possession any wildlife or products of wildlife.

(b) interfere with the nest, breeding place or habitation or any wildlife; or

(c) intentionally rouse or disturb any wildlife.

Penalty: a fine not exceeding 20 penalty units.

(2) The provisions of sub-clause (1) do not apply to any employee, contractor or authorised volunteer of or engaged by the Council to manage or care for wildlife.

Hunting Equipment

37. (1) A person must not in a public reserve without the written authority of the General Manager:

(a) use or have in his or her possession any hunting equipment; or

(b) lay or set any trap or snare or deposit any poisonous or chemical substance; or

Penalty: a fine not exceeding 20 penalty units.

(2) The provisions of sub-clause (1)(a) and (b) do not apply to any employee, contractor or authorised volunteer of or engaged by the Council to manage or care for wildlife.

Fire

38. A person must not in a public reserve light a fire other than in a fireplace or designated place provided by Council for public use, without written authority from an authorised officer.

Penalty: a fine not exceeding 10 penalty units.

Graffiti

39. A person must not in a public reserve mark, write on or in any other way deface Council property without written authority from an authorised officer.

Penalty: a fine not exceeding 10 penalty units.

Wood

40. A person must not in a public reserve collect or remove any wood or timber without written authority from an authorised officer.

Penalty: a fine not exceeding 10 penalty units.

PART 6 – VEHICLES

Parking of a vehicle

41. (1) A person must not in a public reserve park a vehicle:

(a) in an area that is not a designated parking area;

(b) in a parking area where parking spaces are marked unless it is parked wholly within a parking space;

(c) otherwise than as directed by an authorised officer or by signs and notice boards erected by Council; or

(d) in a position where it obstructs the entry or exit of a vehicle to another parking space or parking area.

Penalty: a fine not exceeding 1.5 penalty units

(2) An authorised officer may remove a vehicle if it contravenes this clause.

Driving of a vehicle

42. (1) A person in a public reserve must not drive a vehicle:

(a) except on a road, path, or track provided for that purpose; and

(b) at a speed greater than twenty kilometres an hour or at an unsafe speed.

Penalty: a fine not exceeding 5 penalty units.

(2) The provisions of sub-clause (1)(a) do not apply to any employee, contractor or authorised volunteer of or engaged by the Council.

Parking when reserve is closed

43. (1) The General Manager may close a public reserve or any part of a public reserve to vehicular traffic.

(2) When a public reserve is closed to vehicular traffic a person must not:

(a) enter the public reserve with a vehicle; and

(b) fail to remove their vehicle or any vehicle placed there by them.

Penalty: a fine not exceeding 5 penalty units.

Entry and exit of parking area

44. A person driving a vehicle in a public reserve must not enter or leave a parking area in a public reserve except by an appropriately marked access/egress point.

Penalty: a fine not exceeding 1.5 penalty units.

Reserved Space

45. (1) The General Manager may in a public reserve determine;

(a) the location of reserved parking areas and spaces; and

(b) the conditions that apply to reserved parking areas and spaces.

(2) A person must not park or leave a vehicle in a parking space or parking area which is designated "Reserved" unless the vehicle displays a Permit issued by an authorised officer authorising the holder of such a Permit to park in a "Reserved" area in a public reserve.

Penalty: a fine not exceeding 3 penalty units.

(3) An authorised officer may remove a vehicle breaching this clause to a safe place and keep it there until the fine, removal and storage charges have been paid.

(4) The Council may, for the purposes of this clause, grant a Permit to a person on such terms as it thinks fit.

Washing, dismantling and repair of vehicle

46. A person must not in a public reserve dismantle, paint, wash or repair a vehicle without written authority from an authorised officer unless it is necessary to enable the vehicle to be moved from the reserve.

Penalty: a fine not exceeding 2 penalty units.

PART 7 - MISCELLANEOUS

Offences

47. (1) Any person who contravenes or fails to comply with any of the relevant provisions of this by-law is guilty of an offence under this by-law and liable on conviction to the penalty set out in the relevant provision.

(2) A police officer may arrest a person who is on land owned by, or under the control of, the Council and whom the police officer reasonably believes is offending against this by-law.

Regulation of Activities

48. (1) An authorised officer may give reasonable directions to any person using, playing or engaging in a game, sport or activity in a public reserve:

(a) to regulate the playing or engaging in a game, sport or activity in any park or recreation area; or

(b) to avoid inconvenience or risk of danger to any person in the park or recreation area.

(2) A person must not disobey a reasonable direction from an authorised officer.

Penalty: a fine not exceeding 2 penalty units.

Removal from area

49. An authorised officer may

(a) remove any person from land owned by, or under the control of the Council whom they reasonably believe is offending against this by-law; and

(b) remove any thing which is on a public reserve without the approval of the Council.

Supply of name and address

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

Penalty: a fine not exceeding 5 penalty units.

PART 8

Rectification Notice

51. (1) An authorised officer may give notice to a person who has done anything in contravention of this by-law which is capable of being rectified by any work or thing, requiring that person to do the work or thing that the authorised officer considers is reasonably required to rectify the consequences of that contravention.

(2) A notice under sub-clause (1):

(a) is to be in writing, signed by the authorised officer; and

(b) is to be given to the person who contravened this by-law; and

(c) is to identify the contravention of this by-law; and

(d) is to state the work or thing to be done that is required to rectify the contravention; and

(e) is to state the time by which the work or thing is to be completed; and

(f) may state the time by which the work or thing is to be commenced or any timetable for the commencement or completion of any part of the work or thing to be done; and

(g) may require that the work or thing be done only by a person who has appropriate qualifications that are so required.

(3) A person must not fail to comply with a notice given under sub-clause (1).

Penalty: a fine not exceeding 10 penalty units

(4) The Council may do any work or thing required by a notice under sub-clause (1) that is not done in accordance with that notice.

Recovery of Council's Expenses

52. Any expenses reasonably incurred by the Council in rectifying or remedying the consequences of any contravention of this by-law are recoverable by the Council as a debt payable by the person whose act or default constituted that contravention.

PART 9
INFRINGEMENT NOTICES

53. (1) In this clause –

"specified offence" means an offence against the clause specified in column 1 of Schedule 1.

(2) 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;

(c) Impose a monetary penalty for the specified offence in respect of which the infringement notice is issued.

(3) Infringement notices may be issued in respect of the offences specified in Column 1 of Schedule 1 to this By-law and the penalty specified in Column 3 opposite the offence is the penalty payable under an infringement notice issued in respect of that offence.

(4) In order to avoid the infringement notice being referred to the Director Monetary Penalties Enforcement Service for enforcement action the person issued with an infringement notice must either:

(a) pay the total amount of the monetary penalty stated on the infringement notice to; or

(b) lodge a notice of election to have the offence heard by a Court with;

the General Manager within 28 days of the date of service of the notice.

(5) An infringement notice alleging that a vehicle has been used in relation to a prescribed offence may be served by affixing it to that vehicle.

(6) The *Monetary Penalties Enforcement Act 2005* applies to an infringement notice issued under this By-law.

(7) All monies payable to the Council or General Manager under this By-law are a debt due to the Council and recoverable at law.

Schedule 1 – Public Reserves & Public Buildings By-law No. 1 of 2011

INFRINGEMENT NOTICE OFFENCES

Column 1 CLAUSE	Column 2 GENERAL DESCRIPTION OF OFFENCE	Column 3 PENALTY UNITS
3(2)	Enter or remain in a closed public reserve	1.25
5	Non-compliance with hire conditions	5
6	Sub-lease of public reserve	5
7	Interfere with peaceable use of a public reserve	2.5
8	Conducting functions	1.25
9(4)	Failure to close an entrance when notified to do so	5
9(6)	Creating of entrance	5
10(1)	Erecting a structure	1.25
11(1)	Erection of sign	1.25
12(2)	Placing furniture in a public reserve without a Permit	2.5
13	Sale of items	1.25
14	Distribution of advertisement	1.25
15	Preaching, concerts and similar activities	2.5
16	Organised Sport	5
17	Organised activities	5
18(1)	Use of children's playground	.5
18(2)	Misuse or damage playground equipment	.5
18(3)	Smoking or consuming liquor within playground	1.25
19	Playing golf	1.25
20(1)	Use of radio and loudspeakers	2.5
21	Use of change rooms	1.25
22(1)	Collection of money	1.25
23	Camping	2.5
24	Climbing trees	1.25

25(1)(a)	Animals in public reserves	1.25
26	Use of skates and cycles	1.25
27	Projectiles	1.25
28(1)	Deposit refuse	5
29	Wilfully breaking a glass item	1.25
30(a)	Being intoxicated	1.25
30(b)	Using threatening or offensive language	1.25
30(c)	Act in a disorderly or indecent manner	1.25
31	Abuse of an authorised officer	1.25
32(5)	Possess or consume liquor	2.5
33(1)	Damage Council property	2.5
34(1)	Remove or damage relics	5
35(1)	Interference with items	2.5
36(1)	Protection of wildlife	5
37(1)	Hunting Equipment	5
38	Fire	2.5
39	Graffiti	2.5
40	Collect wood	2.5
41(1)	Parking of vehicles	0.5
42(	Driving of vehicles	1.25
43	Parking when reserve closed	1.25
44	Entry and exit of parking areas	0.5
45(2)	Parking in reserved space	1
46	Washing, dismantling and repair of vehicles	0.5
48(2)	Regulation of activities	0.5
50	Failure to supply correct name and address	1.25
51(3)	Failure to comply with Rectification Notice	2.5

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

.....

GEOFFREY W TREMAYNE
LEGAL PRACTITIONER

The Common Seal of the Burnie City Council was affixed this 3rd day of May 2011 for and on behalf of the Burnie City Council.

BURNIE CITY COUNCIL Common Seal

Act.
GENERAL MANAGER

A bit fuzzy on your printing jargon?

Dont worry, our sales team know more than enough.

They also know one other very important fact: that it's just that - jargon.

Talk to one of our experienced sales representatives and you'll come away with a crystal clear understanding of the ins and outs of your printing job. We know what you want because we know the right questions to ask.

No guesses, no hazy ideas, no fudging...just the information needed to be assured that your publication will be a sight for sore eyes.

Call us on 6233 3168 for the bottom line on all your printing requirements.

print applied
TECHNOLOGY
PTY LTD

"environmentally responsible printer"

HOBART
123 Collins Street,
Hobart TAS 7000
P 03 6233 3289 F 03 6216 4294

TECHNOPARK
33 Innovation Drive,
Dowsing Point TAS 7010
P 03 6233 3168 F 03 6233 5346

GPO Box 307, Hobart TAS 7001
sales@thepat.com.au
www.thepat.com.au

We can produce a document the whole world will want to see.

We can also make sure they don't.

No matter how good it looks, sometimes your publication contains information that you would prefer to keep under lock and key.

At Print Applied Technology, Tasmania's number one printer, that's just where we keep it.

How good is our security? Well, in 159 years of printing the most sensitive government and business documents we've never had any leaks.

Your job will not be any different. So now you can sleep at night knowing your document is safe. Won't that make a world of difference!

Have a chat with one of our sales representatives on 03 6233 3168.

print applied
TECHNOLOGY
PTY LTD

"environmentally responsible printer"

HOBART
123 Collins Street,
Hobart TAS 7000
P 03 6233 3289 F 03 6216 4294

TECHNOPARK
33 Innovation Drive,
Dowsing Point TAS 7010
P 03 6233 3168 F 03 6233 5346

GPO Box 307, Hobart TAS 7001
sales@thepat.com.au
www.thepat.com.au

Our conscience is crystal clear.

Together we can make a difference.

Print Applied Technology remains ever vigilant in reducing the impact of its operations on the environment, and environmental management within our production facilities is considered a critical aspect of our business.

Our investment in a world class `Ecoclean' solvent recycling system from Europe has enabled us to recycle all our solvent liquids for reuse, instead of disposing of this material which is traditional industry practice. Waste paper is managed via extraction systems and a compaction unit, capturing and bundling all waste generated during the production cycle which is then collected for recycling, reducing landfill. Vegetable based inks are used where possible on our presses, and green office principles are employed.

Print Applied Technology now adds to these initiatives official certification by the Forest Stewardship Council (FSC). FSC certification is the "Gold Standard" for eco forestry worldwide, and as a `Chain of Custody' certificate holder we can now assure our valued customers that selected papers sourced for our operations are from responsibly managed forests.

The use of the highly guarded FSC trademark now also allows our customers to demonstrate their commitment to the growth of responsible forest management. Further to this, we can now share with you the knowledge that areas of natural wealth and endangered wildlife habitat are not being adversely affected as a consequence of our paper sourcing policy.

You too can help to protect our environment, by promoting and using FSC products.

For further information please contact Print Applied Technology or visit www.fscaustralia.org

print applied
TECHNOLOGY
PTY LTD

"environmentally responsible printer"

FSC
The mark of responsible forestry
Cert no. SA-COC-002363

HOBART
123 Collins Street,
Hobart TAS 7000
P 03 6233 3289 F 03 6216 4294

TECHNOPARK
33 Innovation Drive,
Dowsing Point TAS 7010
P 03 6233 3168 F 03 6233 5346

GPO Box 307, Hobart TAS 7001
sales@thepat.com.au
www.thepat.com.au

Disclaimer

Products and services advertised in this publication are not endorsed by the State of Tasmania and the State does not accept any responsibility for the content or quality of reproduction. The Contractor reserves the right to reject any advertising material it considers unsuitable for government publication.

Copyright

The *Tasmanian Government Gazette* and *Tasmanian State Service Notices* are subject to the Copyright Act. No part of any material published in the *Tasmanian Government Gazette* or the *Tasmanian State Service Notices* may be reproduced except in accordance with the Copyright Act.

Printed by Print Applied Technology Pty Ltd under authority of the Government of the State of Tasmania