



# TASMANIAN GOVERNMENT GAZETTE

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## Notices to Creditors

DARBY MUNRO late of 83 Wells Parade Blackmans Bay in Tasmania plant pathologist married deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Darby Munro who died on the seventh day of April 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 fifteenth day of July 2011 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this fifteenth day of June 2011.

ALISON ROSSETTO, Trust Administrator.

RAYMOND JOHN HOPWOOD late of 4/6 Katrina Court Lindisfarne in Tasmania retired manufacturer's agent/widowed deceased: Creditors next of kin and others having claims or holding assets in respect of the Estate of the deceased who died on the first day of December 2010 at the Royal Hobart Hospital Hobart in Tasmania are required by the Executor Adrian Shaw Cuthbertson of 11 Waimea Avenue Sandy Bay in Tasmania to send particulars to Clerk Walker Lawyers of 51 Davey Street Hobart in Tasmania on or before the fifteenth day of July 2011 after which date the Executors may distribute the assets having regard only to the claims of which they then had notice.

Dated this fifteenth day of June 2011

CLERK WALKER, Solicitors for the Estate.

DIANA PATRICIA BENNETT late of 75 Forest Road West Hobart in Tasmania personal assistant/never married who died on the twenty-fifth day of February 2011: Creditors next of kin and others having claims in respect of the property of the abovenamed deceased are required by the Executors David John Bennett and Ray Edward Smithurst c/- Page Seager Level 2 179 Murray Street Hobart in Tasmania to send particulars of their claim in writing to the Registrar of the Supreme Court of Tasmania by the fifteenth day of July 2011 after which date the Executors may distribute the assets having regard only to the claims of which they then have notice.

Dated this fifteenth day of June 2011.

PAGE SEAGER, Solicitors for the Estate.

### Tasmanian Government Gazette

Text copy to be sent to Print Applied Technology Pty Ltd.  
Email: [govt.gazette@thepat.com.au](mailto:govt.gazette@thepat.com.au) Fax: (03) 6216 4294  
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BLACKABY WAYNE JOHN labourer/single man deceased who died between the twenty-eighth day of April 2011 and the fourth day of May 2011 late of 56 Gepp Parade Goodwood in Tasmania: Wayne Kenneth Daniels of 46 Georgina Place Acton Park in Tasmania workshop manager/married man as Legal Personal Representative of Wayne John Blackaby requires that any person who has a claim against the Estate lodge written details of their claim with the Registrar of the Supreme Court of Tasmania at Salamanca Place Hobart in Tasmania within thirty days from the date of publication of this notice after which date the Legal Personal Representative is at liberty to pay and distribute the assets of the estate dealing then only with the claims that they have notice.

Dated this fifteenth day of June 2011.

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

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:-

KENNETH ALLAN RANSLEY late of 2/5 Doulton Court  
Glenorchy in Tasmania retired painter decorator/  
widower deceased.

Dated this fifteenth day of June 2011.

PETER MALONEY, Chief Executive Officer, Public Trustee.

## Land Acquisition

### LAND ACQUISITION ACT 1993

#### NOTICE OF ACQUISITION (Section 16 and Section 18)

IN PURSUANCE of Section 18 of the *Land Acquisition Act 1993*, I, WARRICK PETER COVERDALE, Valuer-General acting as a delegate of the Tasmanian Irrigation Development Board for the time being administering the *Land Acquisition Act 1993* do hereby declare that the land in the Schedule hereto is taken and vested in the Tasmanian Irrigation Development Board absolutely under the said Act for the authorised purpose, being for the Headquarters Road Dam Irrigation Scheme.

Given under my hand this 9th day of June 2011.

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

#### SCHEDULE

All that 15.03ha of land situate in the Parish of Milson, Land District of Dorset being Lot 1 on Plan of Survey P159619 in the Office of the Recorder of Titles being portion of the land comprised in Folio of the Register Volume 147084 Folio 2 of which Douglas Keith Bowen is the registered proprietor.

Subject to the four (4) Right of carriageway (appurtenant to Lot 2 on Sealed Plan No. P159619) over the lands marked "Right of Way 10.00 Wide" of variable length over Lot 1 on Sealed Plan No. P159619.

Location: Headquarters Road Dam Irrigation Scheme

Municipal Area: Dorset (22-08-68A)

## Administration and Probate

### ADMINISTRATION AND PROBATE ACT 1935

#### *Notice of Intention to Apply for Letters of Administration*

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that letters of administration of the Estate of KATRINA NICOLE HOKANSON KURT late of 16 Walker Street Rosetta in Tasmania deceased intestate may be granted to Tarkan Kurt of 16 Walker Street Rosetta in Tasmania the husband of the said Katrina Nicole Hokanson Kurt deceased.

Dated this eighth day of June 2011.

TARKAN KURT.

### ADMINISTRATION AND PROBATE ACT 1935

#### *Notice of Intention to Apply for Letters of Administration (with the Will attached)*

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration with the Will attached of the Estate of WILLIAM ANDERSON late of 62 Lewisham Scenic Drive Lewisham in Tasmania retired salesman married man deceased may be granted to Mary Elizabeth Laird of 61 Lewisham Scenic Drive Lewisham in Tasmania retired librarian the attorney appointed by Power of Attorney No. PA 42398 granted by Elizabeth Maria Anderson the ultimate residuary legatee and devisee of the deceased who has priority of right to a grant of administration.

Dated this fifteenth day of June 2011.

FAULDS & ASSOCIATES, Lawyers to the Applicant.

### ADMINISTRATION AND PROBATE ACT 1935

#### *Notice of Application to Reseal Probate*

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof Michael Alan Sullivan of 22 Houlder Avenue Cranbourne in Victoria self employed/ single man the Executor of the Will of ALAN JAMES SULLIVAN late of 2 Cook Street Warragul in Victoria contractor/single man deceased to whom Probate of the Will was granted by the Supreme Court of Victoria on the seventh day of September 2010 will apply to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that the Seal of the Supreme Court of Tasmania may be affixed to the Probate pursuant to Part VI of the *Administration and Probate Act 1935* (Tasmania).

Dated this fifteenth day of June 2011

WORRALL LAWYERS, Lawyers for the Applicant.

### ADMINISTRATION AND PROBATE ACT 1935

#### *Notice of Intention to Apply for Letters of Administration*

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of GAYLENE JUNE WALKER single/office manager late of 20 Crandon Crescent Newnham in Tasmania deceased intestate may be granted to Beverly June Walker of 17 Stoke Street Branhholm in Tasmania the mother of the said Gaylene June Walker deceased.

Dated this ninth day of June 2011.

WILL EDWARDS LAWYERS, Solicitors for the Estate..

## Government Notices

Government House  
Hobart, Tasmania  
6 June 2011

HIS EXCELLENCY the Governor has this day in the name of Her Majesty The Queen assented to the following Bill:—

A Bill for an Act to amend the *Local Government Act 1993*.  
*Local Government Amendment Act 2011*. (Act No. 7 of 2011).

By His Excellency's Command

ANNE PARKER, Official Secretary.

## Living Marine Resources

### *LIVING MARINE RESOURCES MANAGEMENT ACT 1995*

#### FISHERIES (ABALONE) RULES 2009, RULE 9

#### PUBLIC NOTICE—DATES OF CLOSING OF THE COMMERCIAL ABALONE FISHERY IN STATE WATERS AROUND THE FURNEAUX GROUP OF ISLANDS

I, ROBERT GOTT, Director (Marine Resources), acting under Rule 9 of the *Fisheries (Abalone) Rules 2009*, and delegated authority under Section 20(1) of the *Living Marine Resources Management Act 1995*, hereby determine that the dates of the closed season for the commercial abalone fishery for the taking of blacklip abalone (*Haliotis rubra*) for commercial purposes from State waters around the Furneaux Group of islands are as follows:—

— from 20 June 2011 to 31 December 2011, inclusive;

where State waters around the Furneaux Group of islands is defined to mean:— those State waters within an area bounded in the east by the line of longitude at 148° 35' 36.2" East, in the west by the line of longitude at 147° 37' 21.9" East, in the north by the line of latitude at 39° 35' 14.9" South, and in the south by the line of latitude at 40° 38' 24.1" South.

Dated: 6 June 2011.

ROBERT GOTT, Director (Marine Resources).

#### INFORMATION

The commercial blacklip abalone fishery in State waters around the Furneaux Group of islands is being closed from 20 June 2011 until 31 December 2011 as part of arrangements to control the total amount of blacklip abalone harvested in that area in the interest of resource sustainability. This closed area relates to commercial blacklip abalone fishing in fishing blocks 32A, 32B, 32C, 33A, 33B, 33C, 34A, 34B, 34C, 34D, 35A, 35B, 35C, 35D, 35E, 36A, 36B, 37A, 37B, 37C, 37D, 38A, 38B and 38C only.

### *LIVING MARINE RESOURCES MANAGEMENT ACT 1995*

#### NOTICE FOR THE TASMANIAN SCALLOP FISHERY COMPRISING ACTIVITIES BY WAY OF FISHING FOR COMMERCIAL PURPOSES -

I, ROBERT GOTT, Director (Marine Resources), Department of Primary Industries, Parks, Water and Environment, pursuant to the delegated authority under Section 20(1) of the *Living Marine Resources Management Act 1995*, in accordance with the *Fisheries (Scallop) Rules 2010*, hereby:

1. Determine under Rule 15(1)(a), the dates of the open season for the commercial scallop fishery, are from 10:00am 18 June 2011 to 6:00pm 31 December 2011 (inclusive).
2. Determine under Rule 16(1)(a) and 16(1)(b), the specified area of State waters to be open to the commercial scallop fishery for commercial scallop dredging are State waters within the following boundary:
  - i. from latitude 42° 31.9086 S, longitude 148° 2.0702 E; to
  - ii. latitude 42° 28.9824 S, longitude 148° 0.7013 E; to
  - iii. latitude 42° 28.6090 S, longitude 148° 0.8990 E; to
  - iv. latitude 42° 27.7880 S, longitude 148° 2.9350 E; to
  - v. latitude 42° 25.6960 S, longitude 148° 2.7750 E; to
  - vi. latitude 42° 25.0790 S, longitude 148° 2.2860 E; to
  - vii. latitude 42° 25.0790 S, longitude 148° 9.8896 E; to
  - viii. latitude 42° 31.9086 S, longitude 148° 9.8896 E; to
  - ix. latitude 42° 31.9086 S, longitude 148° 2.0702 E.

All coordinates in this notice are expressed by latitude and longitude by reference to the Geocentric Datum of Australia (GDA 94).

3. Specify under Rule 16(1)(c), the amount of scallops that may be taken or possessed from an area determined to be open; as 2552 tonnes
4. Set under Rule 20(2)(b) the maximum percentage of scallop quota units that may be taken by the holder of a fishing licence (scallop) in the quota year starting 1 March 2011; at 60%

ROBERT GOTT, Director (Marine Resources).

Dated this 10th day of June 2011.

#### Information

This Notice determines the arrangements for the Tasmanian Scallop Fishery for commercial purposes and open waters for commercial fishing in the White Rock Scallop Area, all other waters are closed. The arrangements are subject to change.

Fishers should be aware that the Tasmanian Scallop Fishermen's Association (TSFA) may have voluntary fishing restrictions for part of an area that is gazetted open for scallop fishing.

**For further information please contact David Jarvis; Phone (03) 6233 6380**

## 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>Weed Management Act 1999</i>	S. R. 2011, No. 48	<i>Weed Management (Declared Weeds) Order 2011</i>

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

##### (1) *Weed Management (Declared Weeds) Order 2011*

This order declares certain plants to be declared weeds for the whole of the State for the purposes of the *Weed Management Act 1999*.

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.

**Marine and Safety (Motor Boats and Licences) Amendment By-Laws 2011**

TASMANIA

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**MARINE AND SAFETY (MOTOR BOATS AND  
LICENCES) AMENDMENT BY-LAWS 2011**

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  20. Age limit for licensee or provisional licensee
  21. Determination of application for licence or provisional licence
6. Clause 23 substituted
  23. Restrictions on provisional licence, &c.

## **MARINE AND SAFETY (MOTOR BOATS AND LICENCES) AMENDMENT BY-LAWS 2011**

The Marine and Safety Authority make the following by-laws under section 42 of the *Marine and Safety Authority Act 1997*.

### **1. Short title**

These by-laws may be cited as the *Marine and Safety (Motor Boats and Licences) Amendment By-laws 2011*.

### **2. Commencement**

These by-laws take effect on 1 July 2011.

### **3. Principal By-laws**

In these by-laws, the *Marine and Safety (Motor Boats and Licences) By-laws 2008* are referred to as the Principal By-laws.

### **4. Clause 3 amended (Interpretation)**

Clause 3 of the Principal By-laws is amended by omitting “under clause 23” from the definition of “provisional licence” and substituting “under clause 21”.

*Marine and Safety (Motor Boats and Licences) Amendment By-laws 2011*

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**5. Clauses 19, 20 and 21 substituted**

Clauses 19, 20 and 21 of the Principal By-laws are rescinded and the following clauses are substituted:

**19. Application for licence or provisional licence**

- (1) An application for a licence or provisional licence is to –
  - (a) be made to the Authority; and
  - (b) be in an approved form; and
  - (c) be accompanied by the prescribed fee, if any; and
  - (d) be supported by such evidence or information as the Authority requires, either at the time of lodgement or subsequently.
- (2) Without limiting subclause (1)(d), the Authority may require an applicant for a licence or provisional licence to do either or both of the following:
  - (a) satisfy the Authority that the applicant has successfully completed an approved course of practical tuition in motor boat handling;
  - (b) satisfy the Authority, by way of an examination, that the applicant has –

*Marine and Safety (Motor Boats and Licences) Amendment By-laws 2011*

c. 5

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- (i) sufficient knowledge of the key legislative requirements relating to the safe operation of motor boats in State waters; and
  - (ii) sufficient practical knowledge relating to the safe operation of motor boats in State waters.
- (3) If subclause (2)(b) applies, the Authority may require the applicant to pay a prescribed fee for the examination.

**20. Age limit for licensee or provisional licensee**

- (1) A person is not eligible to be issued with a licence if he or she has not attained 17 years of age.
- (2) A person is not eligible to be issued with a provisional licence if he or she –
  - (a) has not attained 12 years of age;  
or
  - (b) has attained 17 years of age.

**21. Determination of application for licence or provisional licence**

- (1) After considering an application for a licence or provisional licence, the Authority may –



*Marine and Safety (Motor Boats and Licences) Amendment By-laws 2011*

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- (a) approve the application; or
  - (b) refuse the application.
- (2) Without limiting its discretion, the Authority may refuse to approve the application if it is not satisfied that the applicant –
  - (a) meets the relevant eligibility requirement under clause 20; or
  - (b) has sufficient physical capacity and visual acuity to be in charge of a motor boat; or
  - (c) has sufficient skill and competence to be in charge of a motor boat; or
  - (d) has sufficient knowledge of the key legislative requirements relating to the safe operation of motor boats in State waters, as well as relevant practical knowledge; or
  - (e) has sufficient operational experience of being in charge of a motor boat.
- (3) If subclause (1)(a) applies, the Authority is to issue the licence or provisional licence on payment of the prescribed fee, if any.

*Marine and Safety (Motor Boats and Licences) Amendment By-laws 2011*

**c. 6**

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- (4) The licence or provisional licence is to be in an approved form.
- (5) A provisional licence may be issued unconditionally or subject to such conditions as the Authority considers necessary or expedient in the circumstances.

**6. Clause 23 substituted**

Clause 23 of the Principal By-laws is rescinded and the following clause is substituted:

**23. Restrictions on provisional licence, &c.**

- (1) Unless sooner cancelled, a provisional licence expires on the day on which the licence holder attains the age of 17 years.
- (2) A person who holds a provisional licence must not be in charge of a motor boat, other than a motor boat referred to in clause 6, unless a responsible adult is onboard the motor boat.

Penalty: Fine not exceeding 10 penalty units.

- (3) In this clause –

**“responsible adult”** means –

*Marine and Safety (Motor Boats and Licences) Amendment By-laws 2011*

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- (a) a person who has attained the age of 17 years and is the holder of a licence; or
- (b) a person who, though not the holder of a licence, has attained 18 years of age and does not suffer from any physical or mental disability of a kind that would reasonably be considered to render the person incapable of taking charge of a motor boat in an emergency.

*Marine and Safety (Motor Boats and Licences) Amendment By-laws 2011*

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The common seal of the Marine and Safety Authority was  
affixed in pursuance of a resolution of the Authority made at a  
meeting held on \_\_\_\_\_ in the presence of –

.....  
Simon FitzGerald  
**Chairperson**

.....  
Colin Finch  
**Chief Executive**

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