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The date of publication of this Gazette is 5 December 2007

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OLDP strives to maintain and enhance its reputation as a centre of drafting excellence. OLDP produces legislative and administrative instruments of the highest standard through the innovative use of plain English, current technology and rigorous quality assurance procedures.

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The last Government Notices Gazette for 2007 will be published on Wednesday, 19 December 2007. Normal closing times will apply.

The first Government Notices Gazette for 2008 will be published on Wednesday, 9 January 2008.

Arrangements for publication of Special Gazettes over the Christmas/New Year period can be made by telephoning: (02) 6203 9009.

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NOTICES FOR PUBLICATION and related correspondence can be lodged:

By hand: Gazette Office, 63 Denison Street, Deakin ACT 2600
By post: Gazette Office, Attorney General’s Department, Cnr Kings Avenue and National Circuit, Barton ACT 2600.

By fax: (02) 6282 5140
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Special Gazette Notices: by 9.30 am on the day of publication.

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Government Departments

Commonwealth of Australia Gazette
No. GN 48, 5 December 2007

Attorney-General

COMMONWEALTH OF AUSTRALIA
CUSTOMS ACT 1901

NOTICE OF RATES OF EXCHANGE - section 161J CUSTOMS ACT 1901

I, Mark Collidge, delegate of the Chief Executive Officer of Customs, hereby specify, pursuant to section 161J of the Customs Act 1901, that the amounts set out in Columns 3 to 9 hereunder are the ruling rates of exchange, on the dates specified, for the purposes of ascertaining the value of imported goods under the provisions of Division 2 of Part VIII of the Customs Act 1901.

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Mark Collidge
Delegate of the Chief Executive Officer of Customs
Canberra ACT
28/11/2007
HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION
AGE DISCRIMINATION ACT 2004 (Cth)
Section 44(1)

NOTICE OF REJECTION OF APPLICATION FOR EXEMPTION

By this instrument, the Human Rights and Equal Opportunity Commission ('HREOC') declines to grant to University of Western Sydney ('UWS') a temporary exemption pursuant to s 44(1) of the Age Discrimination Act 2004 (Cth) ('ADA').

1. EXEMPTION APPLICATION

1.1 By email dated 18 July 2007, UWS applied to HREOC for a temporary exemption from s 18 and, in particular, s 18(2)(b) of the ADA. The temporary exemption was sought to allow UWS to offer three 'end of career transitioning schemes' ('the Schemes') to permanent academic staff. Expressions of interest in the schemes would be accepted or rejected on the basis of age.

1.2 The three Schemes proposed by UWS are:

   a. Early Voluntary Retirement Scheme (EVRS): academic staff who are at least 54 years of age at 31 December 2007 but less than 65 years of age at the proposed date of retirement may voluntarily retire and receive a compensatory payment with concessional tax benefits. UWS has obtained a ruling from the Australian Taxation Office (ATO) stating that the EVRS is an early retirement scheme for the purposes of the Income Tax Assessment Act 1997 (Cth) ('ITAA 1997') and acknowledging the availability of tax concessions for UWS employees who receive payment under the scheme. The EVRS is not available to:

      i. 'Highly research productive' academic staff. 'Highly research productive' is defined as generating a minimum of $100 000 of research income across the 2004-2006 triennium or publishing a minimum of five peer reviewed publications across the 2004-2006 triennium.

      ii. All Deputy Vice-Chancellors, Pro Vice Chancellors, Executive Deans, Heads of School, Directors of Research Centres and Heads of Research Concentration/Groups.

   b. Pre-retirement Contract scheme: academic staff aged 65 and over who were unable to apply for the EVRS will have the opportunity of taking a pre-retirement contract with compensatory salary loading.

   c. Reduction of Full Time hours to Part Time hours scheme: academic staff aged 54 and over will be offered the option of reducing their hours but retaining the option to contribute to superannuation as a full time employee, with UWS also contributing at the employer full time rate.

1.3 Section 18 of the ADA relevantly provides:

   Discrimination in employment

   (1) It is unlawful for an employer or a person acting or purporting to act on behalf of an employer to discriminate against a person on the ground of the other person's age:

      (a) in the arrangements made for the purpose of determining who should be offered employment; or
(b) in determining who should be offered employment; or

(c) in the terms or conditions on which employment is offered.

(2) It is unlawful for an employer or a person acting or purporting to act on behalf of an employer to discriminate against an employee on the ground of the employee's age:

(a) in the terms or conditions of employment that the employer affords the employee; or

(b) by denying the employee access, or limiting the employee's access, to opportunities for promotion, transfer or training, or to any other benefits associated with employment; or

(c) by dismissing the employee; or

(d) by subjecting the employee to any other detriment.

1.4 HREOC has considered whether to grant UWS a temporary exemption from s 18 under s 44 of the ADA which gives HREOC the power to grant temporary exemptions.

1.5 HREOC's decision is based on information provided by UWS:

   a. in the exemption application dated 18 July 2007;

   b. in a letter from UWS to HREOC dated 9 October 2007; and

   c. at a meeting held between representatives of HREOC and UWS on 19 November 2007.

1.6 Relevantly, UWS has informed HREOC that:

   a. UWS is a tertiary education institution that employs a mix of academic staff and general staff. The academic staff deliver academic programs and conduct research. The general staff support the academic workforce and provide corporate services.

   b. UWS has an ageing academic staff workforce. According to 2006 staff data, 44 per cent of the staff of UWS are over age 50 and 77 per cent are over age 40. UWS faces the potential retirement of large numbers of staff around the same time.

   c. UWS has identified a need to realign the academic staff profile of UWS with the requirements of academic research at UWS. UWS considers the introduction of Schemes will enable UWS to recruit new academic staff with high levels of research productivity.

   d. Recruitment for new academic staff will be based on merit. Recruitment will not discriminate on the basis of age.

   e. The development of the Schemes involved staff consultation (through on line surveys and open campus forums). During the consultations academic staff expressed a desire for work-life balance and flexible working practices.

   f. Participation in the Schemes is voluntary.

1.7 UWS have also provided HREOC with a copy of a Class Ruling from the Australian Taxation Office (CR 2007/106) which states that the EVRS proposed by UWS is an early retirement scheme for the purposes of s 83-180 of the ITAA 1997.

2. FINDINGS ON MATERIAL QUESTIONS OF FACT

2.1 Based on the evidence referred to in paragraphs 1.5 – 1.7, HREOC makes the following findings on material questions of fact in relation to the application:

   a. UWS proposes to introduce three Schemes that will provide benefits to academic staff employed by UWS on the basis of age. In particular:
i. The EVRS is available to academic staff between 54 and 65 years of age. The EVRS is unavailable to ‘highly research productive’ staff or staff who hold certain positions at UWS.

ii. The Pre-Retirement Contract Scheme is available to academic staff over 65 years of age.

iii. The Scheme to reduce fulltime hours to part-time hours while maintaining fulltime employer/employee superannuation contributions is available to employees over 54 years of age.

b. Participation in the Schemes will be voluntary.

c. The Schemes will also create opportunities for UWS to recruit emerging research staff. The recruitment process for new academic staff:

i. will be based on merit; and

ii. will not discriminate on the basis of age.

d. UWS considers the Schemes will be beneficial to the target group of staff because they provide an end of career transitioning path from work to retirement, promote flexible work practices and offer financial benefits.

e. Under s 83-180 of the ITAA 1997 UWS can not make the benefits provided by the EVRS EVRS available to academic staff over 65 years of age.

3. **REASONS FOR DECLINING TO GRANT A TEMPORARY EXEMPTION**

3.1 In considering this application for a temporary exemption, HREOC has considered whether the proposed Schemes might constitute discrimination under the ADA. HREOC has also considered whether any of the permanent exemptions to the ADA may apply.

3.2 For the reasons set out below, HREOC is of the view that the exemption application does not demonstrate an arguable case that the Schemes will constitute unlawful discrimination under the ADA. Accordingly, it is not necessary for HREOC to grant a temporary exemption to permit the Schemes.

3.3 HREOC is of the view that the proposed Schemes fall within positive discrimination exemption in s 33(a) and/or s 33(b) of the ADA. Section 33 provides:

**33 Positive discrimination**

This Part does not make it unlawful for a person to discriminate against another person, on the ground of another person's age, by an act that is consistent with the purposes of this Act, if:

(a) the act provides for a bona fide benefit to persons of a particular age; or

Example: This paragraph would cover a hairdresser giving a discount to a person holding a Seniors Card or a similar card, because giving the discount is an act that provides a bona fide benefit to older persons.

(b) the act is intended to meet a need that arises out of the age of persons of a particular age; or

Example: Young people often have a greater need for welfare services (including information, support and referral) than other people. This paragraph would therefore cover the provision of welfare services to young homeless people, because such services are intended to meet a need arising out of the age of such people.

......

3.4 The explanatory memorandum to s 33 of the ADA states:

The legislation exempts “positive discrimination”, which refers to three different types of beneficial age-based treatment (which may in some circumstances overlap):

(a) the provision of bona fide benefits to people of a particular age. This aspect of the positive discrimination provision recognises and permits a range of concessions and benefits that are provided in good faith to people of a particular age. ....
(b) measures intended to meet age-related needs. This aspect of the positive discrimination provision recognises and permits measures that seek to address the needs of particular ages that are different to or more acute than the needs of people of other ages...

3.5 In HREOC’s view, all three proposed Schemes are ‘positive discrimination’ as defined by s 33 of the ADA. This is because HREOC considers:

a. The Schemes will provide a bona fide benefit to older academic staff (s 33(a)). The Schemes will offer older academic staff the opportunity to voluntarily make a dignified and financially beneficial exit from employment or to transition to more flexible working arrangements. Specifically:

   i. staff who participate in the EVRS will be eligible for tax concessions;
   ii. staff who participate in the pre-retirement contract scheme will be eligible for compensatory salary loading; and
   iii. staff who participate in the reduction of full time hours scheme will be able to contribute to their superannuation as a full time employee with UWS contributing at a full time employer rate.

b. The Schemes will meet an age related need (s 33(b)). Voluntary participation in the proposed schemes will assist older workers in making the transition from work to retirement thereby recognising the particular age-related needs of such workers.

3.6 In order for the proposed Schemes to fall within the s 33 exemption, the Schemes must be consistent with the purposes of the ADA. The objects of the ADA are set out at s 3 of the Act and relevantly (for the purposes of this application) include:

   (c) to allow appropriate benefits and other assistance to be given to people of a certain age, particularly younger and older persons, in recognition of their particular circumstances;

   (e) to respond to demographic change by:

   i. removing barriers to older people participating in society, particularly in the workforce; and
   ii. changing negative stereotypes about older people.

3.7 HREOC is of the view that the proposed Schemes are consistent with the objects of the ADA and in particular s 3(c) and (e). HREOC has formed this view on the basis that:

a. The Schemes will provide financial benefits to older academic staff who wish to transition from work to retirement;

b. UWS has stated that the recruitment process for new academic staff will not discriminate on the basis of age; and

c. UWS has stated that the Schemes will not operate to perpetuate negative stereotypes about older people.

3.8 HREOC is of the view that to the extent that the proposed EVRS is unavailable to persons aged over 65, the EVRS is permitted by the permanent exemption in s 40 of the ADA. Section 40 provides:

   **Taxation laws**

   This Part does not make unlawful anything done by a person in direct compliance with a taxation law (within the meaning of the *Income Tax Assessment Act 1997*).

3.9 Under s 83-180 of the ITAA 1997 early retirement schemes that attract tax concessions cannot be offered to persons aged over 65 years of age. HREOC notes ATO Class Ruling 2007/106 states that the EVRS is an early retirement scheme for the purposes of s 83-180 of the ITAA 1997.
4 CONCLUSION

4.1 For the reasons set out above, HREOC is of the view that all three proposed Schemes are permitted by s 33 of the ADA. To the extent the EVRS is unavailable to persons over 65 years of age it is permitted by s 40 of the ADA.

4.2 HREOC is of the view that because the present application does not disclose an arguable case of discrimination it is unnecessary to grant a temporary exemption under s 44(1). HREOC refuses the application by UWS for a temporary exemption.

Dated this 26th day of November 2007

Signed by the President, John von Doussa QC, on behalf of HREOC.

Please note
Subject to the Administrative Appeals Tribunal Act 1975, application may be made to the Administrative Appeals Tribunal for a review of the decision contained in this notice by or on behalf of any person or persons whose interests are affected by the decision.
NOTICE OF DECISION TO GRANT A PERMIT UNDER THE HAZARDOUS WASTE (REGULATION OF EXPORTS AND IMPORTS) ACT 1989

Pursuant to Section 33 of the Hazardous Waste (Regulation of Exports and Imports) Act 1989, notice is given that on 26 November 2007 a permit was granted to Dodd & Dodd Group Pty Ltd (ABN 65 874 186 779) 11 Kennedy Street, Maylands, Western Australia, 6051 for the export of up to 3,500 tonnes of used lead acid batteries (ULABs) to Korea Zinc Company Ltd, Onsan Complex, 505 Daejung-Ri Onsan-Eup, Ulju-Kun, Ulsan, in the Republic of Korea.

The ULABs will be disposed of by recycling/reclamation of metals and metal compounds.

The batteries must be stacked on pallets, strapped, wrapped, labelled and packed into sealed shipping containers. The waste must then be transported by road to be loaded onto a ship at the Port of Fremantle, Australia, to be offloaded at the Port of Busan, the Republic of Korea. From there, it must be transported by road or rail to the recovery facility located at Korea Zinc Company Ltd, Onsan Complex, 505 Daejung-Ri Onsan-Eup, Ulju-Kun, Ulsan, in the Republic of Korea.

Movements may transit through the ports of Port Kelang (Malaysia) and Singapore. Movements must not transit through any other port or roadstead.

The export will take place in approximately twenty (20) shipments between 1 January 2008 and 31 December 2008.

Dr Barry Reville
Assistant Secretary
Environment Protection Branch
November 2007

Subject to the Administrative Appeals Tribunal Act 1975, a person or persons whose interests are affected by this decision may, within 28 days, make an application in writing to the Department of the Environment and Water Resources requesting the reasons for the decision.

An application for independent review of the decision may be made to the Administrative Appeals Tribunal on payment of the relevant fee by the applicant within 28 days of receipt of the reasons for the decision, or within 28 days of this notice if the reasons for the decision are not sought. Applications should be made to the Deputy Registrar, Administrative Appeals Tribunal in your capital city, see under Commonwealth Government Section in the White Pages. Further information or enquiries should be directed to:

Director, Hazardous Waste Section
Department of the Environment and Water Resources
GPO Box 787
Canberra ACT 2601
Telephone (02) 6274 1411, Facsimile (02) 6274 1164, or by e-mail at hwa@environment.gov.au.
THE WATER EFFICIENCY LABELLING AND STANDARDS REGULATOR

NOTICE UNDER SUBSECTION 28(1) OF THE WATER EFFICIENCY LABELLING AND STANDARDS ACT 2005

I, Susan Levett, pursuant to section 25 of the Water Efficiency Labelling and Standards Act 2005 (the WELS Act), register the following WELS product(s) under subsection 28(1) of the WELS Act. WELS registrations are subject to the conditions set out in subsections 4.5, 4.6 and 4.7 of AS/ANZ 6400:2005 Water efficient Products – Rating and labelling.

Registered WELS products

<table>
<thead>
<tr>
<th>Brand Name</th>
<th>Product Type</th>
<th>Family Name / Product Name / Model Reference</th>
<th>Registration Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAROMA</td>
<td>Lavatory Equipment</td>
<td>Addition to Family Name: Caroma 4 Star Sox</td>
<td>R000008AU</td>
</tr>
<tr>
<td>MILLI</td>
<td>Tap Equipment</td>
<td>Family Name: Milli Sets Set - FW2C5011, Set - F82J5000</td>
<td>R001342</td>
</tr>
<tr>
<td>MILLI</td>
<td>Tap Equipment</td>
<td>Family Name: Milli Mixers Mixer - FS1A5075, Mixer - FS1B5070</td>
<td>R001343</td>
</tr>
<tr>
<td>BREWERS</td>
<td>Shower</td>
<td>Family Name: Brewers 3 Star shower TER230C, EOB, ESASLC, ERASLC</td>
<td>R001344</td>
</tr>
<tr>
<td>TECHNICON TI</td>
<td>Lavatory Equipment</td>
<td>Addition to Family Name: toilet pans &amp; cisterns Mirage, hayman, Sanctuary, Mirage disabled, Hayman disabled, Sanctuary wall hung</td>
<td>R001152A</td>
</tr>
<tr>
<td>BRODWARE</td>
<td>Lavatory Equipment</td>
<td>Addition to Family Name: 3 star toilets B97.75</td>
<td>R000721A</td>
</tr>
<tr>
<td>AMFAG S.P.A</td>
<td>Flow Controller</td>
<td>Family Name: Amfag Aerators Amfag Aerator Code - 1054781</td>
<td>R001345</td>
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<tr>
<td>AMFAG S.P.A</td>
<td>Flow Controller</td>
<td>Family Name: Amfag Aerator (Flow Controller) Amfag Aerator Code - 1054541</td>
<td>R001346</td>
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<tr>
<td>BOSCH</td>
<td>Clothes Washer</td>
<td>WAE22461AU,</td>
<td>R001347</td>
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<tr>
<td>BOSCH</td>
<td>Clothes Washer</td>
<td>WAE20261AU,</td>
<td>R001348</td>
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<tr>
<td>BOSCH</td>
<td>Clothes Washer</td>
<td>WAE24271AU,</td>
<td>R001349</td>
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<tr>
<td>BOSCH</td>
<td>Clothes Washer</td>
<td>WAE24461AU,</td>
<td>R001350</td>
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<tr>
<td>WESTINGHOUSE</td>
<td>Clothes Washer</td>
<td>LT955SA,</td>
<td>R000201A</td>
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<td>WESTINGHOUSE</td>
<td>Clothes Washer</td>
<td>LT809SA,</td>
<td>R000199A</td>
</tr>
<tr>
<td>STYLUS</td>
<td>Lavatory Equipment</td>
<td>Stylus Tasman Mk2 ML/LL</td>
<td>R0000705</td>
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<tr>
<td>STYLUS</td>
<td>Lavatory Equipment</td>
<td>Stylus Marsden</td>
<td>R000070T</td>
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<tr>
<td>FOWLER</td>
<td>Lavatory Equipment</td>
<td>Consort Suite</td>
<td>R000041N</td>
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<tr>
<td>Stoddart</td>
<td>Lavatory Equipment</td>
<td>WC Cistern only: SCDF</td>
<td>R001352</td>
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<tr>
<td>Veitch</td>
<td>Urinal Equipment</td>
<td>Family Name: urinal with cistern flush hinge grate deluxe urinal, standard urinal, wall mounted urinal</td>
<td>R001353</td>
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<tr>
<td>FISHER &amp; PAYKEL</td>
<td>Dishwasher</td>
<td>DS603 MFD, DS603 SS, DS603 I, DS603 ZW, . . .</td>
<td>R000409A</td>
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<td>Company</td>
<td>Equipment Type</td>
<td>Description</td>
<td>Regulatory No.</td>
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<tr>
<td>FISHER &amp; PAYKEL</td>
<td>Dishwasher</td>
<td>DD603 SS, DD603 MFD, DD603 I, DD603 ZW, ...</td>
<td>R000427A</td>
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<tr>
<td>PACO JAANSON</td>
<td>Tap</td>
<td>Addition to Family Name: IB 5 star family ONLY ONE</td>
<td>R000668A</td>
</tr>
<tr>
<td>KLEENMAID</td>
<td>Tap</td>
<td>Addition to Family Name: Kleenmaid 4 star family taps MT401, MT501, MT601, MT301</td>
<td>R000891B</td>
</tr>
<tr>
<td>FARRAH INVESTMENTS Pty Ltd</td>
<td>Tap</td>
<td>Addition to Family Name: AQA RANGE PEGASUS, DELPHI, TITAN, THOR, PLATO, ORPHEUS, MIDAS, ZEUS, APOLLO</td>
<td>R000062A</td>
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<tr>
<td>FARRAH INVESTMENTS Pty Ltd</td>
<td>Tap</td>
<td>Addition to Family Name: FARRAH SANCTUARY</td>
<td>R001137A</td>
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<tr>
<td>RAYMOR</td>
<td>Tap</td>
<td>Family Name: Tap set combinations Armada Special, Atlanta, Brighton, Rodin, Augusta, Tapac, Seattle, Unsyled, Easy Clean, Providence</td>
<td>R001354</td>
</tr>
<tr>
<td>FARRAH INVESTMENTS Pty Ltd</td>
<td>Shower</td>
<td>Addition to Family Name: FARRAH SANCTUARY</td>
<td>R001139A</td>
</tr>
</tbody>
</table>
**DEPARTMENT OF THE ENVIRONMENT AND WATER RESOURCES**  
*Environment Protection and Biodiversity Conservation Act 1999*  
For further information see referrals list at http://www.environment.gov.au/epbc/notices

**ACTIONS DETERMINED AS REQUIRING APPROVAL (EPBC Act s.75)**

<table>
<thead>
<tr>
<th>Reference</th>
<th>Title</th>
<th>Relevant Protected Matters</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007/3807</td>
<td>Department of Infrastructure, Energy and Resources/Transport - land/Maclaynes Creek Bridge, Tasman Highway near Triabunna/TAS/Demolition of Maclaynes Creek Bridge, Tasman Highway</td>
<td>•Listed threatened species and communities (sections 18 &amp; 18A),</td>
<td>22-NOV-2007</td>
</tr>
<tr>
<td>2007/3809</td>
<td>Midwest Corporation Limited/Mining/21km east of Morawa &amp; 60km east of Koolanooka/WA/Koolanooka/Blue Hills Iron Ore Mining Project</td>
<td>•Listed threatened species and communities (sections 18 &amp; 18A)</td>
<td>23-NOV-2007</td>
</tr>
</tbody>
</table>

**ACTIONS DETERMINED AS NOT REQUIRING APPROVAL (EPBC Act s.75)**

<table>
<thead>
<tr>
<th>Reference</th>
<th>Title</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007/3675</td>
<td>NQ Water/Water management and use/Toonpan, 40km south of Townsville/QLD/Toonpan Water Treatment Plant and Distribution Pipeline</td>
<td>05-OCT-2007</td>
</tr>
<tr>
<td>2007/3813</td>
<td>A Grade Sand and Gravel Pty Limited/Transport - land/1.5km's north of Gold Coast/QLD/Access road to Gumby Gumby Quarry</td>
<td>23-NOV-2007</td>
</tr>
<tr>
<td>2007/3829</td>
<td>Metropole Management/Commercial development/Ipswich Road and Boundary Road, Wacol, Brisbane/QLD/Metropole at Westgate Industrial Estate</td>
<td>27-NOV-2007</td>
</tr>
</tbody>
</table>

* Actions which are not controlled actions provided they are undertaken in a particular manner. Further information on provision and manner specified is available from www.environment.gov.au/epbc/notices

**ASSESSMENT APPROACH (EPBC Act s.87)**

<table>
<thead>
<tr>
<th>Reference</th>
<th>Title</th>
<th>Assessment Approach</th>
<th>Date</th>
</tr>
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<tbody>
<tr>
<td>2007/3807</td>
<td>Department of Infrastructure, Energy and Resources/Transport - land/Maclaynes Creek Bridge, Tasman Highway near Triabunna/TAS/Demolition of Maclaynes Creek Bridge, Tasman Highway</td>
<td>Assessment preliminary documentation</td>
<td>22-NOV-2007</td>
</tr>
<tr>
<td>2007/3809</td>
<td>Midwest Corporation Limited/Mining/21km east of Morawa &amp; 60km east of Koolanooka/WA/Koolanooka/Blue Hills Iron Ore Mining Project</td>
<td>Assessment by accreditation</td>
<td>23-NOV-2007</td>
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</table>

**DECISION ON APPROVAL (EPBC Act s.133)**

<table>
<thead>
<tr>
<th>Reference</th>
<th>Title</th>
<th>Approval Decision</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>2005/2153</td>
<td>Joan Bushy/Urban and commercial new development/Busselton/WA/Dawson Beach Estate Stage 2</td>
<td>Approved with conditions</td>
<td>27-NOV-2007</td>
</tr>
</tbody>
</table>

Some public notifications on the Internet and in the Gazette relating to the processing of referrals for approval under Chapter 4 of the Environment Protection and Biodiversity Conservation Act 1999 may occasionally be missed in processing by the Department of the Environment and Water Resources, or may not meet timeframes for notification. The Department of the Environment and Water Resources has implemented systems and ongoing quality assurance procedures to minimise any risk of missing a notification within the required timeframe. Where a missed notification is identified the practice will be to notify these even though the timeframe for notification has lapsed. This will ensure that the history of notifications for each referral is available to the public. The Department of the Environment and Water Resources regrets any inconvenience that may be caused by a missed notification. Please note that late notifications have not affected subsequent processing of referrals or assessments and they do not affect decisions made.
COMMONWEALTH OF AUSTRALIA

THERAPEUTIC GOODS ACT 1989

CONSENT UNDER SUBSECTION 14 AND 14A

On 27 November 2007 the delegate of the Secretary to the Department of Health and Ageing for the purposes of section 14 and 14A of the *Therapeutic Goods Act 1989* (“the Act”) gave his consent for Merck Sharpe & Dohme Australia Pty Ltd, 54-68 Ferndell Street, South Granville NSW (“the Company”) to supply combined zoster virus vaccine ZOSTAVAX™ powder for injection vial and pre-filled diluent syringe (AUST R 65862) which do not conform with the requirements of Therapeutic Goods Order No 69 - "General requirements for labels for medicines" in respect to vaccine vial label where the tear-off portion wraps around and obscures some of the label.

The above consent is subject to the following conditions under section 15(1) of the Act:

1. This exemption is restricted to Batch No NG32250.

2. Health professionals to be notified of the requirement to peel off the tear-off portion prior to administration of the vaccine.

3. No other changes have been made.
Aviation Transport Security Act 2004

NOTICE OF AMENDMENT OF DECLARATION OF SECURITY CONTROLLED AIRPORTS AND ESTABLISHMENT OF AIRSIDE AREAS

I, DARREN STUART CROMBIE, General Manager, Aviation Security Operations Branch, Office of Transport Security, Department of Transport and Regional Services, AMEND the Notice of Amendment of Declaration of Security Controlled Airports and Establishment of Airside Areas published under section 28 of the Aviation Transport Security Act 2004 (the Act) in the Gazette (No. S141, 21 July 2006), as follows:

1. Omit the map identified as number 13A in respect of Gold Coast Airport; and

2. Insert the map identified as number 13B, which is attached to this Notice of Amendment, to ESTABLISH in accordance with section 29 of the Act an airside area for Gold Coast Airport, being that area indicated as the airside area on the map.

This Notice of Amendment commences upon Gazettal.

Date: 23 November 2007

[Signature]

Darren Crombie
Delegate of the Secretary of the
Department of Transport and Regional Services
GOLD COAST AIRPORT MAP 13B

LEGEND
- AIRPORT BOUNDARY
- AIRFIELD PERIMETER FENCE
- AIRFIELD CO-ORDINATES
- AIRSIDE AREA

This map shows the boundaries of the security controlled airport and airside area for the purpose of the Aviation Transport Security Act 2004 and the Aviation Transport Security Regulations 2005 only. The map should not be used for air navigation purposes. Further information can be obtained from the Department of Transport and Regional Services, Office of Transport Security (OTS), GPO Box 594, Canberra ACT 2601, or phone the OTS Operations Centre on 1300 307 288.

GOLD COAST AIRPORT PTY LTD
AIRPORT - GENERAL
AIRPORT OPERATORS GAZETTED
AIRFIELD LAYOUT

Scale: 1:3000
Australian Government
Department of Transport and Regional Services

Maritime Transport and Offshore Facilities Security Regulations 2003

EXEMPTION FROM DISPLAYING MARITIME SECURITY IDENTIFICATION CARDS FOR MCCONNELL DOWELL CONSTRUCTORS (AUST) PTY LTD EMPLOYEES AT PORT HEDLAND

I, Cheryl Johnson, General Manager, Supply Chain and Identity Security Branch, Office of Transport Security, Department of Transport and Regional Services, under regulation 6.07M of the Maritime Transport and Offshore Facilities Security Regulations 2003 (the Regulations), give all persons in the class of persons described below an exemption from displaying an MSIC in accordance with the requirements set out in Part 6 of the Regulations:

- McConnell Dowell Constructors (Aust) Pty Ltd employees engaged in the construction of a new wharf facility within the maritime security zone at Port Hedland

This exemption operates from the date of this notice and ceases on 30 June 2009.

The exemption is given subject to the following conditions:

- This is an exemption from the requirement to display only - the Regulations must still be adhered to with regards to the requirement to carry and hold MSICs.
- This exemption applies when entering the work zone.
- Non MSIC holders must be monitored and/or escorted as per the Regulations.

Dated 29 November 2007

Cheryl Johnson
Delegate of the Secretary of the
Department of Transport and Regional Services
INTERNATIONAL TAX AGREEMENTS ACT 1953

NOTICE UNDER SECTION 4A SPECIFYING THAT THE REVISED AUSTRALIA-FINLAND TAX TREATY SHALL APPLY

NOTICE is hereby given in pursuance of section 4A of the International Tax Agreements Act 1953 that the Agreement between the Government of Australia and the Government of Finland for the Avoidance of Double Taxation with Respect to Taxes on Income and the Prevention of Fiscal Evasion (being the Agreement and Protocol, a copy of each of which is set out in Schedule 25 to that Act) entered into force on 10 November 2007.

Dated this 20th day of November, 2007

[Signature]

Peter Craig Dutton
Minister for Revenue and Assistant Treasurer
## COMMISSIONER OF TAXATION

The Commissioner of Taxation, Michael D’Ascenzo, gives notice of the following Rulings, copies of which can be obtained from Branches of the Australian Taxation Office or at http://law.ato.gov.au.

<table>
<thead>
<tr>
<th>Ruling Number</th>
<th>Subject</th>
<th>Brief Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>PR 2007/96</td>
<td>Income tax: Rewards Group Berry Project 2008 – Early Growers</td>
<td>This Ruling applies to Growers that are accepted to participate in the scheme specified in this Ruling on or after 5 December 2007 and who execute the relevant agreements on or before 29 February 2008 for the commercial growing and cultivation of strawberry and blueberry plants. This Product Ruling applies prospectively from 5 December 2007.</td>
</tr>
<tr>
<td>PR 2007/97</td>
<td>Income tax: Gunns Plantations Woodlot Project 2008 – Planting Option 1</td>
<td>This Ruling applies to Growers that are accepted to participate in the scheme specified in this Ruling as initial participants on or after 5 December 2007 and who execute the relevant agreements on or before 30 June 2008 for the commercial growing of <em>Eucalyptus nitens</em> (shining gum) or <em>Eucalyptus globulus</em> (Tasmanian blue-gum), for the purpose of harvesting and selling as woodchip pulp logs. This Product Ruling applies prospectively from 5 December 2007.</td>
</tr>
<tr>
<td>PR 2007/98</td>
<td>Income tax: Gunns Plantations Woodlot Project 2008 – Planting Option 2</td>
<td>This Ruling applies to Growers that are accepted to participate in the scheme specified in this Ruling as initial participants on or after 5 December 2007 and who execute the relevant agreements on or before 30 June 2008 for the commercial growing of <em>Eucalyptus nitens</em> (shining gum) for the purpose of harvesting and selling as hardwood veneer logs and woodchip logs. This Product Ruling applies prospectively from 5 December 2007.</td>
</tr>
<tr>
<td>PR 2007/99</td>
<td>Income tax: Gunns Plantations Woodlot Project 2008 – Planting Option 3</td>
<td>This Ruling applies to Growers that are accepted to participate in the scheme specified in this Ruling as initial participants on or after 5 December 2007 and who execute the relevant agreements on or before 30 June 2008 for the commercial growing of <em>Pinus radiata</em> (radiata pine) for the purpose of harvesting and selling as softwood sawlogs and woodchip logs. This Product Ruling applies prospectively from 5 December 2007.</td>
</tr>
<tr>
<td>CR 2007/111</td>
<td>Income tax: capital gains tax: acquisition of Publishing and Broadcasting Limited by Crown Limited and demerger of Publishing and Broadcasting Limited by Crown Limited</td>
<td>This Ruling applies to shareholders of Publishing and Broadcasting Limited (PBL) who: participate in the scheme that is the subject of this Ruling; own ordinary shares in PBL and hold those shares on capital account at the time of the commencement of the scheme; and are residents of Australia at the time of the scheme. This Ruling applies from 1 July 2007 to 30 June 2008.</td>
</tr>
<tr>
<td>CR 2007/112</td>
<td>Income tax and fringe benefits tax: IOOF Holdings Limited – Equity Participation Program</td>
<td>This Ruling applies to all persons who are authorised representatives of Consilium Financial Advisers Pty Ltd and who receive an award under the IOOF Equity Participation Program. This Ruling applies from 1 July 2006.</td>
</tr>
<tr>
<td>CR 2007/113</td>
<td>Income tax: merger between the Mulgrave Central Mill Company Limited and TQ Sugar Limited</td>
<td>This Ruling applies to shareholders in the Mulgrave Central Mill Company Limited (MCM) who: hold A or B Class shares in MCM; and participate in the merger between MCM and TQ Sugar Limited under the Scheme of Arrangement as set out in the Scheme Booklet dated 13 September 2007. This Ruling applies from 1 July 2007 to 30 June 2008.</td>
</tr>
</tbody>
</table>
### NOTICE OF RULINGS

<table>
<thead>
<tr>
<th>Ruling Number</th>
<th>Subject</th>
<th>Brief Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR 2007/114</td>
<td>Income tax: scrip for scrip: acquisition of Coles Group Limited (Coles) who: were ordinary shareholders (other than Excluded Shareholders as described in the Scheme Booklet) of Coles on 16 November 2007; participated in the scheme of arrangement under which Westfarmers Limited, through its wholly owned subsidiary, Westfarmers Retail Holdings Pty Ltd, acquired all of the Coles shares; held their Coles shares on capital account; and were not ‘significant stakeholders’ or ‘common stakeholders’ within the meaning of those expressions in Subdivision 124-M of the <em>Income Tax Assessment Act 1997</em>. This Ruling will apply from 7 November 2007 to 30 June 2008.</td>
<td></td>
</tr>
</tbody>
</table>
Revocation of authorisation to carry on insurance business

Insurance Act 1973

TO: IAG Re Limited ABN 97 097 791 145 (the insurer)
388 George Street, Sydney NSW 2000

SINCE

A. the insurer is authorised under subsection 12(2) of the Insurance Act 1973 (the Act), to carry on insurance business in Australia (the Authorisation); and
B. the insurer has asked APRA to revoke the Authorisation; and
C. I am satisfied that:
   (i) the insurer has no liabilities in respect of insurance business carried on by it in Australia; and
   (ii) revoking the Authorisation would not be contrary to the national interest.

I, Wayne Byers, a delegate of APRA, under subsection 16(1) of the Act, REVOKE the Authorisation.

This Revocation takes effect on the date it is signed.

Dated 19 November 2007

[Signed]

Wayne Byers
Executive General Manager
Diversified Institutions Division

Interpretation

In this Notice

APRA means the Australian Prudential Regulation Authority.

insurance business has the meaning given in section 3 of the Act.

Note 1 Under subsection 16(2) of the Act, if APRA revokes a general insurer’s authorisation, APRA must give written notice to the insurer and ensure that notice of the revocation is published in the Gazette. By virtue
of subsection 16(3) of the Act, a revocation is not invalid merely because of a failure to comply with subsection 16(2) of the Act.
Revocation of Authority to carry on banking business

Banking Act 1959

SINCE

A. on 1 October 2007 Pioneer Permanent Building Society Limited ABN 36 087 652 042 (the ADI) applied in writing to APRA under subsection 9A(1) of the Banking Act 1959 (the Act), to revoke its authority to carry on banking business in Australia (the Authority); and

B. I am satisfied that revocation of the Authority:
   (i) would not be contrary to the national interest; and
   (ii) would not be contrary to the interests of the depositors of the ADI;

I, Brandon Kong Leong Khoo, a delegate of APRA, under subsection 9A(1) of the Act, REVOKE the Authority with effect from 25 November 2007.

Dated 23 November 2007

[Signed]

Brandon Kong Leong Khoo
Executive General Manager
Specialised Institutions Division

Interpretation

In this Notice

APRA means the Australian Prudential Regulation Authority.

ADI is short for authorised deposit-taking institution and has the meaning given in subsection 5(1) of the Act.

banking business has the meaning given in subsection 5(1) of the Act.
Note 1 Under subsection 9A(6) of the Act, APRA must publish a copy of this Notice in the Gazette and may cause notice of the revocation to be published in any other way it considers appropriate.

Note 2 Under subsection 8(1) of the Act, a body corporate is guilty of an offence if the body corporate carries on banking business in Australia and the body corporate is not the Reserve Bank and the body corporate is not an ADI and there is no order in force under section 11 of the Act determining that subsection 8 (1) does not apply to the body corporate. A maximum penalty of 200 penalty units applies or by virtue of subsection 4B(3) of the Crimes Act 1914 in the case of a body corporate, a maximum penalty not exceeding 1,000 penalty units. By virtue of subsection 8(2) of the Act, an offence against subsection 8(1) is an indictable offence. Under subsection 8(3) of the Act, if a body corporate commits an offence against subsection 8(1), the body corporate is guilty of an offence against that subsection in respect of the first day on which the offence is committed and each subsequent day (if any) on which the circumstances that gave rise to the body corporate committing the offence continue (including the day of conviction for any such offence or any later day).
Certificate of transfer

Financial Sector (Business Transfer and Group Restructure) Act 1999

TO: Pioneer Permanent Building Society Limited ABN 36 087 652 042 (the transferring body)

and

Bank of Queensland Limited ABN 32 009 656 740 (the receiving body)

SINCE

A. on 23 November 2007 APRA issued a Voluntary transfer approval under the Financial Sector (Business Transfer and Group Restructure) Act 1999 (the Act) in respect of the partial transfer of business from the transferring body to the receiving body (the transfer); and

B. on 22 November 2007 APRA received a statement of detail in accordance with section 19 of the Act (the section 19 statement). A copy of the section 19 statement is attached to this Certificate; and

C. APRA is not aware of any reason why the transfer should not go ahead; and

D. in accordance with subsection 18(3) of the Act, the wishes of the transferring body and the receiving body have been taken into account in deciding when this Certificate is to come into force;

I, Brandon Kong Leong Khoo, a delegate of APRA and an authorised APRA officer for the purposes of paragraph 18(2)(c) of the Act, under subsection 18(1) of the Act, STATE that the transfer is to take effect.

In accordance with paragraph 18(2)(d) of the Act, this Certificate comes into force on 25 November 2007.

Dated 23 November 2007

[Signed]
Brandon Kong Leong Khoo
Executive General Manager  
Specialised Institutions Division

**Interpretation**  
Document ID: 150650

*APRA* means the Australian Prudential Regulation Authority.

*authorised APRA officer* has the meaning given in subsection 4(1) of the Act.

*receiving body* has the meaning given in subsection 4(1) of the Act.

*transferring body* has the meaning given in subsection 4(1) of the Act.

*partial transfer* has the meaning given in subsection 8(2) of the Act.

*voluntary transfer approval* means an instrument of approval under section 11 of the Act.

*Note 1* Under subsection 18(4) of the Act, this certificate comes into force in accordance with the statement included in the certificate as required by paragraph 18(2)(d) of the Act.

*Note 2* Under subsection 21(1) of the Act, APRA must give a copy of this Certificate to the transferring body and to the receiving body.

*Note 3* By virtue of section 44 of the Act, if apart from section 44 of the Act, the operation of the Act in relation to a particular receiving body would result in the acquisition of property from a person otherwise than on just terms, and the acquisition would be invalid because of paragraph 51(xxxi) of the Constitution, the receiving body is liable to pay to the person compensation of a reasonable amount as agreed on between the receiving body and the person. If the receiving body and the person do not agree on the amount of the compensation, the person may institute proceedings in the Federal Court of Australia for the recovery from the receiving body of such reasonable amount of compensation as the Court determines. By virtue of subsection 44 (2) of the Act, any damages or compensation recovered or other remedy given in a proceeding that is commenced otherwise than under section 44 of the Act, is to be taken into account in assessing compensation payable in a proceeding that is commenced under section 44 of the Act and that arises out of the same event or transaction. "Acquisition of property" and "just terms" have the same respective meanings as in paragraph 51 (xxxı) of the Constitution.
Voluntary transfer approval

Financial Sector (Business Transfer and Group Restructure) Act 1999

TO: Pioneer Permanent Building Society Limited ABN 36 087 652 042 (the transferring body)

and

Bank of Queensland Limited ABN 32 009 656 740 (the receiving body)

SINCE I consider that:

A. application for approval of a partial transfer (the transfer) of business has been made in accordance with section 10 of the Financial Sector (Business Transfer and Group Restructure) Act 1999 (the Act) by means of the following letters:
   (i) from the transferring body and the receiving body to APRA dated 1 October 2007; and
   (ii) from the receiving body to APRA dated 1 October 2007; and
   (iii) from the transferring body and the receiving body to APRA dated 22 November 2007; and

B. the transfer has been adequately adopted within the meaning of section 13 of the Act, by the transferring body and by the receiving body; and

C. the transfer should be approved having regard to:
   (i) the interests of the depositors or policy owners of the transferring body when viewed as a group; and
   (ii) the interests of the depositors or policy owners of the receiving body when viewed as group; and
   (iii) the interests of the financial sector as a whole; and
   (iv) other matters that APRA considers relevant; and

D. legislation to facilitate the transfer that satisfies the requirements of section 14 of the Act has been enacted in the State or Territory in which the transferring body is established and in the State or Territory in which the receiving body is established; and

E. the Minister's consent to the transfer is not required under section 15 of the Act;

23/11/2007
I, Brandon Kong Leong Khoo, a delegate of APRA and an authorised APRA officer for the purposes of subsection 4(2) of the Act, under subsection 11(1) of the Act, APPROVE the transfer.

Dated 23 November 2007

[Signed]

Brandon Kong Leong Khoo
Executive General Manager
Specialised Institutions Division

**Interpretation**

In this Notice

**APRA** means the Australian Prudential Regulation Authority.

**authorised APRA officer** has the meaning given in subsection 4(1) of the Act.

**certificate of transfer** in accordance with subsection 4(1) of the Act, means a certificate issued under section 18 of the Act.

**established** has the meaning given in subsection 4(1) of the Act.

**partial transfer** has the meaning given in subsection 8(2) of the Act.

**receiving body** has the meaning given in subsection 4(1) of the Act.

**transferring body** has the meaning given in subsection 4(1) of the Act.

*Note 1* Under section 17 of the Act, if APRA approves the transfer of business, APRA must give a copy of the voluntary transfer approval to the transferring body and the receiving body.

*Note 2* By virtue of section 44 of the Act, if apart from section 44 of the Act, the operation of the Act in relation to a particular receiving body would result in the acquisition of property from a person otherwise than on just terms, and the acquisition would be invalid because of paragraph 51(7) of the Constitution, the receiving body is liable to pay to the person compensation of a reasonable amount as agreed on between the receiving body and the person. If the receiving body and the person do not agree on the amount of the compensation, the person may institute proceedings in the Federal Court of Australia for the recovery from the receiving body of such reasonable amount of compensation as the Court determines. By virtue of subsection 44 (2) of the Act, any damages or compensation recovered or other remedy given in a proceeding that is commenced otherwise than under section 44 of the Act, is to be taken into account in assessing compensation payable in a proceeding that is commenced under section 44 of the Act and that arises out of the same event or transaction. "Acquisition of property" and "just terms" have the same respective meanings as in paragraph 51 (7) of the Constitution.

*Note 3* Regulation 6 of the Financial Sector (Business Transfer and Group Restructure) Regulations 1999 (the Regulations) inserts into the Financial Sector (Shareholdings) Act 1998, section 13A which requires a company to seek the approval of the Treasurer where more than 15% of the gross assets and liabilities of another financial sector company is to be transferred to it under the Act.

*Note 4* By virtue of regulation 7 of the Regulations, for the purposes of subsection 43(4) of the Act, the provisions of the Foreign Acquisitions and Takeovers Act 1975 and the Insurance Acquisitions and Takeovers Act 1991 apply in relation to a transfer of business.
Approval to hold a stake in a financial sector company of more than 15%

Financial Sector (Shareholdings) Act 1998

SINCE

A. Kiln Ltd and the person(s) named in the attached Schedule (the applicants) have applied to the Treasurer under section 13 of the Financial Sector (Shareholdings) Act 1998 (the Act), for approval to hold a stake of more than 15% in W.R. Berkley Insurance (Europe), Limited ABN 81 126 483 681 (the Company), a financial sector company under the Act; and

B. I am satisfied that it is in the national interest to approve the applicants holding a stake in the Company of more than 15%.

I, Wayne Byres, a delegate of the Treasurer, under subsection 14(1) of the Act, APPROVE the applicants holding a stake in the Company of 100%.

This Approval commences on the date it is signed and remains in force until 31 December 2008.

Dated 23 November 2007

[Signed]

Wayne Byres
Executive General Manager
Diversified Institutions Division

23/11/2007
**Interpretation**

In this Notice:

- **financial sector company** has the meaning given in section 3 of the Act.
- **stake** in relation to a company, has the meaning given in clause 10 of Schedule 1 to the Act.
- **unacceptable shareholding situation** has the meaning given in section 10 of the Act.

**Note 1**  Under paragraph 16(2)(a) of the Act, the Treasurer may, by written notice given to a person who holds an Approval under section 14, impose one or more conditions or further conditions to which the Approval is subject. Under paragraph 16(2)(b) of the Act, the Treasurer may revoke or vary any condition imposed under paragraph 16(2)(a) of the Act or specified in the Notice of Approval. The Treasurer’s power under subsection 16(2) of the Act may be exercised on the Treasurer’s own initiative or on application made to the Treasurer in accordance with the requirements of subsection 16(4) of the Act, by the person who holds the Approval (see subsection 16(3) of the Act).

**Note 2**  A person who holds an Approval under section 14 may apply to the Treasurer under section 17(1) of the Act, to vary the percentage specified in the Approval.

**Note 3**  Under subsection 17(6) of the Act, the Treasurer may, on the Treasurer’s own initiative, by written notice given to a person who holds an Approval under section 14, vary the percentage specified in the Approval if the Treasurer is satisfied that it is in the national interest to do so.

**Note 4**  The circumstances in which the Treasurer may revoke a person’s Approval under section 14 are set out in subsection 18(1) of the Act.

**Note 5**  Section 19 of the Act provides for flow-on approvals. If an Approval has been granted for the holding of a stake in a financial sector company and the financial sector company is a holding company for an authorised deposit-taking institution or an authorised insurance company, then an approval is taken to exist for the holding of a stake of equal value in each financial sector company that is a 100% subsidiary of the holding company.

**Note 6**  Under section 14 of the Act, the Treasurer must give written notice of this Approval to the applicant and financial sector company concerned, and must publish a copy of this Notice in the Gazette.

**Note 7**  Under section 11 of the Act, a person or 2 or more persons under an arrangement are guilty of an offence if the person(s) acquires shares in a company and the acquisition has the result, in relation to a financial sector company, that:

(i) an unacceptable shareholding situation comes into existence; or
(ii) if an unacceptable shareholding situation already exists in relation to the company and in relation to a person – there is an increase in the stake held by the person in the company;

and the person(s) was reckless as to whether the acquisition would have that result. A maximum penalty of 400 penalty units applies or by virtue of subsection 4B(3) of the Crimes Act 1914, in the case of a body corporate, a penalty not exceeding 2,000 penalty units. By virtue of section 39 of the Act, an offence against section 11 is an indictable offence.

**Note 8**  Under subsection 15(2) of the Act, a person who holds an Approval under section 14 that is in force for a specified period may apply to the Treasurer to extend that period.
Schedule - the person(s) who applied for approval

Kiln (UK) Holdings Limited
Approval to hold a stake in a financial sector company of more than 15%

Financial Sector (Shareholdings) Act 1998

SINCE

A. W.R. Berkley Corporation and the person(s) named in the attached Schedule (the applicants) have applied to the Treasurer under section 13 of the Financial Sector (Shareholdings) Act 1998 (the Act), for approval to hold a stake of more than 15% in W.R. Berkley Insurance (Europe), Limited ABN 81 126 483 681 (the Company), a financial sector company under the Act; and

B. I am satisfied that it is in the national interest to approve the applicants holding a stake in the Company of more than 15%.

I, Wayne Byres, a delegate of the Treasurer, under subsection 14(1) of the Act, APPROVE the applicants holding a stake in the Company of 100%.

Under subsection 16(1) of the Act, this Approval is subject to the conditions set out in the attached Schedule.

This Approval commences on the date it is signed and remains in force indefinitely.

Dated 23 November 2007

[Signed]

Wayne Byres
Executive General Manager
Diversified Institutions Division
Interpretation

In this Notice:

**financial sector company** has the meaning given in section 3 of the Act.

**stake** in relation to a company, has the meaning given in clause 10 of Schedule 1 to the Act.

**unacceptable shareholding situation** has the meaning given in section 10 of the Act.

*Note 1* Under paragraph 16(2)(a) of the Act, the Treasurer may, by written notice given to a person who holds an Approval under section 14, impose one or more conditions or further conditions to which the Approval is subject. Under paragraph 16(2)(b) of the Act, the Treasurer may revoke or vary any condition imposed under paragraph 16(2)(a) of the Act or specified in the Notice of Approval. The Treasurer’s power under subsection 16(2) of the Act may be exercised on the Treasurer’s own initiative or on application made to the Treasurer in accordance with the requirements of subsection 16(4) of the Act, by the person who holds the Approval (see subsection 16(3) of the Act).

*Note 2* A person who holds an Approval under section 14 may apply to the Treasurer under section 17(1) of the Act, to vary the percentage specified in the Approval.

*Note 3* Under subsection 17(6) of the Act, the Treasurer may, on the Treasurer’s own initiative, by written notice given to a person who holds an Approval under section 14, vary the percentage specified in the Approval if the Treasurer is satisfied that it is in the national interest to do so.

*Note 4* The circumstances in which the Treasurer may revoke a person’s Approval under section 14 are set out in subsection 18(1) of the Act.

*Note 5* Section 19 of the Act provides for flow-on approvals. If an Approval has been granted for the holding of a stake in a financial sector company and the financial sector company is a holding company for an authorised deposit-taking institution or an authorised insurance company, then an approval is taken to exist for the holding of a stake of equal value in each financial sector company that is a 100% subsidiary of the holding company.

*Note 6* Under section 14 of the Act, the Treasurer must give written notice of this Approval to the applicant and financial sector company concerned, and must publish a copy of this Notice in the Gazette.

*Note 7* Under section 11 of the Act, a person or 2 or more persons under an arrangement are guilty of an offence if the person(s) acquires shares in a company and the acquisition has the result, in relation to a financial sector company, that:

(i) an unacceptable shareholding situation comes into existence; or

(ii) if an unacceptable shareholding situation already exists in relation to the company and in relation to a person – there is an increase in the stake held by the person in the company;

and the person(s) was reckless as to whether the acquisition would have that result. A maximum penalty of 400 penalty units applies or by virtue of subsection 4B(3) of the Crimes Act 1914, in the case of a body corporate, a penalty not exceeding 2,000 penalty units. By virtue of section 39 of the Act, an offence against section 11 is an indictable offence.

*Note 8* Under subsection 32(3) of the Act, if a person has engaged or is proposing to engage in any conduct in contravention of a condition to which an approval under section 14 is subject, the Federal Court may, on the application of the Treasurer, grant an injunction:

(i) restraining the person from engaging in the conduct; and,

(ii) if in the court’s opinion, it is desirable to do so- requiring the person to do something.
Schedule - the person(s) who applied for approval

Mr William R Berkley
Signet Star Holdings Inc
J/I Holding Corporation
Berkley Insurance Company
Admiral Insurance Company
Berkley London Holdings Inc.
W.R. Berkley London Holdings Limited
Schedule - the conditions imposed on this Approval

1. The approval granted in relation to the stake held by Mr William R Berkley extends only to a stake held by virtue of his 20% shareholding, either directly or through associates, in W. R. Berkley Corporation.
Authorisation to carry on insurance business

Insurance Act 1973

TO: W.R. Berkley Insurance (Europe), Limited ABN 81 126 483 681 (the Applicant)
Level 21, 201 Sussex Street, Sydney, NSW, 2000

SINCE the Applicant applied to APRA under subsection 12(1) of the Insurance Act 1973 (the Act), on 20 June 2007 for authorisation to carry on insurance business in Australia;

I, Wayne Byres, a delegate of APRA, under subsection 12(2) of the Act, AUTHORISE the Applicant to carry on insurance business in Australia.

Dated 23 November 2007

[Signed]

Wayne Byres
Executive General Manager
Diversified Institutions Division

23/11/2007
Interpretation

In this Notice

**APRA** means the Australian Prudential Regulation Authority.

**insurance business** has the meaning given in section 3 of the Act.

**Note 1** Under subsection 12(4) of the Act, if APRA authorises an applicant, APRA must give written notice to the applicant and ensure that notice of the authorisation is published in the *Gazette*.

**Note 2** APRA may revoke an authorisation in accordance with sections 15 and 16 of the Act.

**Note 3** Under subsection 13(1) of the Act, APRA may, at any time, by written notice to a general insurer, impose conditions or additional conditions or vary or revoke conditions imposed on the insurer’s authorisation under section 12 of the Act. The conditions must relate to prudential matters.
Public Notices

Intention to publish

In accordance with Section 51 of the Copyright Act 1968, the John Curtin Prime Ministerial Library, Curtin University of Technology, Perth, Western Australia, hereby gives notice of its intention to publish in digital form on its website, documents from various papers in the collections of the National Library of Australia as listed here:
Papers of Alexander Gore Gowrie, 1835-1987 (NLA MS2852, Series 5,7,8,15)
Papers, 1925-1968, Richard Ovenden (NLA MS3792)
Papers, 1929-1957, Lloyd Dumas (NLA MS4849, Series 2)
Correspondence of King O’Malley, 1888-1955 (NLA MS460)
Personal Papers of Brian Fitzpatrick, 1925-1965 (NLA MS4965, Series 1-2)
Papers of William Morris Hughes, 1875-ca.1979 (NLA MS 1538, Series 1,2,13,28,30)
Papers, 1943-1963, EJ Holloway (NLA MS2098)
General correspondence of Herbert Brookes, 1869-1970 (NLA MS1924, Series 1)

The documents are mainly correspondence within the papers from the period between 1940 and 1945.

Any person claiming to be the copyright owner of any of the correspondence should contact Ms Lesley Wallace, Manager, at the earliest opportunity by telephone 08 9266 4205, facsimile 08 9266 4185, email jcml@curtin.edu.au or in writing to the John Curtin Prime Ministerial Library, GPO Box U1987, Perth, WA, 6845.

The correspondents are:

Herbert Brookes  
Lord Gowrie  
JP Abbott  
SM Bruce  
Lloyd Dumas  
King O’Malley  
Alfred Jacobs  
FWL Esch  
Chas F. Knight  
WM Hughes  
Francis Bennett  
George Fitzpatrick  
Rupert Hornabrook  
Patrick Maitland  
John Peake  
JJ Stable  
WT Hughes  
Arthur Hanks  
MG Shaw  
RJ Heffron  
GW Brain  
WJ McKell  
JC Rathborne  

WG Cox  
EJ Holloway  
GW Brain
CHAMPION SHOTS MEDAL

The Governor-General is pleased to announce the following award:

CHAMPION SHOTS MEDAL

Australian Army

Captain Aleks STRIKIS

By His Excellency’s Command

Malcolm Hazell
Official Secretary to the Governor-General
MERITORIOUS UNIT CITATION

The Governor-General is pleased to announce the following award of the Meritorious Unit Citation:

AUSTRALIAN ARMY

5th AVIATION REGIMENT

For sustained meritorious service during warlike and peace support missions in support of Operations WARDEN, TANAGER and SLIPPER.

By His Excellency’s Command

Malcolm Hazell
Official Secretary to the Governor-General
MERITORIOUS UNIT CITATION

5th AVIATION REGIMENT
AUSTRALIAN ARMY

For sustained meritorious service during warlike and peace support missions in support of Operations WARDEN, TANAGER and SLIPPER.

During warlike and peace support operations in East Timor and Afghanistan, the soldiers of 5th Aviation Regiment have demonstrated great professionalism, dedication, and courage in carrying out their duties. By providing highly effective airmobile and combat service support capability, the Regiment’s soldiers have been pivotal to the success of many Australian and coalition missions. While overcoming the constant threat posed by terrain, weather and adversaries, the Regiment’s performance has been exemplary and reflects great credit on the Australian Army and the Australian Defence Force.
COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Water Resources, have considered in accordance with section 303FN of the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act) the application from the Queensland Department of Primary Industries and Fisheries (DPI&F), public comments on the proposal as required under section 303FP, and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the Queensland Gulf of Carpentaria Developmental Finfish Trawl Fishery, as defined in the Queensland Fisheries Act 1994 and the Queensland Fisheries Regulation 1995, to be an approved Wildlife Trade Operation, in accordance with section 303FN (2) and (10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

a) is valid until 29 November 2010; and

b) is subject to the conditions applied under section 303FT specified in the Schedule (dated November 2007).

Dated this 28th day of November 2007

Delegate of the Minister for the Environment and Water Resources

Under the Administrative Appeals Tribunal Act 1975, a person whose interests are affected by this decision may apply for a statement of reasons and for independent review of the decision. An application for a statement of reason may be made in writing to Department of the Environment and Water Resources within 28 days of the date of the declaration. An application for independent review may be made to the Administrative Appeals Tribunal on payment of the relevant fee within 28 days of the date of the declaration, or if reasons are sought, within 28 days of receipt of reasons. Further information may be obtained from the Director, Sustainable Fisheries Policy and Assessment Section.
SCHEDULE

Declaration of the Harvest Operations of the Queensland Gulf of Carpentaria Developmental Finfish Trawl Fishery (GOCDFTF) as an approved Wildlife Trade Operation, November 2007

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), taken in the GOCDFTF.

1. Operation of the GOCDFTF will be carried out in accordance with the Queensland Fisheries Act 1994 and the Queensland Fisheries Regulation 1995.

2. The Queensland Department of Primary Industries and Fisheries (DPI&F) to inform the Department of the Environment and Water Resources (DEW) of any intended amendments to the management arrangements that may affect the criteria on which EPBC Act decisions are based.

3. DPI&F to produce and present reports to DEW annually as per Appendix B to the Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition.
COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Water Resources, have considered in accordance with section 303FN of the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act) the application from the Queensland Department of Primary Industries and Fisheries (DPI&F), public comments on the proposal as required under section 303FR, and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the incidental harvesting of Solegnathus dunckeri and Solegnathus hardwickii, in the Queensland East Coast Otter Trawl Fishery, as defined in the Queensland Fisheries Regulation 1995 and the Queensland Fisheries (East Coast Trawl) Management Plan 1999, to be an approved Wildlife Trade Operation, in accordance with section 303FN (2) and (10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

a) is valid until 29 November 2010; and

b) is subject to the conditions applied under section 303FT specified in the Schedule (dated November 2007).

Dated this 28th day of November 2007

Delegate of the Minister for the Environment and Water Resources

Under the Administrative Appeals Tribunal Act 1975, a person whose interests are affected by this decision may apply for a statement of reasons and for independent review of the decision. An application for a statement of reasons may be made in writing to Department of the Environment and Water Resources within 28 days of the date of the declaration. An application for independent review may be made to the Administrative Appeals Tribunal on payment of the relevant fee within 28 days of the date of the declaration, or if reasons are sought, within 28 days of receipt of reasons. Further information may be obtained from the Director, Sustainable Fisheries Policy and Assessment Section.
SCHEDULE

Declaration of the Incidental Harvest Operations of *Solegnathus dunckeri* and *Solegnathus hardwickii* in the Queensland East Coast Otter Trawl Fishery (ECOTF) as an approved Wildlife Trade Operation, November 2007

ADDITIONAL PROVISIONS (section 303FT)

Relating to the incidental harvesting of *Solegnathus dunckeri* and *Solegnathus hardwickii* in the ECOTF.

1. Operation of the ECOTF will be carried out in accordance with the Queensland *Fisheries Regulation 1995* and the Queensland *Fisheries (East Coast Trawl) Management Plan 1999* in force under the Queensland *Fisheries Act 1994*.

2. The Queensland Department of Primary Industries and Fisheries (DPI&F) to inform the Department of the Environment and Water Resources (DEW) of any intended amendments to the management arrangements that may affect the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based.

3. DPI&F to continue produce and present reports to DEW annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*. 
COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Water Resources, have considered in accordance with section 303FN of the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act) the application from the Queensland Department of Primary Industries and Fisheries (DPI&F), public comments on the proposal as required under section 303FR, and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the Queensland East Coast Otter Trawl Fishery, as defined in the Queensland Fisheries Regulation 1995 and the Queensland Fisheries (East Coast Trawl) Management Plan 1999, to be an approved Wildlife Trade Operation, in accordance with section 303FN (2) and (10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

a) is valid until 29 November 2010; and
b) is subject to the conditions applied under section 303FT specified in the Schedule (dated November 2007).

Dated this 28th day of November 2007

[Signature]

Delegate of the Minister for the Environment and Water Resources

Under the Administrative Appeals Tribunal Act 1975, a person whose interests are affected by this decision may apply for a statement of reasons and for independent review of the decision. An application for a statement of reason may be made in writing to Department of the Environment and Water Resources within 28 days of the date of the declaration. An application for independent review may be made to the Administrative Appeals Tribunal on payment of the relevant fee within 28 days of the date of the declaration, or if reasons are sought, within 28 days of receipt of reasons. Further information may be obtained from the Director, Sustainable Fisheries Policy and Assessment Section.
SCHEDULE

Declaration of the Harvest Operations of the Queensland East Coast Otter Trawl Fishery (ECOTF) as an approved Wildlife Trade Operation, November 2007

ADDITIONAL PROVISIONS (section 303F)

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), taken in the ECOTF.

1. Operation of the ECOTF will be carried out in accordance with the Queensland Fisheries Regulation 1995 and the Queensland Fisheries (East Coast Trawl) Management Plan 1999 in force under the Queensland Fisheries Act 1994.

2. The Queensland Department of Primary Industries and Fisheries (DPI&F) to inform the Department of the Environment and Water Resources (DEW) of any intended amendments to the management arrangements that may affect the criteria on which EPBC Act decisions are based.

3. DPI&F to continue produce and present reports to DEW annually as per Appendix B to the Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition.
COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Heritage, being satisfied of those matters specified in section 303FN of the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act), hereby declare, pursuant to section 303FN (2), the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 15 of the EPBC Act, taken in the South Australian Lakes and Coorong Fishery, as defined in the Fisheries Management (Lakes and Coorong Fishery) Regulations 2006 and the Fisheries Management (General) Regulations 2007 in force under the Fisheries Management Act 2007 (South Australia), to be an approved Wildlife Trade Operation for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

a) is valid until 25 November 2008; and

b) is subject to the conditions applied under section 303FT specified in the Schedule.

This instrument commences on the same day that the relevant provisions of the Fisheries Management Act 2007 (South Australia) commence.

Dated this 29th day of November 2007

Delegate of the Minister for the Environment and Water Resources

Under the Administrative Appeals Tribunal Act 1975, a person whose interests are affected by this decision may apply for a statement of reasons and for independent review of the decision. An application for a statement of reason may be made in writing to Department of the Environment and Water Resources within 28 days of the date of the declaration. An application for independent review may be made to the Administrative Appeals Tribunal on payment of the relevant fee within 28 days of the date of the declaration, or if reasons are sought, within 28 days of receipt of reasons. Further information may be obtained from the Director, Sustainable Fisheries Section.
SCHEDULE

Declaration of the Harvest Operations of the South Australian Lakes and Coorong Fishery as an approved Wildlife Trade Operation

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the South Australian Lakes and Coorong Fishery.

1. Operation of the fishery will be carried out in accordance with the Fisheries Management (Lakes and Coorong Fishery) Regulations 2006 and the Fisheries Management (General) Regulations 2007 in force under the Fisheries Management Act 2007 (South Australia).

2. Department of Primary Industries and Resources, South Australia (PIRSA) to inform the Department of the Environment and Water Resources of any material change to the Lakes and Coorong Fishery’s management arrangements that could affect the criteria on which the EPBC Act decisions are based, within three months of that change being made.

3. Reports to be produced and presented to the Department of the Environment and Water Resources annually, and to include:
   
   - information sufficient to allow assessment of the progress of PIRSA in implementing the recommendations made in the Assessment of the South Australian Lakes and Coorong Fishery;
   
   - a description of the status of the fishery and catch and effort information;
   
   - a statement of the performance of the fishery against objectives, performance indicators and measures once developed; and
   
   - research undertaken or completed relevant to the fishery.
COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Water Resources, being satisfied of those matters specified in section 303FN of the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act), hereby declare, pursuant to section 303FN (2), the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the South Australian Marine Scalefish Fishery, as defined in the Fisheries Management (Marine Scalefish Fisheries) Regulations 2006 and the Fisheries Management (General) Regulations 2007 in force under the Fisheries Management Act 2007 (South Australia), to be an approved Wildlife Trade Operation for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

a) is valid until 25 November 2008; and

b) is subject to the conditions applied under section 303FT specified in the Schedule.

This instrument commences on the same day that the relevant provisions of the Fisheries Management Act 2007 (South Australia) commence.

Dated this 29th day of November 2007

[Signature]

Delegate of the Minister for the Environment and Water Resources

Under the Administrative Appeals Tribunal Act 1975, a person whose interests are affected by this decision may apply for a statement of reasons and for independent review of the decision. An application for a statement of reason may be made in writing to Department of the Environment and Water Resources within 28 days of the date of the declaration. An application for independent review may be made to the Administrative Appeals Tribunal on payment of the relevant fee within 28 days of the date of the declaration, or if reasons are sought, within 28 days of receipt of reasons. Further information may be obtained from the Director, Sustainable Fisheries Section.
SCHEDULE

Declaration of the Harvest Operations of the South Australian Marine Scalefish Fishery as an approved Wildlife Trade Operation

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the South Australian Marine Scalefish Fishery.

1. Operation of the fishery will be carried out in accordance with the Fisheries Management (Marine Scalefish Fisheries) Regulations 2006 and the Fisheries Management (General) Regulations 2007 in force under the Fisheries Management Act 2007 (South Australia).

2. Department of Primary Industries and Resources, South Australia (PIRSA) to inform the Department of the Environment and Water Resources of any material change to the Marine Scalefish Fishery’s management arrangements that could affect the criteria on which the EPBC Act decisions are based, within three months of that change being made.

3. Reports to be produced and presented to the Department of the Environment and Water Resources annually, and to include:
   - information sufficient to allow assessment of the progress of PIRSA in implementing the recommendations made in the Assessment of the South Australian Marine Scalefish Fishery;
   - a description of the status of the fishery and catch and effort information;
   - a statement of the performance of the fishery against objectives, performance indicators and measures once developed; and
   - research undertaken or completed relevant to the fishery.
DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Water Resources, being satisfied of the matters specified in section 303FN of the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act), hereby declare, pursuant to section 303FN (2), the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates taken in the South Australian Giant Crab Fishery, as defined in the Fisheries Management (Miscellaneous Fishery) Regulations 2000, the Fisheries Management (Rock Lobster Fisheries) Regulations 2006 and the Fisheries Management (General) Regulations 2007 in force under the Fisheries Management Act 2007 (South Australia), to be an approved Wildlife Trade Operation for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

a) is valid until 14 March 2010; and
b) is subject to the conditions applied under section 303FT specified in the Schedule.

This instrument commences on the same day that the relevant provisions of the Fisheries Management Act 2007 (South Australia) commence.

Dated this 29th day of November 2007

[Signature]

Delegate of the Minister for the Environment and Water Resources

Under the Administrative Appeals Tribunal Act 1975, a person whose interests are affected by this decision may apply for a statement of reasons and for independent review of the decision. An application for a statement of reason may be made in writing to Department of the Environment and Water Resources within 28 days of the date of the declaration. An application for independent review may be made to the Administrative Appeals Tribunal on payment of the relevant fee within 28 days of the date of the declaration, or if reasons are sought, within 28 days of receipt of reasons. Further information may be obtained from the Director, Sustainable Fisheries Policy Section.
SCHEDULE

Declaration of the Harvest Operations of the South Australian Giant Crab Fishery as an approved Wildlife Trade Operation

ADDITIONAL PROVISIONS (section 303FJ)

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the South Australian Giant Crab Fishery.

1. Operation of the fishery will be carried out in accordance with the management regime for the fishery in force under the Fisheries Management (Miscellaneous Fishery) Regulations 2000, the Fisheries Management (Rock Lobster Fisheries) Regulations 2006, the Fisheries Management (General) Regulations 2007 and the Fisheries Management Act 2007 (South Australia).

2. Department of Primary Industries and Resources, South Australia to inform the Department of the Environment and Water Resources of any material change to the South Australian Giant Crab Fishery management arrangements that could affect the criteria on which the EPBC Act decisions are based, within three months of any change being made.

3. Reports to be produced and presented to the Department of the Environment and Water Resources annually, and to include:

   a. a description of the status of the fishery, catch and effort information and the total allowable catch setting process and outcomes of that process;

   b. the performance of the fishery against stated goals, objectives, strategies and reference points;

   c. research undertaken or completed relevant to the fishery; and

   d. an outline of progress in implementing the recommendations made in the Assessment of the South Australian Giant Crab Fishery 2007.
COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Water Resources, being satisfied of the matters specified in section 303FN of the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act), hereby declare, pursuant to section 303FN (2), the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the South Australian Scallop and Turbo Fisheries, as defined in the Fisheries Management (Miscellaneous Fishery) Regulations 2000 and the Fisheries Management (General) Regulations 2007 in force under the Fisheries Management Act 2007 (South Australia), to be an approved Wildlife Trade Operation for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

a) is valid until 12 September 2010 and;

b) is subject to the conditions applied under section 303FT specified in the Schedule.

This instrument commences on the same day that the relevant provisions of the Fisheries Management Act 2007 (South Australia) commence.

Dated this 29th day of November 2007

[Signature]

Delegate of the Minister for the Environment and Water Resources

Under the Administrative Appeals Tribunal Act 1973, a person whose interests are affected by this decision may apply for a statement of reasons and for independent review of the decision. An application for a statement of reason may be made in writing to Department of the Environment and Water Resources within 28 days of the date of the declaration. An application for independent review may be made to the Administrative Appeals Tribunal on payment of the relevant fee within 28 days of the date of the declaration, or if reasons are sought, within 28 days of receipt of reasons. Further information may be obtained from the Director, Sustainable Fisheries Section.
SCHEDULE

Declaration of the Harvest Operations of the South Australian Scallop and Turbo Fisheries as an approved Wildlife Trade Operation

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the South Australian Scallop and Turbo Fisheries (STF).

1. Operation of the STF will be carried out in accordance with the Fisheries Management (Miscellaneous Fishery) Regulations 2000 and the Fisheries Management (General) Regulations 2007 in force under the Fisheries Management Act 2007 (South Australia).

2. The Fisheries Division of the Department of Primary Industries and Resources, South Australia (PIRSA Fisheries) to inform the Department of the Environment and Water Resources of any material change to the STF’s management arrangements that could affect the criteria on which the EPBC Act decisions are based, within three months of that change being made.

3. Reports to be produced and presented to the Department of the Environment and Water Resources annually, and to include:
   - information sufficient to allow assessment of the progress of PIRSA Fisheries in implementing the recommendations made in the Assessment of the South Australian Scallop and Turbo Fisheries 2007;
   - a description of the STF management arrangements in place, recent catch data for all sectors of the STF, status of target stock, interactions with protected species, impacts of the STF on the ecosystem in which they operate and research and monitoring outcomes. Information need only be provided on those aspects that are relevant to the STF and that articulate “changes” since the last annual report.
COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Water Resources, being satisfied of the matters specified in section 303FN of the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act), hereby declare, pursuant to section 303FN (2), the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the South Australian Sea Urchin Fishery, as defined in the Fisheries Management (Miscellaneous Fishery) Regulations 2000 in force under the Fisheries Management Act 2007 (South Australia), to be an approved Wildlife Trade Operation for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

a) is valid until 20 October 2008; and
b) is subject to the conditions applied under section 303FT specified in the Schedule.

This instrument commences on the same day that the relevant provisions of the Fisheries Management Act 2007 (South Australia) commence.

Dated this 29th day of November 2007

Delegate of the Minister for the Environment and Water Resources

Under the Administrative Appeals Tribunal Act 1975, a person whose interests are affected by this decision may apply for a statement of reasons and for independent review of the decision. An application for a statement of reasons may be made in writing to Department of the Environment and Water Resources within 28 days of the date of the declaration. An application for independent review may be made to the Administrative Appeals Tribunal on payment of the relevant fee within 28 days of the date of the declaration, or if reasons are sought, within 28 days of receipt of reasons. Further information may be obtained from the Director, Sustainable Fisheries Section.
SCHEDULE

Declaration of the Harvest Operations of the South Australian Sea Urchin Fishery as an approved Wildlife Trade Operation

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the South Australian Sea Urchin Fishery.

1. Operation of the fishery will be carried out in accordance with the South Australian Sea Urchin Fishery management regime in the Fisheries Management (Miscellaneous Fishery) Regulations 2000 in force under the Fisheries Management Act 2007 (South Australia).

2. The Department of Primary Industries and Resources, South Australia (PIRSA) will advise Department of the Environment and Water Resources of any material change to the fishery’s management arrangements that could affect the criteria on which EPBC decisions are based, within 3 months of that change being made.

3. Reports to be produced and presented to the Department of the Environment and Water Resources annually, and to include:
   - information sufficient to allow assessment of the progress of PIRSA in implementing the recommendations made in the Assessment of the South Australian Sea Urchin Fishery 2005;
   - a description of the status of the fishery and catch and effort information;
   - a statement of the performance of the fishery against objectives, performance indicators and measures once developed; and
   - research undertaken or completed relevant to the fishery.
COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

Amendment of List of Exempt Native Specimens

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Water Resources pursuant to subsection 303DC (1) of the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act), hereby amend the list of exempt native specimens established under section 303DB of the EPBC Act by deleting from the list the items and associated notations listed in the Schedule hereto.

This instrument commences on the same day that the relevant provisions of the Fisheries Management Act 2007 (South Australia) commence.

Dated this 28th day of November 2007

[Signature]

Delegate of the Minister for the Environment and Water Resources
## SCHEDULE

**Deletion from the List of Exempt Native Specimens**

<table>
<thead>
<tr>
<th>Taxon / Item</th>
<th>Notation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jastus edwardsii</td>
<td>The specimen must have been taken in accordance with the Scheme of Management (Rock Lobster Fisheries) Regulations 1991 and the Fisheries (General) Regulations 2000 in force under the Fisheries Act 1982 (South Australia). Included on the list until 31/10/2008</td>
</tr>
<tr>
<td>Specimens that are or are derived from fish or invertebrates, taken in the South Australian Abalone Fishery, as defined in the management regime made under the South Australian Fisheries Act 1982 and Scheme of Management (Abalone Fisheries) Regulations 1991, other than specimens that belong to species listed under Part 13 of the Act.</td>
<td>The specimen, or the fish or invertebrate from which it is derived, was taken lawfully. Included on the list until 21/7/2009.</td>
</tr>
<tr>
<td>Specimens taken in the South Australian Beachcast Seagrass and Marine Algae fishery, as defined in the Beachcast Seagrass and Marine Algae Management Plan 2000, made under the South Australian Fisheries Act 1982 and the Scheme of Management (Miscellaneous Fisheries) Regulations 1991, other than specimens that belong to species listed under Part 13 of the Act.</td>
<td>The specimen was taken lawfully. Included on the list until 1/8/2009.</td>
</tr>
<tr>
<td>Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the Act, taken in the South Australian Blue Crab Fishery, as defined in the South Australian Fisheries (Scheme of Management – Blue Crab Fishery) Regulations 1998 and the Fisheries (Scheme of Management – Marine Scalefish Fisheries) Regulations 1991, made under the South Australian Fisheries Act 1982.</td>
<td>The specimen, or the fish or invertebrate from which it is derived, was taken lawfully. Included on the list until 29/11/2009.</td>
</tr>
<tr>
<td>Specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the South Australian Scallop and Turbo Fisheries, as defined in the South Australian Fisheries Act 1982, the Fisheries (Scheme of Management – Miscellaneous Fishery)</td>
<td>The specimen, or the fish or invertebrate from which it is derived, was taken lawfully. The specimens are covered by the declaration of an approved Wildlife Trade Operation under section 303FN of the EPBC Act in relation to the fisheries.</td>
</tr>
<tr>
<td>Regulation</td>
<td>Description</td>
</tr>
<tr>
<td>------------</td>
<td>-------------</td>
</tr>
<tr>
<td>2000 and the <em>Fisheries (General) Regulations 2000.</em></td>
<td>Specimens that are or are derived from fish or invertebrates, taken in the South Australian Pilchard Fishery, in accordance with the management arrangements legislated pursuant to the <em>Scheme of Management (Marine Scalefish Fishery) Regulations 1989</em> made under the South Australian <em>Fisheries Act 1992</em>, other than specimens that belong to species listed under Part 13 of the Act.</td>
</tr>
<tr>
<td></td>
<td>Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the Act, taken in the Spencer Gulf Prawn Fishery, the Gulf St Vincent Prawn Fishery and the West Coast Prawn Fishery, as defined in the management regime, made under the South Australian <em>Scheme of Management (Prawn Fisheries) Regulations 1991</em> and the <em>Fisheries (General) Regulations 2000.</em></td>
</tr>
<tr>
<td></td>
<td>Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the Act, taken in the South Australian Specimen Shell Fishery, as defined in the management regime, made under the South Australian <em>Scheme of Management (Miscellaneous Fisheries) Regulations 1991</em> and the <em>Fisheries (General) Regulations 2000,</em> in force under the South Australian <em>Fisheries Act 1982.</em></td>
</tr>
</tbody>
</table>
COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

Amendment of List of Exempt Native Specimens

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Water Resources, pursuant to subsection 303DC (1) of the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act), hereby amend the list of exempt native specimens established under section 303DB of the EPBC Act by including in the list the specimens and associated notations listed in the Schedule hereto.

This instrument commences on the same day that the relevant provisions of the Fisheries Management Act 2007 (South Australia) commence.

Dated this 29th day of December 2007

[Signature]
Delegate of the Minister for the Environment and Water Resources
## SCHEDULE

Amendment to the List of Exempt Native Specimens

<table>
<thead>
<tr>
<th>Taxon / Item</th>
<th>Notation</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Jasus edwardsii</em></td>
<td>Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the South Australian Rock Lobster Fishery as defined in the <em>Fisheries Management (Rock Lobster Fisheries) Regulations 2006</em> and the <em>Fisheries Management (General) Regulations 2007</em> in force under the <em>Fisheries Management Act 2007</em> (South Australia). Included on the list until 31/10/2008.</td>
</tr>
<tr>
<td></td>
<td>The specimen, or the fish or invertebrate from which it is derived, was taken lawfully. Included on the list until 21/6/2009.</td>
</tr>
<tr>
<td>Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the South Australian Abalone Fishery, as defined in the <em>Fisheries Management (Abalone Fisheries) Regulations 2006</em> in force under the <em>Fisheries Management Act 2007</em> (South Australia).</td>
<td></td>
</tr>
<tr>
<td>Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the South Australian Beach-east Seagrass and Marine Algae fishery, as defined in the <em>Fisheries Management (Miscellaneous Fishery) Regulations 2000</em> in force under the <em>Fisheries Management Act 2007</em> (South Australia).</td>
<td>The specimen, or the fish or invertebrate from which it is derived, was taken lawfully. Included on the list until 1/8/2009.</td>
</tr>
<tr>
<td>Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the South Australian Blue Crab Fishery, as defined in the <em>Fisheries Management (Blue Crab Fishery) Regulations 1998</em> and the <em>Fisheries Management (Marine Scalefish Fisheries) Regulations 2006</em> in force under the <em>Fisheries Management Act 2007</em> (South Australia).</td>
<td>The specimen, or the fish or invertebrate from which it is derived, was taken lawfully. Included on the list until 29/11/2009.</td>
</tr>
<tr>
<td>Specimens that are, or are derived from fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the South Australian Scallop and Turbo Fisheries, as defined in the Fisheries Management (Miscellaneous Fishery) Regulations 2000 and the Fisheries Management (General) Regulations 2007 in force under the Fisheries Management Act 2007 (South Australia).</td>
<td>The specimen, or the fish or invertebrate from which it is derived, was taken lawfully. The specimens are covered by the declaration of an approved Wildlife Trade Operation under section 303FN of the EPBC Act in relation to the fisheries.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the South Australian Pilchard Fishery, as defined in the Fisheries Management (Marine Scalefish Fisheries) Regulations 2006 in force under the Fisheries Management Act 2007 (South Australia).</td>
<td>The specimen, or the fish or invertebrate from which it is derived, was taken lawfully. Included on the list until 15/10/2009.</td>
</tr>
<tr>
<td>Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the Spencer Gulf Prawn Fishery, the Gulf St Vincent Prawn Fishery and the West Coast Prawn Fishery, as defined in the Fisheries Management (Prawn Fisheries) Regulations 2006 and the Fisheries Management (General) Regulations 2007 in force under the Fisheries Management Act 2007 (South Australia).</td>
<td>The specimen, or the fish or invertebrate from which it is derived, was taken lawfully. Included on the list until 3/11/2009.</td>
</tr>
<tr>
<td>Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the South Australian Specimen Shell Fishery, as defined in the Fisheries Management (Miscellaneous Fishery) Regulations 2000 and the Fisheries Management (General) Regulations 2007 in force under the Fisheries Management Act 2007 (South Australia).</td>
<td>The specimen, or the fish or invertebrate from which it is derived, was taken lawfully. Included on the list until 15/11/2009.</td>
</tr>
</tbody>
</table>
COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Water Resources, have considered in accordance with section 303FN of the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act) the application from the Northern Territory Department of Primary Industry, Fisheries and Mines (DPIFM), public comments on the proposal as required under section 303FR, and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the Northern Territory Offshore Net and Line Fishery, as defined in the Northern Territory Fisheries Regulations and the Northern Territory Fisheries Act 1988, to be an approved Wildlife Trade Operation, in accordance with section 303FN (2) and (10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

a) is valid until 28 November 2010 and;

b) is subject to the conditions applied under section 303FT specified in the Schedule (dated November 2007).

Dated this 28th day of November 2007

Delegate of the Minister for the Environment and Water Resources

Under the Administrative Appeals Tribunal Act 1975, a person whose interests are affected by this decision may apply for a statement of reasons and for independent review of the decision. An application for a statement of reason may be made in writing to Department of the Environment and Water Resources within 28 days of the date of the declaration. An application for independent review may be made to the Administrative Appeals Tribunal on payment of the relevant fee within 28 days of the date of the declaration, or if reasons are sought, within 28 days of receipt of reasons. Further information may be obtained from the Director, Sustainable Fisheries Policy and Assessment Section.
SCHEDULE

Declaration of the Harvest Operations of the Northern Territory (NT) Offshore Net and Line Fishery as an approved Wildlife Trade Operation, November 2007

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), taken in the NT Offshore Net and Line Fishery.

1. Operation of the NT Offshore Net and Line Fishery will be carried out in accordance with the management regime in force under the NT Fisheries Regulations and the NT Fisheries Act 1988.

2. The NT Department of Primary Industry, Fisheries and Mines (DPIFM) to advise the Department of the Environment and Water Resources (DEW) of any intended change to the NT Offshore Net and Line Fishery management arrangements that could affect the criteria on which EPBC Act decisions are based.

3. DPIFM to produce and present reports to DEW annually as per Appendix B to the Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition.
COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

Amendment of List of Exempt Native Specimens

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Water Resources pursuant to subsection 303DC(1) of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), hereby amend the list of exempt native specimens established under section 363DB of the EPBC Act by including in the list the following specimens:

- Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the Northern Territory Offshore Net and Line Fishery, as defined in the management regime in force under the Northern Territory Fisheries Regulations and the Northern Territory Fisheries Act: 1988.

with a notation that inclusion of the specimens in the list is subject to the following restrictions or conditions:

- The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and

- The specimens are covered by the declaration of an approved Wildlife Trade Operation under section 303FN of the EPBC Act in relation to the fishery.

Dated this 28th day of December 2007

Delegate of the Minister for the Environment and Water Resources
COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

Amendment of List of Exempt Native Specimens

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Water Resources pursuant to subsection 303DC(1) of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), hereby amend the list of exempt native specimens established under section 303DB of the EPBC Act by deleting from the list the following item and any associated notations:

- Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the Act, taken in the Northern Territory Shark Fishery.

Dated this 26th day of November 2007

[Signature]

Delegate of the Minister for the Environment and Water Resources
COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment and Water Resources, have considered in accordance with section 303FN of the Environment Protection and Biodiversity Conservation Act 1999 (the Act) the application from the Department of Fisheries Western Australia, public comments on the proposal as required under section 303FR, and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the Act. I hereby declare the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the Act, taken in the Pilbara Fish Trawl Interim Managed Fishery, as defined in the Pilbara Fish Trawl Fishery (Interim) Management Plan 1997, in force under the Western Australian Fish Resources Management Act 1994, to be an approved Wildlife Trade Operation, in accordance with section 303FN (2) and (10)(d), for the purposes of the Act.

Unless amended or revoked, this declaration:

a) is valid until 30 April 2008 and;
b) is subject to the conditions applied under section 303FT specified in the Schedule.

Dated this 30th day of November 2007

ANDREW MCNEE

Delegate of the Minister for the Environment and Water Resources

Under the Administrative Appeals Tribunal Act 1975, a person whose interests are affected by this decision may apply for a statement of reasons and for independent review of the decision. An application for a statement of reason may be made in writing to Department of the Environment and Heritage within 28 days of the date of the declaration. An application for independent review may be made to the Administrative Appeals Tribunal on payment of the relevant fee within 28 days of the date of the declaration, or if reasons are sought, within 28 days of receipt of reasons. Further information may be obtained from the Director, Sustainable Fisheries Section.
SCHEDULE

Declaration of the Harvest Operations of the Pilbara Fish Trawl Interim Managed Fishery as an approved Wildlife Trade Operation

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the Act, taken in the Pilbara Fish Trawl Interim Managed Fishery.

1. Operation of the fishery will be carried out in accordance with the Pilbara Fish Trawl Fishery (Interim) Management Plan 1997 made under the Western Australian Fish Resources Management Act 1994.

2. DFWA to advise DEW of any intended material change to the Pilbara Fish Trawl Interim Managed Fishery (PFTIMF) legislated management regime and management arrangements that could affect the criteria on which EPBC Act decisions are based.

3. DFWA to produce and present reports to DEW annually as per Appendix B of the Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition.

4. DFWA, in consultation with DEW, to finalise long-term arrangements to minimise the PFTIMF’s interactions with protected species, particularly with dolphins and marine turtles. Specifically, DFWA will:
   (a) Continue to monitor developments in potential mitigation measures (both national and international).
   (b) Continue to develop, trial, test and refine the effectiveness of mitigation and other management measures, including, but not limited to, bycatch reduction grids.
   (c) Implement and standardise across the fishery mitigation and/or management measures endorsed as effective and appropriate by the Dolphin Reference Group.

5. By April 2008, DFWA to adopt and implement the finalised Bycatch Action Plan for the PFTIMF, including ongoing review and progress reporting on implementation.

6. While no Memorandum of Understanding for the Reporting of Fisheries Interactions with Protected Species is in place between DFWA and DEW:
   (a) fishers to continue to notify DFWA of any dolphin or marine turtle interactions;
   (b) fishers to record all interactions with protected species in skippers’ logbooks;
   (c) DFWA to continue to provide a summary of all protected species interactions reported in the PFTIMF to DEW, on a quarterly basis; and,
   (d) DFWA to continue to ensure that industry has the capacity to make these reports at an appropriate level of accuracy.
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