



TASMANIAN GOVERNMENT GAZETTE

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CONTENTS

<i>Notice</i>	<i>Page</i>
Administration and Probate	696
Cities/Councils.....	701
Drainage Areas, Trusts, Water Districts.....	697
Electricity Industry Safety and Administration.....	697
Mental Health	699
Notices to Creditors	695
Professional Standards.....	697
Public Trustee	697
Rules Publications	698
Staff Movements.....	727

Notices to Creditors

CHRISTOPHER REID also known as CHRISTOPHER ROBIN REID late of Bupa Woodend, Woodend in Victoria, formerly of 105a Mahoneys Road, Woodend in Victoria, Deceased.

Creditors, Next of Kin and others having claims in respect of the property or estate of the abovenamed deceased who died on the 24th day of May 2023 are required by the Executors SCOTT WILLIAM LAW and DAVID MARTIN REES to send particulars of their claim to the Registrar of the Supreme Court of Tasmania, GPO Box 167, Hobart 7001 by the 20th day of October 2023 after which date the Executors may distribute the assets having regard only to the claims of which they have notice.

Dated this twentieth day of September 2023.

E.R. HENRY, WHERRETT & BENJAMIN

JOAN MAISIE SALTER late of 148 Warwick Street, West Hobart in Tasmania, Deceased.

Creditors, Next of Kin and others having claims in respect of the property or estate of the abovenamed deceased who died on the 14th day of May 2023 are required by the Executors CAROL ANN WISE and ROBYN MAREE FISHER to send particulars of their claim to the Registrar of the Supreme Court of Tasmania, GPO Box 167, Hobart 7001 by the 20th day of October 2023 after which date the Executors may distribute the assets having regard only to the claims of which they have notice.

Dated this twentieth day of September 2023.

E.R. HENRY, WHERRETT & BENJAMIN

KEVIN FREDERICK BENNETT late of Bishop Davies Court, 27 Redwood Road, Kingston in Tasmania who died on the 19th day of November 2022.

Creditors, next of kin and others having claims in respect of the property of the abovenamed deceased are required by the Executrix DELLA MAREE KOZAKIEWICZ, c/- Murdoch Clarke of 10 Victoria Street, Hobart in Tasmania to send particulars to the said Executrix and to the Registrar of the Supreme Court of Tasmania on or before the 20th day of October 2023 after which date the Executrix may distribute the assets, having regard only to the claims of which the Executrix then has notice.

Dated this twentieth day of September 2023.

MURDOCH CLARKE, Solicitors to the Estate

Tasmanian Government Gazette

Text copy to be sent to Acrodata Tasmania Pty Ltd.
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The Tasmanian Government Gazette and State Service Notices are now available online at:—www.gazette.tas.gov.au

GEORGE EDWARD KING late of 30 Bernard Place, Ulverstone in Tasmania, retired Machinery Operator, Single, Deceased.

Creditors, next of kin and others having claims in respect of the property or estate of the deceased, GEORGE EDWARD KING who died on 14th day of June 2023, are required by the Executor, TPT WEALTH LTD of Level 2 137 Harrington Street, Hobart in Tasmania, to send particulars to the said Company by the 20th day of October 2023, after which date the Executor may distribute the assets, having regard only to the claims of which it then has notice.

Dated this twentieth day of September 2023.

TPT WEALTH LIMITED

JUNE ANN MCKEE late of Rivulet Southern Cross Care, 14 Gore Street, South Hobart in Tasmania, Home Duties/Clerk, Divorced, Deceased.

Creditors, next of kin and others having claims in respect of the property or estate of the deceased, JUNE ANN MCKEE who died on 19th day of December 2022 are required by the Executor TPT WEALTH LTD of Level 2 137 Harrington Street, Hobart in Tasmania, to send particulars to the said Company by the 20th day of October 2023 after which date the Executor may distribute the assets, having regard only to the claims of which it then has notice.

Dated this twentieth day of September 2023.

TPT WEALTH LIMITED

Estate of KEITH BARWICK late of 33 Esplanade, Midway Point TIMOTHY JOSEPH TIERNEY, as personal representative of the estate, gives notice in accordance with section 25A of the *Trustee Act 1898*, that he intends to distribute the property subject to the estate among the persons entitled to the estate, he requires any person interested in the estate to send to him, c/- Tierney Law, PO Box 239, Huonville 7109, on or before 22 October 2023 particulars of any claim in respect of the estate. He may, at any time after that date, distribute the estate, having regard only to the claims of persons of which he has notice, and without being liable for the estate so distributed to any person of whose claim he had no notice at the time of the distribution.

Dated this twentieth day of September 2023.

TIERNEY LAW Solicitors for the Executor

DOROTHY HALLAM late of 2395 Main Road, Nubeena in Tasmania, who died on 26 January 2023

Creditors, next of kin and others having claims in respect of the property or estate of the abovenamed deceased are required by the Executors PHILIP BENJAFIELD HALLAM and GAVIN MAURICE HALLAM c/- Dobson Mitchell Allport of 59 Harrington Street Hobart Tasmania to send particulars of their claim to the Registrar of the Supreme Court of Tasmania in writing on or before 21 October 2023 after which date the Executors may distribute the assets, having regard only to the claims of which the Executors then have notice.

Dated this twentieth day of September 2023.

DOBSON MITCHELL ALLPORT, Practitioners for the estate

Administration and Probate

ADMINISTRATION AND PROBATE ACT 1935

NOTICE FOR CLAIMS

MARY PATRICIA HARVEY (also known as MAURA PATRICIA HARVEY) late of 193 Acton Park Road, Acton Park in Tasmania.

Creditors, next of kin and others having claims in respect of the property or estate of the deceased MARY PATRICIA HARVEY (also known as MAURA PATRICIA HARVEY) who died on 04/06/2023 are required by the Executors ROBERT GLADE-WRIGHT and PETER ROYSTON WORRALL C/- Peter Worrall – Consultant Lawyers of 3/85 Macquarie Street, Hobart in Tasmania to send particulars to Peter Worrall – Consultant Lawyers and to the Registrar of the Supreme Court of Tasmania, GPO Box 167, Hobart in Tasmania 7001 by 20 October 2023, after which date the Executors may distribute the assets, having regard only to the claims of which they then have notice.

Dated this twentieth day of September 2023.

PETER WORRALL – CONSULTANT LAWYERS
Solicitors for the Executor

ADMINISTRATION AND PROBATE ACT 1935

Notice to Creditors

JOHN ERNEST EDWARDS, late of Unit 1, 8 Chardonnay Drive, Hawley Beach in Tasmania, Teacher, Married, Deceased.

Creditors, next of kin and others having claims in respect of the estate of the deceased, who died on 21 April 2023, are required by the Personal Representative, MARC BENJAMIN EDWARDS to send particulars of such claim to the Personal Representatives C/- Rae & Partners Lawyers, PO Box 605, Devonport in Tasmania by 20 October 2023, after which date the Personal Representative may distribute the assets having regard only to the claims of which the Personal Representative then has notice.

Dated this 20th day of September 2023

RAE & PARTNERS LAWYERS
Practitioners for the Personal Representative

ADMINISTRATION AND PROBATE ACT 1935

NOTICE FOR CLAIMS

ZENA KAY PENNEY late of 654 Adventure Bay Road, Adventure Bay in Tasmania.

Creditors, next of kin and others having claims in respect of the property or estate of the deceased ZENA KAY PENNEY who died on 30/03/2023 are required by the Executors CRAIG PENNEY, SCOTT PENNEY, and PETER ROYSTON WORRALL C/- Peter Worrall – Consultant Lawyers of 3/85 Macquarie Street, Hobart in Tasmania to send particulars to Peter Worrall – Consultant Lawyers and to the Registrar of the Supreme Court of Tasmania, GPO Box 167, Hobart in Tasmania 7001 by 20 October 2023, after which date the Executors may distribute the assets, having regard only to the claims of which they then have notice.

Dated this twentieth day of September 2023.

PETER WORRALL – CONSULTANT LAWYERS
Solicitors for the Executor

Drainage Areas/Trusts/ Water Districts

MOWBRAY SWAMP DRAINAGE TRUST DRAINAGE RATES 2023-2024

At a regularly constituted meeting of the Trust, held on the twelfth day of September 2023, the general rate for the year ending thirtieth June 2024 was struck and levied in respect to all lands within the Mowbray Swamp Drainage Area at the rate of:

1. 0.095 of one cent in the dollar land value for all lands receiving Class 1 benefits.
2. 0.05 of one cent in the dollar land value for all lands receiving Class 2 benefits.
3. \$20 is the minimum amount payable in respect to any one property.

Dated at Smithton the twelfth day of September 2023

KATHY MONSON, Secretary

TOGARI DRAINAGE TRUST DRAINAGE RATES 2023-2024

At a regularly constituted meeting of the Trust, held on twenty-ninth day of August 2023, the general rate for the year ending thirtieth June 2024 was struck and levied in respect to all lands within the Togari Drainage Area at the rate of:

1. 0.09 of one cent in the dollar land value for all lands receiving Class 1 benefits.

Dated at Smithton the twenty-ninth day of August 2023

KATHY MONSON, Secretary

Electricity Industry Safety and Administration

ELECTRICITY INDUSTRY SAFETY AND ADMINISTRATION ACT 1997

Variation of Electrical Safety Management Scheme

I, Henry Hodgson, as delegate of the Secretary of Justice under section 6(1) of the *Electricity Industry Safety and Administration Act 1997*, hereby give notice that, pursuant to the provisions of section 86 of the Act, I have approved a variation of the AETV, Tamar Valley Power Station, Electrical Safety Management Scheme extending the duration of its operation until 31 March 2024. This variation takes effect from the date of this notice.

This notice is published in accordance with section 87 of the Act. Any enquiries regarding this notice should be directed in writing to Consumer Building and Occupational Services, PO Box 56, Rosny Park, Tasmania, 7018 or emailed to cbos.info@justice.tas.gov.au

HENRY ALFRED HODGSON
Director, Technical Regulation and Occupational Licensing
Consumer Building and Occupational Services

Public Trustee

Pursuant to Section 17 of the *Public Trustee Act 1930*, notice is hereby given that after the expiration of fourteen (14) days from the publication hereof, application will be made by the Public Trustee to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the estate of the undermentioned deceased person, intestate, may be granted to the Public Trustee:-

Trevor James Gell late of 11 Briseis Esplanade Ringarooma in Tasmania Pensioner/Single Man deceased Intestate

Dated this 20th day of September 2023

**Chief Executive Officer
Public Trustee**

tpt@publictrustee.tas.gov.au

Professional Standards

PROFESSIONAL STANDARDS ACT 2005

NOTIFICATION PURSUANT TO SECTION 35(5)

I have been notified that the period for which **Australian Computer Society Professional Standards Scheme** is in force in the jurisdiction (being New South Wales) in which the scheme was prepared has been extended until 31 December 2024, by notice of the New South Wales Minister dated 22 June 2023 and gazetted under the corresponding law.

As required by section 35(5) of the *Professional Standards Act 2005* (the Act), I therefore give notice of that extension. In accordance with section 35(1B) of the Act, the scheme remains in force in relation to Tasmania until that date, or as otherwise determined by that section.

HON ELISE ARCHER MP

Minister for Workplace Safety and Consumer Affairs

PROFESSIONAL STANDARDS ACT 2005

NOTIFICATION PURSUANT TO SECTION 35(5)

I have been notified that the period for which **The Law Society of New South Wales Professional Standards Scheme** is in force in the jurisdiction (being New South Wales) in which the scheme was prepared has been extended until 21 November 2024, by notice of the New South Wales Minister dated 22 June 2023 and gazetted under the corresponding law.

As required by section 35(5) of the *Professional Standards Act 2005* (the Act), I therefore give notice of that extension. In accordance with section 35(1B) of the Act, the scheme remains in force in relation to Tasmania until that date, or as otherwise determined by that section.

HON ELISE ARCHER MP

Minister for Workplace Safety and Consumer Affairs

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>Mental Health Amendment Act 2023</i>	S. R. 2023, No. 61	Proclamation under section 2
(2) <i>Corrections Amendment Act 2023</i>	S. R. 2023, No. 62	Proclamation under section 2
(3) <i>Vehicle and Traffic Act 1999</i>	S. R. 2023, No. 63	<i>Vehicle and Traffic (Heavy Vehicle Charges) Amendment Regulations 2023</i>
(4) <i>Justices Act 1959</i>	S. R. 2023, No. 64	<i>Justices (Restraint Orders) Rules 2023</i>
(5) <i>Justices Act 1959</i>	S. R. 2023, No. 65	<i>Justices Regulations 2023</i>

GENERAL PURPORT OR EFFECT OF THE ABOVEMENTIONED STATUTORY RULES

- (1) Proclamation under section 2 of the *Mental Health Amendment Act 2023*
This proclamation fixes 25 September 2023 as the day on which the *Mental Health Amendment Act 2023*, other than sections 57(a), (b) and (d) and 58(b) of that Act, commences.
- (2) Proclamation under section 2 of the *Corrections Amendment Act 2023*
This proclamation fixes 30 September 2023 as the day on which the *Corrections Amendment Act 2023* commences.
- (3) *Vehicle and Traffic (Heavy Vehicle Charges) Amendment Regulations 2023*
These regulations amend the *Vehicle and Traffic (Heavy Vehicle Charges) Regulations 2017* by altering certain charges in accordance with the Heavy Vehicle Charges Model Law.
- (4) *Justices (Restraint Orders) Rules 2023*
These rules –
 - (a) prescribe the procedures to be followed in relation to the making, serving, filing and hearing of applications in respect of restraint orders under the *Justices Act 1959*; and
 - (b) are made consequentially on the repeal of the *Justices (Restraint Orders) Rules 2013* under section 11 of the *Subordinate Legislation Act 1992*.
- (5) *Justices Regulations 2023*
These regulations –
 - (a) prescribe certain fees, costs and charges payable under the *Justices Act 1959*; and
 - (b) are made consequentially on the repeal of the *Justices Regulations 2013* under section 11 of the *Subordinate Legislation Act 1992*.

Copies of the abovementioned statutory rules may be purchased at The Print Division Tasmania,
46 Brisbane Street, Hobart, Phone: 03 6210 9633, Email: parliament@acodata.com.au

K WOODWARD, 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.

Mental Health

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 138 of the *Mental Health Act 2013*, the undermentioned person has been approved as a medical practitioner for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on 30 day of August 2023.

DR KORUWAGE ANTHONY CHAMINDA FERNANDO

Dated this thirtieth day of August 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil Psychiatrist/Chief Forensic Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 138 of the *Mental Health Act 2013*, the undermentioned person has been approved as a medical practitioner for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on 30 day of August 2023.

DR REBECCA ANNE GRANT

Dated this thirtieth day of August 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 138 of the *Mental Health Act 2013*, the undermentioned person has been approved as a medical practitioner for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on 12 day of September 2023.

DR RAINHA IONA JACQUES

Dated this twelfth day of September 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 138 of the *Mental Health Act 2013*, the undermentioned person has been approved as a medical practitioner for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on 30 day of August 2023.

DR RAJU GUDIVADA VENKATA LAKSHMANA

Dated this thirtieth day of August 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil Psychiatrist/Chief Forensic Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 138 of the *Mental Health Act 2013*, the undermentioned person has been approved as a medical practitioner for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on 14 day of September 2023.

DR KALPANA NAGAPPAN

Dated this fourteenth day of September 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 138 of the *Mental Health Act 2013*, the undermentioned person has been approved as a medical practitioner for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on 08 day of September 2023.

DR SARAH VINH NGUYEN

Dated this eighth day of September 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 138 of the *Mental Health Act 2013*, the undermentioned person has been approved as a medical practitioner for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on 06 day of September 2023.

DR MATTHEW THOMAS POLS

Dated this sixth day of September 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 138 of the *Mental Health Act 2013*, the undermentioned person has been approved as a medical practitioner for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on 08 day of September 2023.

DR LISA MICHELLE PRYOR

Dated this eighth day of September 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil 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 08 day of September 2023.

FARAI RACHAEL MHEMBERE

Dated this eighth day of September 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil Psychiatrist and 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 08 day of September 2023.

SUZANNE MAREE DENTICE

Dated this eighth day of September 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil 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 25 day of August 2023.

SARAH ELIZABETH CLAYTON

Dated this twenty-fifth day of August 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil 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 01 day of September 2023.

SUSAN DEEARNE DEBNAM

Dated this first day of September 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil 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 14 day of September 2023.

LIZETTE CLAIRE TREDOUX

Dated this fourteenth day of September 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil 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 05 day of September 2023.

ARITA CORNISH

Dated this fifth day of September 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil Psychiatrist/Chief Forensic Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 138 of the *Mental Health Act 2013*, the undermentioned person has been approved as a nurse 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 25 day of August 2023.

FARAI RACHAEL MHEMBERE

Dated this twenty-fifth day of August 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil Psychiatrist and Chief Forensic Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 138 of the *Mental Health Act 2013*, the undermentioned person has been approved as a nurse 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 08 day of September 2023.

TAYLAH JANE SINCLAIR

Dated this eighth day of September 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil Psychiatrist and Chief Forensic Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 138 of the *Mental Health Act 2013*, the undermentioned person has been approved as a nurse 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 30 day of August 2023.

MARIA CORAZON WEVERS

Dated this thirtieth day of August 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 139 of the *Mental Health Act 2013*, the undermentioned persons have 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 23 day of August 2023.

BRENT WOODWARD

INGRID NIELSEN

TRISTAN PEARCE

SAM LEEWOOD

BRADLEY MCCLOGHRY

THOMAS CLARKSON

RENAE HILL

Dated this twenty-third day of August 2023

ASSOCIATE PROFESSOR ANTHONY CIDONI
Acting Chief Civil Psychiatrist/Chief Forensic Psychiatrist

Cities Councils



ENVIRONMENTAL HEALTH BY-LAW

BY-LAW 1 OF 2023

BY-LAW MADE UNDER SECTION 145

OF THE LOCAL GOVERNMENT ACT 1993

FOR THE PURPOSE OF

REGULATING MATTERS OF ENVIRONMENTAL HEALTH WITHIN THE
MUNICIPAL AREA

PART 1 - PRELIMINARY

Short Title

1. This by-law may be cited as the Environmental Health By-Law.

Interpretation

2. In this by-law:-
 - “**animal**” includes, but is not limited to, livestock, pigs, poultry, bees, horses, and birds
 - “**approved container**” in relation to the disposal of sharps, means any container which is impervious, rigid, durable, tamper resistant, clearly labelled and which is able to be securely fastened;
 - “**authorised officer**” means an employee of the Council authorised by the General Manager for the purposes of this by-law;
 - “**bee hive**” means a modular framed housing for a honey bee colony, which normally contains either a nucleus colony or standard size colony;
 - “**caravan**” includes, without limitation, any object or structure having the general characteristics of a caravan, a dwelling on wheels, a covered van or trailer and any vehicle used or adapted for occupation whether or not the wheels or axles are removed and whether it is resting directly on the ground or is placed on blocks or other supports and any structure, awning, verandah, lean-to, tent, car-port or any other enclosed or partly enclosed area used or capable of being used with or appurtenant to a caravan;

“collection area” means that land within the municipal area Council has determined for kerbside collection of domestic waste, recycling and organics.

“controlled waste” means; asbestos, paint, thinners, garden chemicals, oil or other petroleum products, automotive parts, explosives, flammable liquids and solids, batteries, pesticides and herbicides.

“Council” means the Sorell Council;

“Domestic waste” means any domestic garbage, rubbish and disposable garbage bags arising from human habitation;

“Environmental Health Officer” means the Environmental Health Officer appointed by the Council;

“General Manager” means the General Manager appointed by the Council, or an Acting General Manager appointed by the Mayor of the Council, or an employee of the Council with the written delegation of the General Manager to act on behalf of the General Manager for the purpose of matters regulated in this by-law;

“greenwaste” means organic, biodegradable waste arising from vegetation that is suitable for processing or composting.

“hard waste” means large or bulky materials that are too large to be collected in kerbside garbage bins.

“hazardous waste” means waste which by itself or in combination with other materials may be infectious, explosive, poisonous, toxic or otherwise dangerous or injurious to human, animal or plant life;

“Manager Health and Compliance” means the Manager Health and Compliance appointed by the Council

“mobile garbage bin” means a wheelie bin provided by Council for garage collection.

“mobile organics bin” means a wheelie bin provided by Council for organics collection.

“mobile recycling bin” means a wheelie bin provided by Council for recycling collection.

“multiple dwelling” has the same meaning as the *Tasmanian Planning Scheme – Sorell*

“municipal area” means the municipal area of the Sorell Council defined in accordance with section 16 of the *Local Government Act*;

“nuisance” means as defined in section 199 of the *Local Government Act 1993*;

“occupy” includes, without limitation, reside or live in or use any caravan for entertainment, sleeping, resting, cooking, eating, commercial or retail activities or for any similar use;

“organics” includes greenwaste, food, or any other item determined by the authorised officer.

“owner” includes, without limitation, the occupier or other person having the control and management of any land;

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

“prescribed zone” means land zoned as General Residential, Inner Residential or Low Density Residential in the *Tasmanian Planning Scheme – Sorell*;

“recycling centre” means an area set aside by Council for receiving materials that are recyclable;

“refuse” includes domestic garbage, recyclables, greenwaste, hard waste and organics.

“refuse disposal site” means any area set apart by the Council for the disposal of waste and includes, without limitation, a refuse disposal area, waste transfer station, resource recovery facility, recycling centre, or tip;

“rooster” means an adult male chicken or similar bird;

“road” has the same meaning as in the *Roads and Jetties Act 1935*;

“Senior Compliance Officer” means the Senior Compliance Officer appointed by the Council;

“sharps” means objects or devices having acute rigid corners, edges, points or protuberances capable of cutting or penetrating the skin and includes medical objects or devices capable of cutting or penetrating the skin, hypodermic needles, intravenous sets, pasteur pipettes, lancets and scalpel blades, and other similar medical objects or devices;

“transfer station” means a facility established by the Council for the purpose of receiving refuse for transfer to a refuse disposal site;

“waste” has the same meaning as in the *Environmental Management and Pollution Control Act 1994*;

“website” means the Sorell Council world wide web pages, domain address www.sorell.tas.gov.au.

PART 2 - DISPOSAL OF WASTE**Interpretation**

3. For the purposes of this Part, an “authorised officer” includes, without limitation, the Environmental Health Officer, Senior Compliance Officer and the Manager Health and Compliance.

Off-loading refuse at refuse disposal site

4. A person must not deposit or cause to be deposited any waste, noxious or offensive matter or liquid waste or rubbish of any kind on any refuse disposal site except in accordance with signs or directions given by an authorised officer.

Penalty: fine not exceeding 10 penalty units

Normal hours of refuse disposal site operation

5. A person must not deposit, place or drop or allow any person to deposit, place or drop any waste in or on any refuse disposal site except on the days and within the periods of time fixed by the Council as shown on signs at the entrance to the refuse disposal site.

Penalty: fine not exceeding 5 penalty units

Lighting of Fires

6. Unless otherwise authorised by an authorised officer, a person must not at a refuse disposal site:
 - (a) deposit embers, coals or ashes; or
 - (b) light any fire or feed or extend any fire which is already burning.

Penalty: fine not exceeding 10 penalty units

Interference with plant or equipment

7. A person must not, without the written permission of an authorised officer, interfere with any plant or equipment at a refuse disposal site.

Penalty: fine not exceeding 5 penalty units

Disposal of loose paper

8. A person must not deposit any paper at a refuse disposal site without securing it from being scattered by the wind.

Penalty: fine not exceeding 5 penalty units

Refusal to accept waste at a refuse disposal site

9. An authorised officer may refuse to accept any waste at a refuse disposal site which, in the opinion of the authorised officer, is:
- (a) likely to pose a substantive and unacceptable hazard to Council employees, the public, or the environment;
 - (b) prohibited by any permit conditions relevant to the disposal site; or
 - (c) otherwise prohibited from being accepted at or deposited at the refuse disposal site by law.

Disposal of Hazardous Waste

10. A person must not deposit, place or drop or allow any person to deposit, place or drop any hazardous waste at a refuse disposal site except with the prior written approval of an authorised officer.

Penalty: fine not exceeding 20 penalty units

Disposal of sharps

11. A person must not deposit, place or drop or allow any person to deposit, place or drop any sharps in or on any refuse disposal site except with the prior written approval of an authorised officer and in an approved container for burial.

Penalty: fine not exceeding 5 penalty units

PART 3 – HOUSEHOLD REFUSE**Interpretation**

12. For the purposes of this Part:
- (a) “notice” means a Council notice:
 - i. displayed or set up in a public place or adjacent to a public place in the municipal area; or
 - ii. displayed on Council’s website; or
 - iii. in a daily newspaper circulating in the municipal area; or

- iv. forwarded by the Council or an authorised officer to a person to whom this by-law applies.
- (b) “notified recyclables” means materials notified as being recyclables in accordance with clause 14;
- (c) “notified organics” means materials notified as being organics in accordance with clause 14; and
- (d) “kerbside collection service” includes collection services for garbage, recycling and food and organics.

Kerbside waste collection

13. The Council will provide a kerbside collection service for domestic waste.
14. The General Manager may determine by notice classes of materials as being recyclables (**notified recyclables**) and organics (**notified organics**) for the purpose of kerbside collection.
15. The General Manager may determine by notice matters relating to the storage, collection, transport, or disposal of refuse in the municipal area.
16. Every tenement within the collection area will, upon request, be provided with a mobile garbage bin for the storage and collection of domestic waste and a mobile recycling bin for the storage and collection of recyclables and a mobile organics bin when the service is introduced. Mobile garbage bins, mobile recycling bins and mobile organics bins may be provided to residential flats or units on a share basis for use by two or more tenancies.
17. Bins provided in accordance with clause 16 remain the property of the Council, and are to be left at the premises when the owner/occupier vacates the premises.
18. Council may impose a charge for the replacement, repair or renewal of any mobile garbage bin, mobile organics bin or mobile recycling bin.
19. The Council or its authorised contractors will only collect domestic waste that is:
 - (a) contained within a mobile garbage bin with a closed lid and which was provided by or purchased from the Council for that purpose;
 - (b) notified recyclables that are wholly contained within a mobile recycling bin provided by or purchased from the Council for that purpose; and
 - (c) notified organics that are wholly contained within a mobile organics bin provided by or purchased from the Council for that purpose.

20. A person other than the Council or its authorised contractor must not collect recyclables placed in a mobile recycling bin for collection by Council's recycling collection service.

Penalty: fine not exceeding 2 penalty units

General Provisions

21. A person entitled to receive the kerbside collection service is to:
- (a) keep the mobile garbage bin, mobile recycling bin and mobile organics bin in good repair and thoroughly clean and sanitary;
 - (b) keep the lid of the mobile garbage bin mobile recycling bin and mobile organics bin closed except when matter is being placed in it;
 - (c) leave the mobile garbage bin mobile recycling bin and mobile organic bin for collection on a day and in the manner and location notified by the General Manager under clause 15 or as approved by an authorised officer;
 - (d) ensure that the contents of the mobile garbage mobile recycling bin and mobile organics bin do not exceed 80 kilograms;
 - (e) place any domestic waste, which is not notified recyclables or notified organics, in the mobile garbage bin;
 - (f) not overload the mobile garbage bin, mobile recycling bin or mobile organics bin so that waste or recycling blows out of the bin;
 - (g) not place out for collection a mobile garbage, mobile recycling bin or mobile organics bin for collection, other than a Council supplied bin; and
22. A person entitled to receive the kerbside collection service must:
- (a) store the mobile garbage bin, mobile recycling bin and mobile organics bin wholly within the property boundaries unless otherwise authorised by an authorised officer, except when placed on the kerbside for collection in accordance with the General Manager's notice under clause 15 relating to collections;
 - (b) clean and disinfect the mobile garbage bin, mobile recycling bin and mobile organics bin if required to do so by the authorised officer;
 - (c) not place in any mobile recycling bin any matter except notified recyclables;
 - (d) not place in any mobile organics bin any matter except notified organics;
 - (e) not place a mobile garbage bin, mobile recycling bin or mobile organics bin for collection on the kerbside more than 24 hours prior to the scheduled collection and remove the mobile bin as soon as is reasonably practical after collection and no longer than 48 hours after collection, unless otherwise directed to do so by an authorised officer; and

- (f) comply with the directions of an authorised officer regarding where to locate a mobile waste bin, mobile recycling bin or mobile organics bin for kerbside collection.

Penalty: fine not exceeding 2 penalty units

Multiple Dwellings

- 23. Occupants of multiple dwellings must ensure that a sufficient suitable area for the storage of mobile garbage, organic and recycling bins remains unobstructed to enable kerbside collection
- 24. An authorised officer may require the owner/occupier of multiple dwellings to share mobile garbage, organic or recycle bins if there is insufficient room for kerbside collection.

Dangerous substances

- 25. The occupier of any premises must not place in any mobile garbage bin, mobile recycling bin, or mobile organics bin, which is placed for Council collection any thing or substance which:
 - (a) is a controlled waste;
 - (b) is trade refuse which is noxious, prejudicial to health, or a nuisance;
 - (c) contains sufficient heat, or is likely to generate sufficient heat by itself or in combination with other matter, to ignite or cause fire, or damage the mobile garbage bin, or recycling bin, or any other property of Council or its contractors;
 - (d) may, or is likely to explode;
 - (e) may interact with other substances in the bin and generate toxic or poisonous gases or fumes;
 - (f) is corrosive; or
 - (g) contains sharps, hazardous waste or potentially infectious waste.

Penalty: fine not exceeding 20 penalty units

Compliance notices

- 26. An Authorised Officer may issue a notice on a person to enforce compliance with Part 3 of this By-Law.

27. A person must comply with any direction from an authorised officer in relation to the storage, collection, transport or disposal of refuse in the municipal area and with the terms and conditions of any notice issued pursuant to clause 26.

Penalty: fine not exceeding 10 penalty units

28. An authorised officer may require an owner or occupier of residential tenements to sort domestic refuse to enable the separate collection of recyclables, reusable materials, greenwaste, hard waste or organics.

PART 4 - CONTROL OF ANIMALS

Prohibition on keeping certain animals in the prescribed areas

29. A person must not have or keep, on a temporary or permanent basis, any of the following in the Prescribed Zone without a permit:
- (a) Horses, cattle, other farm animals or stock, including:
 - (i) Sheep,
 - (ii) Goats,
 - (iii) Pigs,
 - (iv) Donkeys,
 - (v) Roosters;
 - (b) Bees (in excess of 2 hives)
 - (c) Poultry (in excess of 6 Adult hens)

Penalty: fine not exceeding 10 penalty units

Keeping of bee hives

30. A person must not keep a bee hive within 3m from a property boundary or within 6m from a dwelling in other ownership.

Penalty: fine not exceeding 5 penalty units

31. An authorised officer may by notice require an owner or occupier of land with a bee hive to provide a screen or barrier to prevent bees flying over a thoroughfare, public place or adjoining land.
32. A person served with a notice under clause 31 must not fail to comply with that notice.

Penalty: fine not exceeding 5 penalty units

Keeping of fowls and poultry

33. A person must not keep any enclosure, building, or fenced area for keeping poultry within 6m of a dwelling in other ownership.

Penalty: fine not exceeding 5 penalty units

34. A permit is required to keep a rooster within 100m of a dwelling in other ownership.

Penalty: fine not exceeding 5 penalty units

Maintenance of premises used by animals

35. The occupier of any premises where an animal is kept must:
- (a) keep any structures, buildings, enclosures or areas which the animal has access to, clean and sanitary;
 - (b) not allow the animal to cause any nuisance through smell, noise, rodents, flies or drainage; and
 - (c) not allow the animal to create a public health or safety risk to neighbouring residents.

Penalty: fine not exceeding 5 penalty units

36. If an authorised officer reasonably believes that a nuisance is being created or is likely to be created, an authorised officer may issue a notice to the owner or occupier of land requiring that:
- (a) any animals kept on the property are kept in cages, pens or similar structures;
 - (b) the owner or occupier of the land undertakes any necessary measures to prevent an animal causing a nuisance to neighbours; or
 - (c) animals are removed or relocated from the premises or property where they are being kept.

An authorised officer may only exercise the powers specified in 35(c) when it is not reasonable or practical for the owner or occupier to undertake measures to prevent the animal creating a nuisance or the owner has undertaken measures and these measures have not been sufficient to prevent or abate the nuisance.

37. A person issued with a notice under clause 36 must not fail to comply with the notice.

Penalty: fine not exceeding 10 penalty units

38. A person served with a notice under clause 36 may apply to the General Manager for the notice to be reviewed. The General Manager may revoke or amend the notice having regard to:
- (a) whether a nuisance exists; and
 - (b) whether any other measures are available to the owner or occupier to prevent an animal causing a nuisance.
39. An authorised officer may request that a person making an allegation that an animal is creating a nuisance provide a written statement detailing information the authorised officer considers relevant. This may include, but is not limited to, the days, times and duration that the nuisance is occurring.

Issue of a Permit

40. Any application for a permit to keep animals pursuant to this by-law is to be in accordance with form 3 in Schedule 1.
41. An Authorised Officer may issue a permit to keep animals upon such terms and conditions as the Authorised Officer may determine are necessary to prevent the animal or animals creating a nuisance.
42. A person must comply with the terms and conditions of any permit issued.

Penalty: fine not exceeding 10 penalty units

Refusal of Permit

43. A permit may be refused if, in the opinion of the Authorised Officer:
- (a) the keeping of the animals will adversely affect or is likely to adversely affect the amenities of the neighbourhood in which the animals are kept;
 - (b) the keeping of the animals is, in the opinion of the Authorised Officer, likely to create a nuisance to neighbouring residents; or
 - (c) the keeping of the animals is, in the opinion of the Environmental Health Officer, likely to cause a health or safety hazard

Cancellation of Permit

44. An Authorised Officer may cancel the permit granted to a person under this Part, if that person breaches this Part or breaches a condition imposed under the permit.

45. If an Authorised Officer cancels a permit, the authorised officer is to serve a notice in writing on a permit holder that that the permit has been cancelled and the reason for that cancellation.
46. Cancellation of a permit is effective from the day that notice has been served on the permit holder or the date specified in the notice, whichever is the later.
47. A person may apply to the General Manager to review a decision to cancel a permit. The General Manager may uphold the decision or direct the Authorised Officer to issue the permit under the same or any other conditions the General Manager Considers are appropriate.
48. The person reviewing the decision to cancel the permit pursuant to Clause 47 must not be the same person who made the original decision to cancel the permit.

Seizure, detention and impounding animals

49. An authorised officer may seize, detain and impound an animal where the authorised officer believes an offence has been committed under Part 4 of this By-Law.

Sale and destruction of animals

50. The General Manager may:
 - (a) sell, give away free of charge or destroy any impounded animal, in accordance with section 197 of the *Local Government Act 1993*, if:
 - (i) no one has claimed the animal within 14 days of impounding; or
 - (ii) any fees, costs and charges specified by notice have not been paid within the time specified in that notice; and
 - (b) arrange for an impounded animal to be destroyed, in accordance with section 198 of the *Local Government Act 1993*, if, in the opinion of a qualified veterinary surgeon, the animal is:
 - (iii) seriously diseased; or
 - (iv) so injured or disabled as to be apparently in continual pain

PART 5 – CARAVANS

Application

51. This Part applies to caravans in the municipal area, but does not apply to those:
 - (a) occupied on Council land appointed as a caravan park or area designated or approved for overnight parking of recreational vehicles, motor homes or caravans; or

- (b) situated on private land in respect of which a planning permit has been issued under the Land Use Planning & Approvals Act 1993 for a caravan park or overnight parking of recreational vehicles, motor homes or caravans; or
- (c) used by travelling showpersons in the ordinary course of their business; or
- (d) used by Council work gangs or contractors involved in construction work for the Council; or
- (e) situated at a person's principal place of residence and occupied for up to 14 days per calendar year; or
- (f) situated at a person's principal place of residence solely for the purposes of storage.

Application for Caravan Licence

52. A person may apply in writing for a licence to have a caravan situated on private land by completing and returning to the Council an application in accordance with Form 1 in the first schedule.

Licence necessary to have a Caravan situated on private land

53. A person must not have a caravan to which this Part applies situated on private land within the municipal area without a current licence issued by Council in accordance with clause 52.

Penalty: fine not exceeding 10 penalty units

54. Without limitation, clause 53 applies to a person who is constructing a house as a principal place of residence on land owned by them.

Cessation of occupation

55. If the holder of a licence issued by the Council ceases to have a caravan situated on private land for which a licence is required, before the expiry of their licence, the holder is to inform the Council within ten days of the date the caravan ceases to be situated on private land.

Licences

56. On receipt of an application, an authorised officer may grant or refuse to grant a licence in accordance with Form 2 in the second schedule. In deciding whether or not to grant a licence under this Part for the occupation of a caravan, the General Manager may have regard to the following:
- (a) whether the use of the caravan will adversely affect or is likely to adversely affect the amenity of the neighbourhood in which the caravan is to be set up;

- (b) whether the caravan has sufficient or satisfactory facilities for the supply of water or disposal of waste water available to the occupants;
 - (c) whether the occupation of the caravan is likely to cause a health hazard;
 - (d) any relevant policy of the Council; and
 - (e) any other relevant matter.
57. Notwithstanding Clause 56, a licence to have a caravan situated on private land is not to be granted unless:
- (a) A plumbing permit has been issued under the *Building Act 2016* for an on-site wastewater management system; or
 - (b) the proposed method for the disposal of wastewater has been approved by the Environmental Health Officer on the basis that it is safe for the general public.
58. A licence may be granted subject to any reasonable and relevant terms and conditions with respect to the:
- (a) location of the caravan or caravans;
 - (b) number of persons that may occupy the caravan;
 - (c) number of days per year that the caravan may be occupied;
 - (d) method of wastewater or garbage disposal;
 - (e) type of sanitary, washing facilities, drinking water and cooking facilities that must be provided or available on-site; or
 - (f) measures required to screen or otherwise improve the aesthetic appearance of the caravan.
59. A licence must not be issued for a period of more than 12 months.
60. A person who breaches any licence condition imposed by the authorised officer commits an offence.

Penalty: fine not exceeding 5 penalty units.

Power to dispense with compliance

61. Council by resolution may dispense with the compliance by any person with any provision of this Part on such terms and for such period as Council determines at its complete discretion.
62. A dispensation is not valid unless it is in writing and signed by the General Manager.
63. Council may revoke a dispensation granted under this clause at any time on giving notice to the person affected.

Disallowance of occupation in public places

64. A person must not occupy a caravan if it is erected, parked or placed on any road, public reserve or other public place.

Penalty: fine not exceeding 5 penalty units.

Cancellation of Licence

65. An Authorised Officer may cancel the licence granted to a person under this Part, if satisfied that the licence holder has breached this Part or has breached a condition imposed under the licence.
66. If an Authorised Officer cancels a licence, the authorised officer is to serve a notice in writing on a licence holder that that the licence has been cancelled and the reason for that cancellation.
67. Cancellation of a licence is effective from the day that notice has been served on the licence holder or the date specified in the notice, whichever is the later.

Refusal of licence

68. A licence may be refused if, in the opinion of the Authorised Officer:
- (a) the use of the caravan will adversely affect or is likely to adversely affect the amenities of the neighbourhood in which the caravan is to be set up; or
 - (b) the caravan does not contain satisfactory facilities for the supply of water or the disposal of sewage; or
 - (c) the caravan does not have sufficient or satisfactory facilities for the supply of water or disposal of sewage available to the occupants.
69. A licence may be refused if the Authorised Officer has received advice from the Environmental Health Officer that the occupation of the caravan is likely to cause a health hazard.

PART 6 - PERMITS AND APPROVALS**Referral to Council**

70. No provision of this by-law is to be construed as preventing the General Manager from requiring an authorised officer to refer any application for a licence to the Council.

Assignment of permit

71. A permit must not be assigned and is not transferable to any person except with the written consent of the Authorised Officer.

PART 7 - INFRINGEMENT NOTICES

Infringement Notices

72. In this clause -
- “**Specific offence**” means an offence against the clause specified in column 1 of Schedule 3.
73. An infringement notice may be issued in respect of a specific offence and the monetary penalty set out adjacent to the offence in Column 3 of Schedule 3 is imposed with respect to an infringement notice issued for that offence.
74. An authorised officer may –
- (a) issue an infringement notice to a person who the authorised officer has reason to believe is guilty of a specific offence; and
 - (b) issue one infringement notice in respect of more than one specific offence.
75. The *Monetary Penalties Enforcement Act 2005* applies to an infringement notice issued under this by-law.
76. In addition to any other method of service, an infringement notice alleging that a vehicle has been used in relation to a specific offence may be served by affixing it to that vehicle.
77. A person who is served with an infringement notice must, within 28 days of the date of service, do one or more of the following:
- (a) pay the monetary penalty in full to the General Manager;
 - (b) apply to the General Manager for withdrawal of the infringement notice;
 - (c) apply to the General Manager for a variation of payment conditions; or
 - (d) lodge with the General Manager a notice of election to have the offence of offences set out in the infringement notice heard and determined by a court.
78. If a person who has been served with an infringement notice fails to take one or more the actions required by clause 77 within the prescribed time, the infringement may be referred to the Director, Monetary Penalties.

PART 8 - POWERS OF AUTHORISED OFFICERS

79. An Authorised Officer may:

- (a) remove any person from land owned by, or under the control of the Council, if the authorised officer reasonably believes that person is offending against this by-law;
 - (b) remove anything which is on land owned by, or under the control of the Council without the approval of the Council; or
 - (c) request assistance from a police officer, and a police officer can carry out any of the actions an Authorised Officer could carry out under this clause, or 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
80. In order that the Council may perform its functions or exercise its powers under this by-law, the General Manager may authorise an officer to enter land pursuant to s. 20A of the *Local Government Act 1993*. Unless specified otherwise, an officer so authorised may enter and remain in or on any private premises to determine:
- (a) the number of animals or bees on those premises;
 - (b) whether or not any animal on those premises is authorised under a licence, permit or other authority;
 - (c) the condition of any caravan, animal, enclosure or structure where animals are or are proposed to be kept;
 - (d) whether an offence against this by-law has been committed on those premises; or
 - (e) any other matter relating to any permit, licence or authority, or any application for a permit, licence or written authority.

A person must not hinder or obstruct an authorised officer

81. A person must not hinder or obstruct an authorised officer in the exercise of his or her duties under this by-law.

Penalty: fine not exceeding 10 penalty units

82. A person must obey a lawful direction or instruction from an authorised officer, whether that instruction or direction is given verbally or in writing.

Penalty: fine not exceeding 10 penalty units

Supply of Name and Address

83. An authorised officer may require a person to give their name and address if the authorised officer reasonably believes that the person is offending or has offended against this By-Law
84. A person who fails or refuses to comply with a request to give their name and/or address is guilty of an offence.

Penalty: fine not exceeding 5 Penalty units

85. A police officer making a request under clause 83 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 clause 83.

Recovery of Costs

86. Any expense incurred by the Council as a result of a person's contravention or failure to comply with a provision of this by-law is recoverable by the Council as a debt to it from the person failing to comply or contravening the by-law.

PART 9 – CONTROL OF BURNING

87. For the purpose of regulation 9 of the *Environmental Management and Pollution Control (Smoke) Regulations 2019*:
- (a) an authorised officer may direct a person to extinguish a fire for the burning of wastes or fuels;
 - (b) if either the owner or occupier of the land or person who has lit the fire refuses to extinguish the fire the authorised officer may extinguish the fire or request the Tasmania Fire Service to extinguish the fire.
88. Council may recover any costs incurred in taking action under clause 87 from the person responsible for lighting the fire.
89. A person must not light a fire, in the open or in an incinerator for the burning of wastes or fuels:
- (a) on council land or a road without the permission of Council.
 - (b) within 50m of a dwelling, unless the dwelling is owned or occupied by that person.

Penalty: fine not exceeding 10 Penalty Units

90. Clause 89(a) does not apply to the Crown or persons working on behalf or with the approval of the Crown.

91. Clause 89(b) does not apply:
- (a) to a wood heater or stove inside a building or structure;
 - (b) when a fire permit issued by the Tasmania Fire Service applies;
 - (c) to a 'fire pit' or similar enclosure or structure used primarily for heating or warmth;
 - (d) to a wood fired barbeque or pizza oven, but only for the purposes of cooking food; or
 - (e) to fire hazard reduction burning of in situ vegetation on land zoned Rural, Agriculture, Community Purpose, Recreation, Environmental Management or Rural Living in the *Tasmanian Planning Scheme – Sorell*.

PART 10 - CONTINUING OFFENCES

92. Where an offence against this by-law is alleged to have been committed by a person and the act or omission which constituted the alleged offence continues after the person has been served with notice of the alleged offence and the person is subsequently convicted of the offence, the person is liable, in addition to the penalty otherwise applicable to the offence, to a penalty for each day during which the act or omission continues after the service of the notice of not more than an amount equal to one-fifth of the maximum penalty prescribed for that offence or 2 penalty units whichever is the lesser.
93. Where an offence against this by-law is committed by a person and the act or omission which constituted the offence continues after the person is convicted of the offence, the person is guilty of a further offence against that provision and is liable, in addition to the penalty otherwise applicable to the further offence, to a penalty for each day during which the act or omission continues after that conviction of not more than an amount equal to one-fifth of the maximum penalty prescribed for that offence.
94. For the purposes of this by-law, an obligation to do something is to be regarded as continuing until the act is done notwithstanding that any period within which, or time before which, the act is required to be done has expired or passed.

SCHEDULE 1 - APPLICATIONS

FORM 1
SORELL COUNCIL
APPLICATION FOR CARAVAN LICENCE

Given NameSurname
Residential Address.....
Telephone Number: (Home) (Work)

About the Caravan

Registration Number: Size:
Model:Manufacturer:
Colour:
Address where caravan will be kept:
Name of owner of land where caravan will be kept:
Address of owner of land:
Type of water supply to caravan:
Method of disposal of sewage wastes (including water closet, bath, shower, hand basin sink and laundry):
Number of people to occupy caravan:
Period proposed to remain on site:

Date:/...../.....

Signature of Applicant

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

FORM 3
SORELL COUNCIL
APPLICATION FOR A PERMIT TO KEEP HORSE, PIG, LIVESTOCK, ROOSTER or BEES

Applicant Name.....
 Residential Address.....

 Telephone Number: (Home) (Work)
 Email.....

Type of animal:
 Address where animal will be kept:

 Name of owner of land where animal will be kept:
 Address of owner of land:

Where animal will be kept, including the type of building, enclosure, hive, stable, land:

 Method for ensuring that the animal will not create a nuisance to neighbouring residents:

 Number of animals / hives to be kept:

Location where animals will be kept including a map or plan:

Date:/...../.....

.....
 Signature of Applicant

Please attach a site plan to your application showing the outline of the property showing where the animal or hives will be situated including a photograph.

SCHEDULE 2 – LICENCES

FORM 2
SORELL COUNCIL
LICENCE TO SITUATE CARAVAN ON PRIVATE LAND

A licence to have a caravan situated on private land being a
.....
of registration number , to be situated at
.....
on land owned by , for a period of
..... months, is hereby granted, subject to the following
.....
.....

The proposed method for the disposal of sewage has been approved.

A fee of \$ has been received by Council.

Date:/...../.....

.....
Senior Compliance Officer

**FORM 4
SORELL COUNCIL
LICENCE TO KEEP AN ANIMAL OR BEES ON PRIVATE LAND**

A licence to have an animal or bees situated on private land being a
.....
to be situated at:
on land owned by: , for a period of
..... months, is hereby granted, subject to the following
.....
.....
.....

A fee of \$ has been received by Council.

Date:/...../.....

.....Senior Compliance Officer



SCHEDULE 3 – INFRINGEMENT NOTICE OFFENCES

Clause	General Description of Offence	Penalty (Penalty units)
4	Off-loading refuse at refuse disposal site	2
5	Hours of use refuse disposal site	1
6	Lighting of fires	2
7	Interference with plant or equipment	1
8	Disposal of loose paper	1
10	Disposal of hazardous waste	4
11	Disposal of sharps	1
20	Collection of kerbside recyclables other than by authorised contractor	0.5
22	Offences relating to use of kerbside collection service	0.5
25	Disposal of dangerous substances	4
27	Failure to comply with a direction from an authorised officer	4
29	Keeping certain animals in prescribed areas without a permit	2
30	Keeping a bee hive close to property boundaries without a permit	1
32	Failure to comply with a notice to provide a screen or barrier	1
33	Keeping a poultry enclosure close to property boundaries	1
34	Keeping a rooster close to property boundaries without a permit	1
35	Failure to comply with maintenance obligations	1
37	Failure to comply with a notice	2
42	Failure to comply with the terms and conditions of a permit	2
53	Keeping on private land of caravan without a licence	2

60	Breach of condition of caravan licence	1
64	Occupation of caravan in a public place	1
81	Must not hinder or obstruct authorised offer	2
82	Must obey instruction from authorised officer	2
84	Failure to supply name and address	1
89	Lighting a fire in the open on Council land or within 50m of a dwelling	2



Certified as being in accordance with the law by:

Mea Quartararo, Abetz Curtis, Australian Legal Practitioner

Dated this 12th day of September 2023, at Hobart.

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

.....
General Manager

Dated this 12 day of SEP , 2023 at Hobart

The Common Seal of the Sorell Council was hereunto affixed in the presence of:

.....) Mayor.

.....) Deputy Mayor.

.....) General Manager



Confirmed by me this 12 day of SEP , 2023 at Hobart.

Staff Movements

Permanent Appointments

Agency	Duties Assigned	Employee	Probation Period	Date of Effect
Premier and Cabinet	Training and Events Support Officer	C Cogle Jarvela	6 Months	11/09/2023
Department of Health	Staff Specialist General Medicine	K Wilson	6 Months	18/09/2023
Department of Health	Staff Specialist Microbiology and Infectious Diseases	J Wolfe	6 Months	11/09/2023
Department of Health	Recruitment Officer	S Beswick	6 Months	25/09/2023
Department of Health	Registered Nurse - Acute Care Team	J Burman	6 Months	18/09/2023
Treasury and Finance	Business Systems Analyst	A Farooq	6 Months	25/09/2023
Department of Health	Executive Manager - Medico-Legal	M Farrar	6 Months	11/09/2023
Justice	Legal Practitioner	R Fisher	3 Months	12/09/2023
Department of Health	Registered Nurse - Youth Health	G Semmler	6 Months	04/09/2023
Department of Health	Administrative Assistant	P Vince	Nil	08/09/2023
Natural Resources and Environment Tasmania	Regional Biosecurity Officer	A Henry	6 Months	19/09/2023
Department of Health	Senior Speech Pathologist	S Mills	6 Months	18/09/2023
Education, Children and Young People	HR Payroll Clerk	A Morse	6 Months	14/09/2023
Treasury and Finance	Business Systems Analyst	S Bhanot	6 Months	18/09/2023
Department of Health	Pharmacy Technician	B Shah	Nil	15/08/2023
Department of Health	Medical Scientist	M Quilliam	6 Months	17/09/2023
Department of Health	Director of Patient Safety and Quality Improvement	B Nell	6 Months	18/12/2023
Police, Fire and Emergency Management	Clerical Officer	C Curran	6 Months	18/09/2023
Department of Health	Enrolled Nurse	V Kaur	6 Months	11/09/2023
Justice	Legal Practitioner	V Dawkins	Nil	25/09/2023
Integrity Commission	Investigator (Oversight)	H Cockburn	6 Months	18/09/2023
Department of Health	Registered Nurse - Oncology MDPU	S Whitmore	6 Months	11/09/2023
Department of Health	Registered Nurse - Community	R Rowlands	6 Months	18/09/2023
Natural Resources and Environment Tasmania	Executive Officer (708921)	N Delaney	6 Months	14/09/2023
Justice	Administrative Assistant	B Jawahiri	6 Months	18/09/2023
Natural Resources and Environment Tasmania	Administrative Officer	M Brumby	6 Months	19/09/2023

Appointment of Officers

Agency	Duties Assigned	Employee	Duration	Date of Effect
Department of Health	Director - Recovery and Child Safeguarding	T Turner	2 years	11/09/2023
Department of Health	Chief Executive - Ambulance Tasmania	J Emery	5 years	07/08/2023
Department of Health	Directors - Monitoring, Reporting and Analysis	K Lowe	4 years	07/11/2022

Cessation of Officers and Permanent Employees

Agency	Duties Assigned	Employee	Date of Effect
Department of Health	Laboratory Technician - Preanalytics	D Lester	11/09/2023
Natural Resources and Environment Tasmania	Program Coordinator	R Hunter	15/09/2023
Department of Health	Finance Services Officer	M Greenwood	01/09/2023

Treasury and Finance	Principal Policy Analyst	D Lovell	22/09/2023
Department of Health	Allied Health Complex Care Coordinator	J Hipwood	07/08/2023
Department of Health	Registered Nurse	Y Tann	24/08/2023
Department of Health	Registered Nurse	S Devlin	24/08/2023
Department of Health	Nursing Director - Clinical Quality	J Garden	01/09/2023
Natural Resources and Environment Tasmania	Administrative Officer	S Stonjek	27/09/2023
Department of Health	Executive Manager Legal Service	S Collins	01/09/2023
Department of Health	Manager	G Haslinger	28/08/2023
Education, Children and Young People	Education Facility Attendant	R Styles	25/08/2023
Education, Children and Young People	Canteen Supervisor	R Morton	24/08/2023
Education, Children and Young People	Education Facility Attendant	C Budgeon	07/07/2023
Education, Children and Young People	Library Services Officer	R Nicholls	17/07/2023
Education, Children and Young People	Teacher Assistant	T Machen	30/08/2023
Education, Children and Young People	Customer Services Officer	A Graham	11/08/2023
Education, Children and Young People	Teacher Assistant	M Godrey	30/08/2023
Education, Children and Young People	Teacher	P Curley	25/08/2023
Education, Children and Young People	Advanced Skills Teacher	A Bonner	18/08/2023
Education, Children and Young People	School Psychologist	A Vanderniet	15/08/2023
Education, Children and Young People	Teacher	J Raven	21/07/2023
Education, Children and Young People	Teacher	D Leslie	22/08/2023
Education, Children and Young People	School Administration Clerk	W Groombridge	15/02/2023
Education, Children and Young People	Education Facility Attendant	S Alexander	25/08/2023
Education, Children and Young People	Principal	J Keegan	30/08/2023
Education, Children and Young People	Teacher	A Snare	18/08/2023
Education, Children and Young People	Teacher	J Briginshaw	25/08/2023
Education, Children and Young People	Education Facility Attendant	S Muir	25/08/2023
Education, Children and Young People	Teacher	H Burley	15/08/2023
Department of Health	Executive Support Officer	M Bennett	14/07/2023
Education, Children and Young People	Child Safety Officer	C Mummareddy	18/08/2023
Education, Children and Young People	Psychologist	L Hobbs	30/06/2023
Education, Children and Young People	Assistant Director Industrial Relations	M Watson	25/08/2023
Natural Resources and Environment Tasmania	Communications Consultant (Digital and Online Technologies)	J Hine	15/09/2023
Department of Health	Administrative Officer	I Tovey	13/09/2023
Department of Health	Staff Specialist	M Pandie	03/09/2023
Natural Resources and Environment Tasmania	Wildlife Officer	C O'Halloran	27/06/2023
Natural Resources and Environment Tasmania	Regional Operations Manager (South)	K Ward	15/09/2023

Natural Resources and Environment Tasmania	Field Assistant	T Byard	19/07/2023
Natural Resources and Environment Tasmania	Executive Assistant	A Colbeck	17/08/2023
Natural Resources and Environment Tasmania	Client Systems Administrator	A Marks	18/08/2023
Natural Resources and Environment Tasmania	Spatial Information Officer	M McDonald	20/09/2023
Natural Resources and Environment Tasmania	Working on Country Ranger	J Langdon	16/09/2023
Department of Health	Registered Nurse - Surgical Unit	T Michalek	02/09/2023
Department of Health	Enrolled Nurse	D Poudel	06/09/2023
Department of Health	Registered Midwife	P Williams	19/08/2023
Department of Health	HR Manager - HR Management	J Bellinger	15/09/2023
Natural Resources and Environment Tasmania	Manager (Risk and Audit)	J Davey	20/09/2023
Department of Health	Food Services Assistant	C Brinckman	06/09/2023
Department of Health	Senior Manager - Project Management Office	E Holman	14/09/2023

Extension or Renewal of Fixed-Term Appointments beyond 12 Months

Agency	Duties Assigned	Employee	Term	Date of Effect
Justice	Library Officer	R Wiggins	12 months	03/11/2023
Premier and Cabinet	Project Coordinator	S Laskey	9 months	27/09/2023
Premier and Cabinet	Content Coordinator (CX Program)	K Cundall	9 months	22/09/2023

Fixed-Term Appointments of greater than 12 Months

Agency	Duties Assigned	Employee	Term	Date of Effect
Natural Resources and Environment Tasmania	Agricultural Liaison Officer	E Rivett	24 months	18/09/2023
Premier and Cabinet	Project Coordinator (Regional Drought Resilience – North)	J Miller	21 Months	21/09/2023
Justice	Procurement and Property Officer	S Gerlach	15 Months	12/09/2023
Justice	Monitoring Officer	A Mills	36 Months	18/09/2023

Promotion of Permanent Employees

Agency	Duties Assigned	Employee	Date of Effect
Department of Health	Executive Services Officer	J Curtis	25/09/2023
Department of Health	Executive Manager, Legal Services	T Driver	04/09/2023
Department of Health	Senior Speech Pathologist	C King	23/07/2023
Department of Health	Senior Speech Pathologist	M Ingham	23/07/2023
Tasmanian Audit Office	Assistant Manager Human Resources	S Darby	25/09/2023
Premier and Cabinet	Digital Communications Service Lead	W Scolyer	14/09/2023
Justice	Probate Registry Administration Officer	A Pineda Cely	12/09/2023
Justice	Senior Clinician, Intervention Programs	K Mawer	02/09/2023
Department of Health	Associate Nurse Unit Manager	A Hampton	18/09/2023
Justice	Crown Counsel	F Radin	18/09/2023
Homes Tasmania	Principal Consultant - Specialist Accommodation Programs	K Challis	18/09/2023

Transfer of Officers

Agency	Duties Assigned	Employee	Transferred Agency	Date of Effect
Premier and Cabinet	Executive Director Community Partnership and Priorities	C Hurworth	Premier and Cabinet	28/08/2023

Transfer of Permanent Employees

Agency	Duties Assigned	Employee	Transferred Agency	Date of Effect
Department of Health	HR Payroll Clerk	G De Alwis	Education	12/09/2023
Department of Health	Administration Officer	E Harper	Education	02/10/2023
Natural Resources and Environment Tasmania	Community Liaison Coordinator	K Marr	Education	28/09/2023
Department of Health	Receptionist	K Newman	Justice	14/09/2023
Department of Health	HR Payroll Clerk	T Dahal	Education	12/09/2023

Promotion Without Advertising

AGENCY: NATURAL RESOURCES AND ENVIRONMENT TASMANIA

It is my intention to request the Head of the State Service to exercise discretion to not advertise the following duties in accordance with section 40 (2) of the *State Service Act 2000* and to promote the following permanent employee:

Name: C Charlesworth

Duties Assigned: Regional Administration Officer

Description of the Role: Coordinate and manage regional administrative support to ensure timely and effective coordination of budget, staffing, purchasing, records, information, reporting and related administrative activities in support of regional operational requirements.

Essential Requirements: Nil

Desirable Requirements: A current motor vehicle driver's licence.

A Diploma or Certificate IV in Office or Business Administration or equivalent or satisfactory progress towards qualification.

An ability to pass the PWS fire fighter fitness assessment at the 'Moderate' or 'Arduous' level.

State Service employees aggrieved by this intention may make application to the Tasmanian Industrial Commission for a review under section 50(1)(b) of the *State Service Act 2000*. Applications for review are to be lodged with the Tasmanian Industrial Commission within 14 days of the publication of this notice in the Tasmanian Government Gazette.

Signed: Jason Jacobi

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