



# TASMANIAN GOVERNMENT GAZETTE

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## Living Marine Resources

### LIVING MARINE RESOURCES MANAGEMENT ACT 1995

#### *Fisheries (Biosecurity) Order (No. 2) 2012*

I MAKE the following order under section 270 of the *Living Marine Resources Management Act 1995*:

#### 1. Short title

This order may be cited as the *Fisheries (Biosecurity) Order (No. 2) 2012*.

#### 2. Specification

This order is made in respect of the harmful disease *abalone viral ganglioneuritis* and is aimed at preventing the introduction of that disease into State waters.

#### 3. Directions issued

1. That an abalone processor must ensure that, unless otherwise approved, no abalone live-holding water is discharged into State waters from any holding premises used under the relevant licence unless that water has:
  - a) been treated using a system capable of achieving, on comparing water immediately prior to entering treatment with water immediately on leaving treatment, a minimum 3 log 10 reduction in total marine heterotrophic bacteria; and
  - b) achieved a discharge concentration value of <3 log 10 ( $\leq 999$  bacterial colony forming units per mL).
2. That an abalone processor must, in each of the testing periods:
  - a) cause a water sample to be taken by an agent of an approved service from each holding premises used under the relevant licence; and
  - b) cause to have the water sample tested by an approved laboratory for the discharge concentration value referred to in subclause (1)(b); and
  - c) cause to have the results of that testing submitted to the Secretary.

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3. That a fisheries officer who reasonably believes that an abalone processor has not complied with the direction contained in subclause 1 in respect of the abalone live-holding water treatment system at any holding premises used under the relevant licence may serve that abalone processor with a notice of non-compliance.
4. That an abalone processor who is served with a notice of non-compliance in respect of the abalone live-holding water treatment system at any holding premises used under the relevant licence must not receive thereat any abalone that are:
  - a) taken from outside the relevant biosecurity region for those holding premises; and
  - b) taken after the cessation date specified in the notice.
 until:
  - c) an approved alternative abalone live-holding water treatment system has, to the satisfaction of a fisheries officer, been activated for those holding premises; or
  - d) the notice of non-compliance has, by a further notice served on the abalone processor, been withdrawn by a fisheries officer.

#### 4. Ancillary provisions

For the purposes of this order, a notice is effectively served to an abalone processor if:

- (a) in the case of an abalone processor who is a natural person, the notice is:
  - (i) given to the abalone processor; or
  - (ii) left at, or sent by post to, the abalone processor's postal or residential address or place or address of business or employment last known to the server of the notice; or
  - (iii) faxed to the abalone processor's fax number; or
  - (iv) e-mailed to the abalone processor's e-mail address; and
- (b) in the case of any other abalone processor, the notice is:
  - (i) left at, or sent by post to, the abalone processor's principal or registered office or principal place of business; or
  - (ii) faxed to the abalone processor's fax number; or
  - (iii) e-mailed to the abalone processor's e-mail address.

#### 5. Interpretation

In this order –

"abalone" means live fish of the genus *Haliotis*;

"abalone processor" means the holder of a fish processing licence that authorises the processing of abalone;

"approved laboratory" means a laboratory approved to conduct tests relevant to ascertaining performance related to the standards in subclauses 3(1)(a) and 3(1)(b).

"approved service" means a service approved to take samples to be provided for testing by an approved laboratory.

"biosecurity regions" means the regions specified in Part 1 and defined in Part 2 of the Schedule to this order;

"holding premises" means premises used to hold abalone taken from outside the relevant biosecurity region for those premises;

"introduction" includes re-introduction;

"relevant biosecurity region", for premises, means the biosecurity region adjacent to that part of the State's coastline where, or closest to where, those premises are situated;

"relevant licence", for an abalone processor, means the fish processing licence that authorises the abalone processor to process abalone.

"testing periods" means the following periods:

- a) October of each calendar year;
- b) the four week period commencing six weeks before each Chinese New Year.

#### 6. Fisheries (Biosecurity) Order (No. 1) 2012 revoked

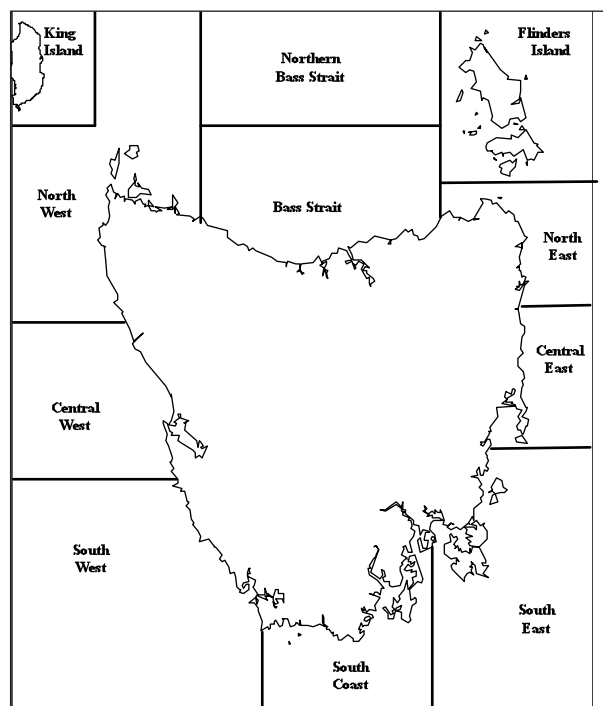
*Fisheries (Biosecurity) Order (No. 1) 2012* dated 20 July 2012 and published in *Gazette* number 21258 on 1 August 2012 is hereby revoked.

Dated this 18th day of December 2012.

ROB GOTT, Director Marine Resources.

#### Schedule

##### Part 1- Abalone biosecurity regions



**Part 2 - Description of abalone biosecurity regions**

| <b>Region name</b>   | <b>Reg. Code</b> | <b>Fishing Blocks</b>                                   | <b>Boundary 1 (GPS Coords)</b> | <b>Boundary 2 (GPS Coords)</b> | <b>Description</b>  |
|----------------------|------------------|---|--------------------------------|--------------------------------|---|
| Northern Bass Strait | NBS              | 50,51,52,53,54,55,56,57                                 | 146°00'00"E to 147°35'00"E     | 39°12'00"S to 40°20'00"S       | Includes Hogan, Kent, Curtis, Rodondo /Moncoeur Groups and Bass Pyramid |
| Flinders Island      | FI               | 32A-C, 33A-C, 34A-D, 35A-E, 36A-B, 37A-D, 38A-C         | 147°35'00"E to 148°45'00"E     | 39°12'00"S to 40°40'00"S       | Flinders Island Vicinity  |
| Bass Strait          | BS               | 41, 42, 43, 44, 45, 46                                  | 145°22'42"E to 147°27'00"E     | North Coast to 40°40'00"S      | Port Latta to Anderson Bay  |
| King Island          | KI               | 1A-C, 2A-C, 3A-C, 4A-C                                  |                                |                                | King Island vicinity  |
| North-East           | NE               | 29D, 30A-C, 31A-B, 39A-B, 40A-C                         | East of 147°27'00"E            | 40°40'00"S to 41°27'00"S       | North of Scamander River  |
| Central-East         | CE               | 25, 26A-D, 27A-E, 28A-C, 29 A-C                         | East of coastline              | 41°27'00"S to 42°30'00"S       | South of Scamander River to Cape Bougainville                           |
| South-East           | SE               | Part 17A, 17B, 19A-B, 20A-C, 21A-C, 22A-C, 23A-B, 24A-E | East of 147°30'00"E            | South of 42°30'00"S            | South of Hermitage Beach. East of Cape Contrariety.                     |
| South Coast          | SC               | 12B-D, 13A-E, 14A-D, 15, 16A-D, Part 17A, 18            | 146°02'00"E to 147°30'00"E     |                                | East of South West Cape to west of Cape Contrariety.                    |
| South-West           | SW               | 10A-D, 11A-D, 12 A                                      | West of 146°02'00"E.           | South of 42°36'13"S            | West of South West Cape. South of Meerim Beach.                         |
| Central-West         | CW               | 7A-C, 8A-C, 9A-C  | West of coastline              | 41°30'00"S to 42°36'13"S       | South of Italian River to Meerim Beach                                  |
| North-West           | NW               | 5A-D, 6A-D, 47A-B, 48A-C, 49A-C                         | West of 145°22'42"E            | North of 41°30'00"S            | West of Port Latta. North of Italian River                              |

**INFORMATION**

This order issues directions aimed at preventing the introduction into State waters of the harmful disease *abalone viral ganglioneuritis*. The order takes effect on the day on which it is published in the *Gazette* and remains in effect for 12 months.

## Living Marine Resources

### *LIVING MARINE RESOURCES MANAGEMENT ACT 1995*

#### PUBLIC NOTICE - DATES OF OPENING AND CLOSING OF THE ROCK LOBSTER FISHERY

##### RULE 11 OF THE *FISHERIES (ROCK LOBSTER) RULES 2011*

I, ROB GOTT, Director Marine Resources, Department of Primary Industries, Water and Environment pursuant to my delegated power under section 20 (1) of the *Living Marine Resources Management Act 1995*, in accordance with Rule 11 (2) of the *Fisheries (Rock Lobster) Rules 2011* hereby determine that:

- (1) the part of the commercial rock lobster fishery comprising of activities by way of setting rock lobster pots and taking male and female rock lobster for commercial purposes in north eastern waters will be closed from 22 December 2012
- (2) the part of the recreational rock lobster fishery comprising of the taking of rock lobster for recreational purposes in north eastern waters will be closed from 22 December 2012;
- (3) the part of the recreational rock lobster fishery comprising of activities by way of setting rock lobster pots, setting rock lobster rings and diving for and taking rock lobster for recreational purposes in north eastern waters will be closed from 22 December 2012; and

Where:

**"north eastern waters"** is defined to mean the area of State waters adjacent to the north east coast of Tasmania bounded in the south on the east coast by the line of latitude at 41° 1' 0" South, bounded in the west on the north coast by the line of longitude 147° 39' 0", bounded in the north by the line of latitude 40° 39' 18" and bounded in the east by the outer limit of state waters.

Words and expressions used in this public notice have the same meaning as in the *Living Marine Resources Management Act 1995*, the *Fisheries (Rock Lobster) Rules 2011*.

Dated: 21 December 2012.

ROB GOTT, Director, Marine Resources.

#### INFORMATION

This notice closes an additional part of State waters adjacent to the north east coast between Eddystone Point and Water House Island to the taking of rock lobster by commercial and recreational fishers from 22 December 2012. This means the fishery is closed from Marion Bay to Waterhouse. For further information contact the Wild Fisheries Management Branch (03) 6233 6797.

### *LIVING MARINE RESOURCES MANAGEMENT ACT 1995*

#### PUBLIC NOTICE - DATES OF OPENING AND CLOSING OF THE GIANT CRAB FISHERY

##### RULE 9 OF THE *FISHERIES (GIANT CRAB) RULES 2006*

I, ROB GOTT, Director Marine Resources, Department of Primary Industries, Water and Environment pursuant to my delegated power under section 20 (1) of the *Living Marine Resources Management Act 1995*, in accordance with Rule 9(a) of the *Fisheries (Giant Crab) Rules 2006*, hereby determine that:

- (1) the part of the commercial giant crab fishery comprising of activities by way of landing male and female giant crab for commercial purposes from north eastern waters will be closed from 25 December 2012

Where:

**"north eastern waters"** is defined to mean the area of State waters adjacent to the north east coast of Tasmania bounded in the north on the east coast by the line of latitude at 40° 39' 18" South and bounded in the south on the east coast by the line of latitude at 41° 01' 00" South.

Words and expressions used in this public notice have the same meaning as in the *Living Marine Resources Management Act 1995* and the *Fisheries (Giant Crab) Rules 2006*.

Dated: 24 December 2012.

ROB GOTT, Director, Marine Resources.

#### INFORMATION

This notice closes part of State waters adjacent to the north east coast to the landing of giant crab from those waters by commercial fishers from 25 December 2012. This sees the fishery closed from Waterhouse Island to Marion Bay. For further information contact the Wild Fisheries Management Branch (03) 6233 6797.

## Notice to Creditors

GIULIA MARIA COLLA late of 9 Dewbay Court Claremont in Tasmania pensioner widow deceased: Creditors next of kin and others having claims in respect of the property or Estate of the abovenamed deceased who died on the twentieth day of July 2012 are required by the Executors Scott William Law and Nigel Rutherford Henry to send particulars of their claim to the Registrar of the Supreme Court of Tasmania GPO Box 167 Hobart 7001 by the second day of February 2013 after which date the Executors may distribute the assets having regard only to the claims of which they have notice.

Dated this second day of January 2013.

E. R. HENRY WHERRETT & BENJAMIN,  
Solicitors for the Estate.

PAMELA FRANCES McCULLOCH formerly of 19 McCulloch Street Ulverstone in Tasmania home duties who died on the eighth day of July 2012: Creditors next of kin and others having claims in respect of the property of the abovenamed deceased are required by the Executors Paul Robert Scarfe and Maxwell George Hudson c/- Friend & Edwards Lawyers 28a King Edward Street Ulverstone in Tasmania to send particulars to the said Executors on or before the thirtieth day of January 2013 after which date the Executors may distribute the assets having regard only to the claims of which the Executors then have notice.

Dated this second day of January, 2013.

FRIEND & EDWARDS LAWYERS, Solicitors to the Estate.

IN THE Estate of NORBERT KAUFMANN (in the Will called NORBERT FRANK KAUFMANN) late of 39 Main Road Hillwood in the State of Tasmania retired HEC worker/single deceased who died on the fifteenth day of February 2010 at 39 Main Road Hillwood in the State of Tasmania: Notice is hereby given that all creditors next of kin and other persons having claims in respect of the property or the Estate of the abovenamed deceased are required by the Executor Steven Keith Condric of 30 Gerzalia Drive George Town in the State of Tasmania to send particulars in writing to The Registrar Probate Registry Supreme Court of Tasmania Salamanca Place Hobart in Tasmania in Australia on or before the ninth day of May 2013 after which date the Executor may distribute the assets having regard only to the claims of which he then has notice.

Dated this second day of January 2013.

ARCHER BUSHBY, Solicitors for the Estate.

## Industrial Relations

(REF: 575234 DRE) INDUSTRIAL RELATIONS ACT 1984

### *Notice of Variation of an Award*

| <i>Name of Award</i>                          | <i>Award No.</i>         | <i>Date made</i> |
|---|--------------------------|------------------|
| Miscellaneous Workers<br>(Public Sector)..... | 3/2012<br>(Consolidated) | 18/12/2012       |
| Miscellaneous Workers<br>(Public Sector)..... | Correction<br>Order      | 21/12/2012       |

Dated this second day of January 2013.

A. T. MAHONEY, Registrar.

## Administration and Probate

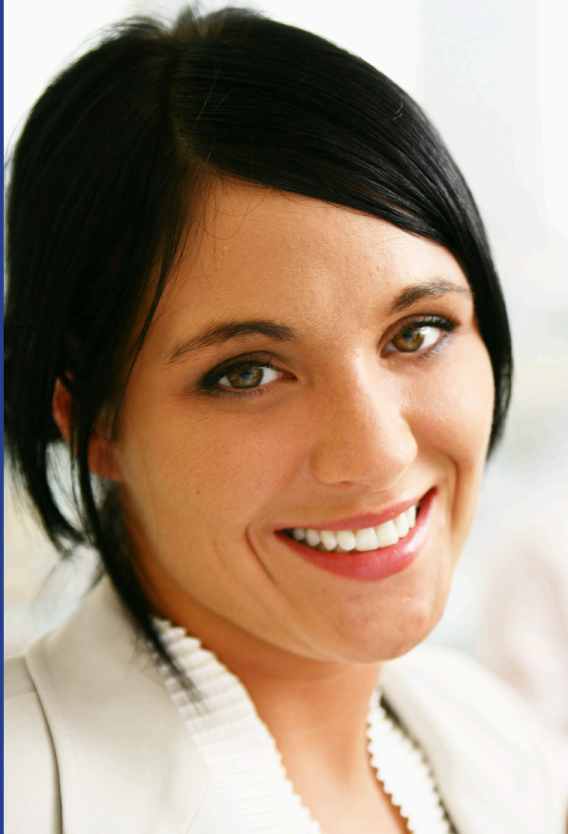
ADMINISTRATION AND PROBATE ACT 1935

### *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 PHILLIP GERARD VINCENT late of Guildford Young Grove Sandy Bay in Tasmania retired public servant single deceased may be granted to Sarah Kathleen Vincent of 18 Estate Drive Acton Park in the Australian Capital Territory public servant single the lawful sister of the deceased.

Dated the twenty-second day of December 2012.

OGILVIE JENNINGS, Solicitors for the Applicant.



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