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The date of publication of this Gazette is 23 March 2005

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Australian Government
Attorney-General's Department
Office of Legislative Drafting and Publishing

This Gazette is published by the Office of Legislative Drafting and Publishing (OLDP) on behalf of the Commonwealth of Australia.

OLDP has experience over more than half a century as the specialist professional drafter of Commonwealth subordinate legislation.

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

OLDP has a working relationship with the Commonwealth's drafter of primary legislation, the Office of Parliamentary Counsel. OLDP is a member of the Parliamentary Counsel's Committee of Australia and participates in relevant international forums.

OLDP's responsibilities

- drafting
- advising about drafting; preparing and formally notifying instruments; interpreting instruments created under a statutory power
- publishing the Government Notices Gazette
- providing ready public access to the law through ComLaw (www.comlaw.gov.au) and the Legislative Instruments Database (frl.i.law.gov.au)
- ensuring that Commonwealth legislation and explanatory material is available in easily accessible form, as it is made, and in consolidated form, as it is amended

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We publish legislative instruments drafted by OLDP (including amendments and consolidations) on the Internet on ComLaw and on the Legislative Instruments Database. On request, we can arrange the publication of other instruments in those media, assisting you to meet the Government's policy of providing ready public access to the law.

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- the basis and role of delegated legislation and other instruments made under a statutory power
- the requirements and procedures for notification, tabling and disallowance of instruments
- sound techniques for developing efficient drafting instructions (important for efficient achievement of your legislative program)

How to contact us

First Assistant Secretary
Office of Legislative Drafting and Publishing
Attorney-General's Department
Robert Garran Offices
National Circuit
Barton ACT 2600
Tel. (02) 6250 6263
Fax. (02) 6250 5930

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QUALITY OF YOUR PUBLICATION

To maximise the quality of notices, all copy must be typewritten or typeset using a laser printer. Handwritten material will generally not be accepted. Other material may be accepted, however, the Attorney-General's Department will take no responsibility for the quality of production of these notices.

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CUSTOMER ACCOUNT NUMBERS must be clearly indicated on the covering sheet and submitted with your notice. Any notice submitted without this information will not be published.

CLOSING TIMES

Copy for inclusion in this Gazette will be accepted by the Gazette Office until 10.00 am on Friday, in the week before publication unless an earlier closing time has been advised.

INQUIRIES

All inquiries should be directed to (02) 6250 5510.

Variation of closing times

Easter Holiday — Issue of 30 March 2005 (GN 12)

As Friday 25 March and Monday 28 March 2005 are public holidays in the Australian Capital Territory, closing time for lodgment of all notices for publication in GN 12 will be:

Wednesday, 23 March 2005 at 10.00 am.

General Information

GAZETTE INQUIRIES

Lodgment Inquiries: (02) 6250 5510
Subscriptions (Fax): (02) 6293 8388
Subscriptions (Tel): 1 300 656 863

The **GOVERNMENT NOTICES GAZETTE** is published each Wednesday and contains a range of legislation (including proclamations) and information about legislation as well as special information and government departments' notices. The Gazette is sold at \$8.95 each or on subscription for \$314.00 (50 issues). Prices are GST inclusive.

NOTICES FOR PUBLICATION and related correspondence can be lodged:

By hand or post: Gazette Office, Attorney General's Department, Cnr Kings Avenue and National Circuit, Barton ACT 2600.

By fax: (02) 6250 5995

By e-mail: gazettes@ag.gov.au.

Notices received before closing times will be accepted for publication in the next available issue of the *Gazette*, unless otherwise specified.

All notices lodged for publication must be accompanied by a covering note clearly setting out requirements. For the purposes of publication, electronic copy is preferred. However, publication of hard copy notices can be arranged. Further information is provided below.

Publication of hard copy notices

Where a notice for publication includes a signature or other handwritten material that must appear in the published notice, a hard copy of the notice will be accepted for publication. The notice must be either an original or a good copy. Print should be confined to one side of the paper and sheets must be A4 size and numbered consecutively. Dates, proper names and signatures are to be shown clearly. An electronic copy of the notice should also be e-mailed to the Gazette Office.

Publication of electronic notices

Where a notice for publication is provided in electronic form it should be provided in Word, RTF (Rich Text Format) or searchable PDF format.

For further information contact the Gazette Office on (02) 6250 5510. Information is also available from the following Internet site: <http://www.ag.gov.au/GNGazette/>.

CLOSING TIMES FOR LODGMENT

All notices for publication must be lodged by the following times (except at holiday periods for which special advice of earlier closing times will be given).

All *Government Notices Gazette* copy: Friday at 10.00 am in the week prior to publication.

Special Gazette Notices: by 9.30 am on the day of publication.

Periodic Gazettes: as agreed but generally 7 days prior to date of publication.

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- during business hours: \$264 per page.
- outside normal business hours: \$396 per page for the first two pages and \$264 for each subsequent page.

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Payment may be made by credit card, EFT, cheque, money order or customer account code (for account code customers only).

SUBSCRIPTIONS are payable in advance and are accepted for a maximum period of one year. All subscriptions are on a firm basis and refunds for cancellations will not be given. Rates include surface postage in Australia and overseas. For further information about subscriptions telephone (02) 6293 8383.

AVAILABILITY

The *Gazette* may be purchased by mail order (Tel. 1300 656 863, Fax (02) 6293 8333) from CanPrint Communications, 16 Nyrang Street, Fyshwick ACT 2609. Over the counter sales are available from CanPrint Communications at the address above.

Over the counter sales are also available from the following outlets:

Canberra: CanPrint Communications

16 Nyrang Street

Fyshwick ACT 2609

Phone: (02) 6295 4422 Fax: (02) 6295 4473

Melbourne: Information Victoria

356 Collins Street

Melbourne VIC 3000

Phone: 1 300 366 356 Fax: (03) 9603 9920

Brisbane: Goprint

371 Vulture Street

Woolloongabba QLD 4102

Phone: (07) 3246 3399 Fax: (07) 3246 3534

Hobart: Printing Authority of Tasmania

2 Salamanca Place

Hobart TAS 7000

Phone: 1 800 030 940 Fax: (03) 6223 7638

Adelaide: Service SA Government Legislation Outlet

Ground Floor

101 Grenfell Street

Adelaide SA 5000

Phone: 13 2324 Fax: (08) 8207 1949

Sydney: NSW Government Information

Ground Floor Goodsell Building

Cnr Hunter & Phillip Streets

Sydney NSW 2000

Phone: (02) 9238 0950 Fax: (02) 9228 7227

GAZETTES

When a *Special Gazette* is issued outside normal business hours, a copy of the Gazette will be posted on a noticeboard at the front entrance of the Attorney-General's Department, cnr Kings Avenue and National Circuit, Barton ACT 2600. Copies will be available on the next business day from CanPrint Communications, 16 Nyrang Street, Fyshwick ACT 2609.

ALL REMITTANCES should be made available to: Collector of Public Moneys, Attorney-General's Department.

ISSUES OF PERIODIC GAZETTES

The following Periodic issues of the *Gazette* have been published.

The *Gazette* may be purchased by mail order from CanPrint Communications, 16 Nyrang Street, Fyshwick ACT 2609. Over the counter sales are available from CanPrint Communications or Standards Australia outlets.

Gazette number	Date of Publication	Subject
P1	10.2.05	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1 Oct 04 to 31 Dec 04 and not previously gazetted Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1 Jun 04 to 30 Jun 04 and not previously gazetted
P2	10.3.05	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1 Jan 05 to 31 Jan 05 and not previously gazetted Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1 Dec 04 to 31 Dec 04 and not previously gazetted

Government Departments

Attorney-General

COMMONWEALTH OF AUSTRALIA CUSTOMS ACT 1901

NOTICE OF RATES OF EXCHANGE - s161J CUSTOMS ACT 1901

I, JOHN DAVID FENNING, delegate of the Chief Executive Officer of Customs, hereby specify, pursuant to s161J 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.

SCHEDULE		(Foreign Currency = AUS \$1)						
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9
	Currency	09/03/05	10/03/05	11/03/05	12/03/05	13/03/05	14/03/05	15/03/05

Brazil	Real	2.1497	2.1572	2.1424	2.1424	2.1424	2.1512	2.1622
Canada	Dollars	.9667	.9565	.9508	.9508	.9508	.9543	.9505
China	Yuan	6.5997	6.5732	6.5351	6.5351	6.5351	6.5558	6.5211
Denmark	Kroner	4.4483	4.4116	4.3788	4.3788	4.3788	4.3808	4.3897
European Union	Euro	.5973	.5923	.5880	.5880	.5880	.5883	.5893
Fiji	Dollar	1.2964	1.2926	1.2867	1.2867	1.2867	1.2882	1.2877
Hong Kong	Dollars	6.2192	6.1941	6.1582	6.1582	6.1582	6.1774	6.1450
India	Rupees	34.8155	34.6139	34.4091	34.4091	34.4091	34.4867	34.3045
Indonesia	Rupiah	7474.0000	7428.0000	7391.0000	7391.0000	7391.0000	7429.0000	7381.0000
Israel	Shekel	3.4231	3.4127	3.3913	3.3913	3.3913	3.4009	3.3943
Japan	Yen	83.3900	82.5500	82.1700	82.1700	82.1700	82.4500	82.5400
Korea	Won	798.0800	791.8000	788.5300	788.5300	788.5300	790.2700	788.2700
Malaysia	Ringgit	3.0297	3.0176	3.0001	3.0001	3.0001	3.0096	2.9936
New Zealand	Dollar	1.0794	1.0715	1.0700	1.0700	1.0700	1.0698	1.0664
Norway	Kroner	4.8907	4.8547	4.8066	4.8066	4.8066	4.8043	4.8172
Pakistan	Rupee	47.2500	47.1200	46.8500	46.8500	46.8500	47.0100	46.7500
Papua NG	Kina	2.4688	2.4588	2.4446	2.4446	2.4446	2.4498	2.4363
Philippines	Peso	43.4600	43.0800	42.7900	42.7900	42.7900	42.7300	42.5400
Singapore	Dollar	1.2929	1.2859	1.2796	1.2796	1.2796	1.2821	1.2787
Solomon Is.	Dollar	5.9508	5.9269	5.8881	5.8881	5.8881	5.9068	5.8754
South Africa	Rand	4.6032	4.5632	4.6058	4.6058	4.6058	4.6082	4.6903
Sri Lanka	Rupee	79.4400	79.0400	78.4800	78.4800	78.4800	78.4300	77.9900
Sweden	Krona	5.3916	5.3641	5.3349	5.3349	5.3349	5.3353	5.3604
Switzerland	Franc	.9262	.9186	.9105	.9105	.9105	.9107	.9134
Taiwan	Dollar	24.5400	24.3800	24.2900	24.2900	24.2900	24.3600	24.3100
Thailand	Baht	30.5100	30.3600	30.1900	30.1900	30.1900	30.3000	30.1700
UK	Pounds	.4134	.4123	.4105	.4105	.4105	.4113	.4115
USA	Dollar	.7974	.7942	.7896	.7896	.7896	.7921	.7879

John Fenning
Delegate of the
Chief Executive Officer of Customs
CANBERRA A.C.T.
16/03/05

Communications, Information Technology and the Arts



**Australian
Broadcasting
Authority**

BROADCASTING SERVICES ACT 1992

**VARIATION OF DETERMINATION NUMBER 1151170 MADE UNDER
SECTION 34(1) OF THE BROADCASTING SERVICES ACT 1992**

Pursuant to section 33(3) of the *Acts Interpretation Act 1901*, on 14 February 2005, the Australian Broadcasting Authority amended Schedules One and Two defined in the determination made under section 34(1) of the *Broadcasting Services Act 1992* (Determination number 1151170) which makes available for allocation the parts of the radiofrequency spectrum within the range of 87.5 – 88.0 MHz Australia-wide until 31 December 2013.

This variation to the determination commenced on 14 February 2005.

Note: Copies of the Schedules are available from:

Planning Section, Australian Broadcasting Authority,
PO Box 34, Belconnen ACT 2616. Tel (02) 6256 2853
or on the ABA website: <http://www.aba.gov.au/radio/narrowcasting/index.htm>

AUSTRALIAN BROADCASTING AUTHORITY

NOTICE UNDER *COMMERCIAL AND NATIONAL TELEVISION CONVERSION SCHEMES*

VARIATION OF DIGITAL TERRESTRIAL TELEVISION BROADCASTING HANDBOOK

On 10 March 2005, pursuant to sections 6(1) and (2) of the *Commercial Television Conversion Scheme 1999* (the Commercial Scheme) and sections 6(1) and (2) of the *National Television Conversion Scheme 1999* (the National scheme), the Australian Broadcasting Authority (ABA) revoked the Digital Terrestrial Television Broadcasting (DTTB) Handbook, made July 1999, and issued a revised DTTB Handbook.

The revised DTTB Handbook explains the technical assumptions to which the ABA will have regard:

- when considering whether a commercial or national television service broadcast in SDTV digital mode will achieve the same level of coverage and potential reception as the broadcast of that service in analog mode; and
- when preparing digital channel plans under Division 2 of either the National or Commercial schemes.

Copies of the revised DTTB Handbook can be obtained free from the ABA by:

- calling FREECALL 1 800 226 667,
- downloading the document from the ABA's website at <http://www.aba.gov.au/broadcasters/planning/bpm/>, or by writing to:
- Television Planning Section
Australian Broadcasting Authority
PO Box 34
Belconnen ACT 2616

Environment and Heritage

TERRITORY OF HEARD ISLAND AND MCDONALD ISLANDS**NOTICE OF APPLICATION RECEIVED UNDER THE ENVIRONMENT PROTECTION AND
MANAGEMENT ORDINANCE 1987**

I, ANTHONY JAMES PRESS, Delegate of the Minister for the Environment and Heritage, in accordance with section 17 of the Heard Island and McDonald Islands Environment Protection and Management Ordinance 1987, give notice of an application received from Austral Fisheries Pty Ltd to conduct a marine science cruise for the purpose of scientific research within the 12 nm Territorial sea during the period 15 March 2005 to 30 June 2005.

A copy of the application may be obtained from the Policy Co-ordination Branch of the Australian Antarctic Division, Channel Highway, Kingston, Tasmania 7050.



Delegate of the Minister
for the Environment and Heritage

15 March 2005



Australian Government

Department of the Environment and Heritage
Australian Antarctic Division

Environment Protection and Biodiversity Conservation Act 1999

Notice Under Subsection 368(5)

**A Draft Management Plan has been prepared for the Heard Island and
McDonald Islands Marine Reserve**

Members of the public are invited to comment on the draft plan by **4 May 2005**.

Information about the HIMI Marine Reserve, including copies of the draft Plan and an online comments form, is available on the Internet at:

http://www.aad.gov.au/himi_marine_reserve

or by contacting the Australian Antarctic Division, Environmental Policy and Protection Section on 03 6232 3413 or by email at **himi@aad.gov.au**

Comments may be submitted using the online comments form, emailed to **himi@aad.gov.au**, faxed to 03 6232 3500 or mailed to:

Submissions – Draft HIMI Marine Reserve Management Plan
Environmental Policy and Protection Section
Australian Antarctic Division
Channel Highway
KINGSTON TAS 7050

A handwritten signature in black ink, appearing to read 'A J Press', is written over the printed name and title.

A J Press
Director

Australian Antarctic Division
Delegate of the Director of National Parks
15 March 2005

**Australian Government****Department of the Environment and Heritage****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 9 March 2005 a permit was granted to GHD Pty Ltd, 180 Lonsdale St, Melbourne, Vic 3000, to import 5,000 kg of pesticides from the Environment Service, PO Box 379, Rarotonga, Cook Islands to BCD Technologies, 2 Krypton Street, Narangba, Qld 4504.

The waste will be packaged in drums according to the requirements of the UN Dangerous Goods Code in a class A shipping container for the trip from the Cook Islands to the Port of Brisbane. The shipment will transit Auckland, New Zealand. The waste will be off-loaded at the Port of Brisbane and transported by road to the Patrick Distribution Pty Ltd storage facility, if short-term storage is needed, and then to BCD Technologies. Any transport by road will be on a route approved by the Queensland Environment Protection Agency for the transport of dangerous goods.

The import would take place in one (1) shipment between 9 March 2005 and 15 January 2006.

Mark Hyman
Assistant Secretary
Environment Protection Branch

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 Heritage 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:

Manager, Hazardous Waste Section
Department of the Environment and Heritage
GPO Box 787
Canberra ACT 2601
Telephone 02 6274 1411, Facsimile 02 6274 1164, or E-mail hwa@deh.gov.au.



Australian Government

Department of the Environment and Heritage

**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 9 March 2005 a permit was granted to MacDermid Australia (Australian Business Number 89 002 681 227), 299 Canterbury Road, Revesby, NSW 2212 (telephone 02 9792 1555, facsimile 02 9792 1969) to export up to 164,000 litres of copper ammonium chloride to ChemRecovery Limited, 15 Waokauri Place, Mangere, New Zealand (telephone +09 634 6777, facsimile +09 634 0798).

The waste will be packed in U.N. approved 205-litre plastic drums. These will be shrink-wrapped, palletised and packed into containers and transported by road to the Port of Melbourne, Victoria. Shipments will be transported by sea and off-loaded at Auckland, New Zealand. From there shipments will be transported by road to ChemRecovery Limited where the waste will be disposed of by recycling/reclamation of metals and metal compounds.

Movements must not transit through any other port or roadstead.

The export will take place in ten (10) shipments between 9 March 2005 and 22 December 2005.

Mark Hyman
Assistant Secretary
Environment Protection Branch

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 Heritage 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:

Manager, Hazardous Waste Section
Department of the Environment and Heritage
GPO Box 787
Canberra ACT 2601
Telephone 02 6274 1411, Facsimile 02 6274 1164, or E-mail hwa@deh.gov.au.

**Australian Government****Department of the Environment and Heritage****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 9 March 2005 a permit was granted to GHD Pty Ltd, 180 Lonsdale St, Melbourne, Vic 3000, to import 17,802 kg of pesticides from the Department of the Environment, PO Box 2131, Suva, Fiji to BCD Technologies, 2 Krypton Street, Narangba, Qld 4504.

The waste will be packaged in drums according to the requirements of the UN Dangerous Goods Code in a class A shipping container for the journey from Fiji to the Port of Brisbane. The waste will be off-loaded at the Port of Brisbane and transported by road to the Patrick Distribution Pty Ltd storage facility, if short-term storage is needed, and then to BCD Technologies. Any transport by road will be on a route approved by the Queensland Environment Protection Agency for the transport of dangerous goods.

The import would take place in one (1) shipment between 9 March 2005 and 1 January 2006.

Mark Hyman
Assistant Secretary
Environment Protection Branch

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 Heritage 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:

Manager, Hazardous Waste Section
Department of the Environment and Heritage
GPO Box 787
Canberra ACT 2601
Telephone 02 6274 1411, Facsimile 02 6274 1164, or E-mail hwa@deh.gov.au.

Commonwealth of Australia

Environment Protection and Biodiversity Conservation Act 1999

NOTICE UNDER SECTION 275

CALL FOR PUBLIC COMMENT

In accordance with the provisions of Section 275 of the *Environment Protection and Biodiversity Conservation Act 1999* you are invited to comment on the draft recovery plans listed below:

Western Australia

Splendid Wattle (*Acacia spendens* ms) 2004-2009
Irwin's Conostylis (*Conostylis dielsii* subsp. *teres*) 2005-2009
Small Flowered Conostylis (*Conostylis micrantha*) 2004-2009
Cumquat Eremophila (*Eremophila denticulata* subsp. *trisulcata* ms) 2004-2009
Scaly-Butt Mallee (*Eucalyptus leprophloia*) 2004-2009
Red Snakebush (*Hemianandra gardneri*) 2004-2009
Salt Myoporum (*Myoporum turbinatum*) 2004-2009
Chiddarcopping Myriophyllum (*Myriophyllum lapidicola*) 2004-2009
Scaly-leaved Featherflower (*Vericordia spicata* subsp. *squamosa*) 2004-2009
Long-flowered Nancy (*Wurmbea tubulosa*) 2004-2009
Gilbert's Potoroo (*Potorous gilbertii*) 2003-2008

South Australia

South Australian subspecies of the Glossy Black-Cockatoo (*Calyptorhynchus lathami halmaturinus*) 2004-2009

Northern Territory

Slater's Skink (*Egernia slateri*) 2005-2010

Queensland

Northern hairy-nosed wombat *Lasiiorhinus krefftii* 2004-2008
Black-throated finch southern subspecies (*Poephila cincta cincta*)

These draft recovery plans will be available for public comment for a period of three months, which will close on **23 June 2005**. At the end of this period the plans will be revised, taking into consideration any comments received. The draft recovery plans are available at <http://www.deh.gov.au/biodiversity/threatened/recovery/index.html> or by contacting the Community Information Unit by email ciu@deh.gov.au or on freecall 1800 803 772.

Comments must be received by **close of business Thursday 23 June 2005 and sent to:**

Director, Threatened Species and Threat Abatement Section
Department of the Environment and Heritage
GPO Box 787
CANBERRA ACT 2601
Email: recoveryplans@deh.gov.au
Fax: (02) 6274 1332

Further information about the Department of the Environment and Heritage can be found at <http://www.deh.gov.au/>

DEPARTMENT OF THE ENVIRONMENT AND HERITAGE

Environment Protection and Biodiversity Conservation Act 1999

NOTICE OF A DECISION ON WHETHER AN ACTION IS A CONTROLLED ACTION OR NOT

1. Pursuant to section 77(1)(b) of the *Environment Protection and Biodiversity Conservation Act 1999* and paragraph 16.02(1)(a) of the *Environment Protection and Biodiversity Conservation Regulations 2000*, notice is hereby given that the Minister for the Environment and Heritage or a delegate of that Minister, has decided that each action identified in the following table is a controlled action. The controlling provisions for each action are specified in column 4 of each row.

Reference No	Title of action	Date of Decision	Controlling Provisions
2005/1996	R and E Plapp/Urban and commercial new development/South Mission Beach/QLD/Tourist - Residential Development, off Jackey Jackey Street	10 Mar 2005	s 12 World Heritage values of a declared World Heritage property s 18 a listed threatened species or ecological community
2005/2015	NCA Joint Venture/Mining/near Glenden/QLD/Wollombi Open Cut Coal Mine (Suttor Creek ML4761 Extension)	09 Mar 2005	s 18 a listed threatened species or ecological community

2. Pursuant to section 77(1)(b) of the *Environment Protection and Biodiversity Conservation Act 1999* and paragraph 16.02(1)(a) of the *Environment Protection and Biodiversity Conservation Regulations 2000*, notice is hereby given that the Minister for the Environment and Heritage or a delegate of that Minister, has decided that each action identified in the following table is not a controlled action.

Reference No	Title of action	Date of Decision	Component decision under s.77A applies
2005/1998	Hydro Tasmania/Energy generation and supply/Waterloo/SA/wind farm & infrastructure	14 Mar 2005	No
2005/1992	Pendragon Corporation Pty Ltd/Urban and commercial new development/Port Fairy/VIC/Stage 1 residential subdivision, Anna Catherine Drive	08 Mar 2005	No
2005/2000	Tectonic Resources NL/Mining/Kundip/WA/Phillips River Gold Project	15 Mar 2005	No

DEPARTMENT OF THE ENVIRONMENT AND HERITAGE

Environment Protection and Biodiversity Conservation Act 1999

NOTICE OF A DECISION ON THE APPROACH TO BE USED FOR ASSESSMENT OF THE RELEVANT IMPACTS OF AN ACTION

Pursuant to Section 91(1)(b) of the *Environment Protection and Biodiversity Conservation Act 1999* and paragraph 16.02(1)(a) of the *Environment Protection and Biodiversity Conservation Regulations 2000*, notice is hereby given that the Minister for the Environment and Heritage or a delegate of that Minister, has decided on the approach to be used for the assessment of the relevant impacts of each action identified in the following table. The assessment approach for each identified action is specified in column 4 of each row

Reference No	Title of action	Date of Decision	Assessment approach
2004/1898	Roads and Traffic Authority, NSW/Land transport/Lawson/NSW/Great Western Highway Upgrade - Section 1A, Lawson	11 Mar 2005	Accredited Assessment Process

DEPARTMENT OF THE ENVIRONMENT AND HERITAGE

Environment Protection and Biodiversity Conservation Act 1999

NOTICE OF THE GRANTING OF AN APPROVAL FOR TAKING AN ACTION

Notice is hereby given that the Minister for the Environment and Heritage, or a delegate of that Minister, has decided to grant the following approval for taking each action identified in the following table.

Reference No	Title of action	Approval	Date
2001/232	Powerlink Queensland / Energy and Infrastructure (incl. Pipelines) / Innisfail / QLD / High Voltage Electricity Transmission Line	Approved with Conditions	08 Mar 2005

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 Environment and Heritage, or may not meet timeframes for notification. The Department of the Environment and Heritage 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 Heritage 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.

For more information see: <http://www.deh.gov.au/epbc>

Health and Ageing



Australian Government
Department of Health and Ageing
Therapeutic Goods Administration

COMMONWEALTH OF AUSTRALIA

DEPARTMENT OF HEALTH AND AGEING

THERAPEUTIC GOODS ACT 1989

CONSENT UNDER SUBSECTION 14(3) & 15(1)

I, PIO CESARIN, delegate of the Secretary to the Department of Health and Ageing for the purposes of the exercise of the Secretary's powers under sections 14 and 15 of the *Therapeutic Goods Act 1989* and acting under subsection 14(3) and subsection 15(1), in relation to:

ECOSTATIN TOPICAL CREAM econazole nitrate 10mg/g cream – tube – (AUST L 116768)

supplied by Bristol-Myers Squibb Australia Pty Ltd

CONSENT to an exemption from the requirements of the *Therapeutic Goods Act 1989, Chapter 3, Part 3-1* provided that:

- a. the goods are exported from Australia to Canada;
- b. the goods comply with all requirements of the *Therapeutic Goods Act 1989*, other than Chapter 3, Part 3-1
- c. the goods comply with relevant national standards appropriate for the product in the country of receipt; and
- d. any change to the product specification submitted to the TGA shall not be implemented until a prior approval is given by the Secretary.

A handwritten signature in black ink, appearing to read 'PIO CESARIN', with a stylized flourish at the end.

PIO CESARIN
Delegate of the Secretary to the Department of
Health and Ageing

25 February 2005



Australian Government
Department of Health and Ageing
Therapeutic Goods Administration

COMMONWEALTH OF AUSTRALIA

THERAPEUTIC GOODS ACT 1989

SECTION 14 NOTICE

On 15 February 2005, the delegate of the Secretary of the Department of Health and Ageing for the purposes of subsection 14(1) of the *Therapeutic Goods Act 1989* (“the Act”) gave his consent for Aventis Pharma Pty Limited, 27 Sirius Road, Lane Cove NSW (“the Company”) to supply chlorpromazine (Largactil Syrup) 5 mg/mL oral liquid (AUST R 27505) which is exempt from compliance with the preservative efficacy requirements of the BP, specifically that the requirement for *Aspergillus Niger* is not met.

For the purposes of subsection 15(1) of the Act, the Company must adhere to the following conditions in supplying the product.

1. The Company will submit an application to register a new formulation for the above product which meets the BP preservative efficacy requirements within 12 months from the date the exemption was approved. A new application for continued exemption would be required if this condition cannot be met.
2. Providing condition 1 above is met, this exemption applies until registration approval for the new formulation is obtained.
3. No other changes have been made to the product.
4. The product meets the preservative efficacy requirements of the BP in all other respects



Australian Government
Department of Health and Ageing
Therapeutic Goods Administration

THERAPEUTIC GOODS ACT 1989

**PUBLICATION OF LIST OF MANUFACTURERS REVOKED FROM LICENSING FOR THE MANUFACTURE OF
THERAPEUTIC GOODS**

I, Rita MacLachlan, delegate of the Secretary for the purpose of section 41 of the ***Therapeutic Goods Act***, hereby publish the following details concerning the revocation of a licence to manufacture therapeutic goods:

Under paragraph 41(1)(d) of the Therapeutic Goods Act 1989 the Secretary by notice in writing has revoked the licence held by:

PENTAL PRODUCTS PTY LTD - LICENCE NO. 101453 - AT THE REQUEST OF THE MANUFACTURER.

Signed by
Dr Albert Farrugia
Delegate of the Secretary

7 FEBRUARY 2005

Immigration and Multicultural and Indigenous Affairs

**Commonwealth of Australia***Migration Regulations 1994***SPECIFICATION OF ORGANISATIONS FOR THE PURPOSES OF PARAGRAPH
459.214(c) OF THE MIGRATION REGULATIONS 1994**

I, *PETER McGAURAN*, Minister for Citizenship and Multicultural Affairs, acting under regulation 1.17 and paragraph 459.214(c) of the *Migration Regulations 1994* ('the Regulations'):

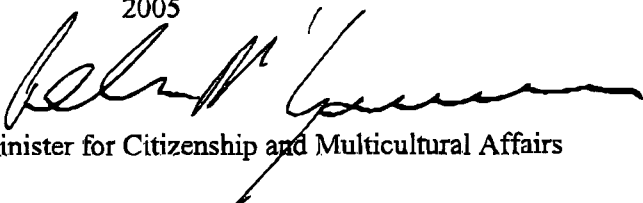
1. REVOKE the notice signed on 1 July 2004 specifying organisations for the purposes of paragraph 459.214(c) of the Regulations; AND
2. SPECIFY, for the purposes of paragraph 459.214(c) of the Regulations, the following organisations:
 - Australian Arab Chamber of Commerce Inc
 - Australian Biotech Investments Pty Ltd (trading as the Australia-China Developments Centre)
 - Chamber of Commerce Northern Territory
 - China Chamber of Commerce in Australia
 - Commerce Queensland
 - Confederation of ACT Industry (trading as ACT and Region Chamber of Commerce and Industry)
 - NSW-Vietnam Chamber of Commerce
 - Palmerston Regional Business Association
 - Sabina Corporation Ltd
 - Victorian Employers' Chamber of Commerce and Industry

This notice has effect on date of publication.

Dated

14 March

2005



Minister for Citizenship and Multicultural Affairs

- [NOTE 1: Regulation 1.17 in Part 1 of the Regulations provides that the Minister may, by notice published in the *Gazette*, specify matters required by individual provisions of the Regulations to be specified for the purposes of those provisions.
- NOTE 2: Paragraph 459.214(c) of the Regulations relevantly provides an applicant may be sponsored by an organisation specified in a Gazette Notice for the purposes of that paragraph].

Transport and Regional Services

Regulation 25

CT-4

COMMONWEALTH OF AUSTRALIA NAVIGATION ACT 1912

No:685

AMENDED PERMIT TO UNLICENSED SHIP - CONTINUING

Name of Ship	Port of Registry	OFFICIAL NUMBER
STAR BIRD	KORSOR	9041423

Pursuant to the provisions of Section 286 of the Navigation Act, I hereby grant, subject to the conditions set out hereunder, permission for the above-named ship to carry passengers and cargo between the ports, or any of them, specified hereunder.

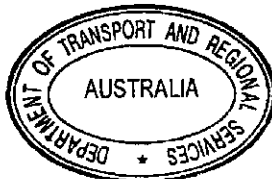
This permit remains in force until cancelled by me upon not less than six months' notice to the master, owner, or agent of the ship of the intended cancellation.

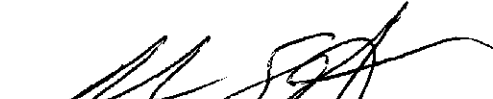
NAMES OF PORTS FOR WHICH PERMIT ISSUED

NEWCASTLE, TOWNSVILLE AND GOVE

Dated at CANBERRA this 19th day of March 2005

Official
Stamp




Delegate of the Minister for Transport
and Regional Services

CONDITIONS SUBJECT TO WHICH THIS PERMIT IS ISSUED

1. That the Transport Regulation Division is notified, within 14 days after every sailing, of the date of the voyage and the cargo carried by the ship.
2. This permit covers the period 19 March 2005 to 18 June 2005.
3. This permit is issued on condition that the ship named in the permit leaves Australia and travels to a port outside Australia at least once in any three (3) month period.
4. General Cargo only may be carried.
5. The cargo may only be carried from: Newcastle to Townsville, Townsville to Gove and Newcastle.
6. If there is a change in schedule the Transport Regulation Division must be advised before the vessel sails.
7. That the vessel is not detained under Australia's Port State Control program.
8. This permit must be produced to Customs for clearance at each port of loading or discharge, prior to taking on board or discharging any cargo or passengers carried under this permit.

Regulation 25

**COMMONWEALTH OF AUSTRALIA
NAVIGATION ACT 1912**

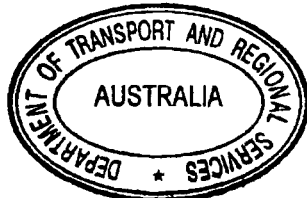
CT-4

No: 687**PERMIT TO UNLICENSED SHIP - CONTINUING**

Name of Ship	Port of Registry	IMO Number
CSCL KELANG	ST. JOHN'S(ATG)	9228538

Pursuant to the provisions of Section 286 of the Navigation Act, I hereby grant, subject to the conditions set out hereunder, permission for the above-named ship to carry passengers and cargo between the ports, or any of them, specified hereunder.

This permit remains in force until cancelled by me upon not less than six months' notice to the master, owner, or agent of the ship of the intended cancellation.

NAMES OF PORTS FOR WHICH PERMIT ISSUED**Sydney, Melbourne & Brisbane**Dated at **CANBERRA** this  day of **March/2005**Official
Stamp

**Delegate of the Minister for
Transport**
CONDITIONS SUBJECT TO WHICH THIS PERMIT IS ISSUED

1. That the Transport Regulation Division is notified, within 14 days after every sailing, of the date of the voyage and the cargo carried by the ship.
2. This Permit covers the period 17/03/2005 to 16/06/2005.
3. This permit is issued on condition that the ship named in the permit leaves Australia and travels to a port outside Australia at least once in any three (3) month period.
4. General Cargo only may be carried.
5. The cargo may only be carried from: Sydney & Melbourne to Brisbane
6. If there is a change in schedule the Transport Regulation Division must be advised before the vessel sails.
7. That the vessel is not detained under Australia's Port State Control program.
8. This permit must be produced to Customs for clearance at each port of loading or discharge, prior to taking on board or discharging any cargo or passengers carried under permit.

Regulation 25

**COMMONWEALTH OF AUSTRALIA
NAVIGATION ACT 1912**

CT-4

No: 690

PERMIT TO UNLICENSED SHIP - CONTINUING

Name of Ship	Port of Registry	IMO Number
P&O NEDLLOYD ADELAIDE	NASSAU	7428380

Pursuant to the provisions of Section 286 of the Navigation Act, I hereby grant, subject to the conditions set out hereunder, permission for the above-named ship to carry passengers and cargo between the ports, or any of them, specified hereunder.

This permit remains in force until cancelled by me upon not less than six months' notice to the master, owner, or agent of the ship of the intended cancellation.

NAMES OF PORTS FOR WHICH PERMIT ISSUED

Sydney, Adelaide, Melbourne and Fremantle

Dated at **CANBERRA** this 16th day of **March/2005**

Official
Stamp




**Delegate of the Minister for
Transport**

CONDITIONS SUBJECT TO WHICH THIS PERMIT IS ISSUED

1. That the Transport Regulation Division is notified, within 14 days after every sailing, of the date of the voyage and the cargo carried by the ship.
2. This Permit covers the period 20/03/2005 to 19/06/2005.
3. This permit is issued on condition that the ship named in the permit leaves Australia and travels to a port outside Australia at least once in any three (3) month period.
4. General Cargo only may be carried.
5. The cargo may only be carried from: Sydney to Adelaide and Fremantle; Melbourne to Adelaide and Fremantle; Adelaide to Fremantle; and Fremantle to Sydney.
6. If there is a change in schedule the Transport Regulation Division must be advised before the vessel sails.
7. That the vessel is not detained under Australia's Port State Control program.
8. This permit must be produced to Customs for clearance at each port of loading or discharge, prior to taking on board or discharging any cargo or passengers carried under permit.

Regulation 25

**COMMONWEALTH OF AUSTRALIA
NAVIGATION ACT 1912**

CT-4

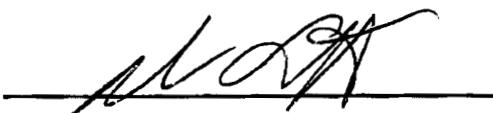
No: 686

PERMIT TO UNLICENSED SHIP - CONTINUING

Name of Ship	Port of Registry	IMO Number
ANL AUSTRALIA	NASSAU	8913681

Pursuant to the provisions of Section 286 of the Navigation Act, I hereby grant, subject to the conditions set out hereunder, permission for the above-named ship to carry passengers and cargo between the ports, or any of them, specified hereunder.

This permit remains in force until cancelled by me upon not less than six months' notice to the master, owner, or agent of the ship of the intended cancellation.

NAMES OF PORTS FOR WHICH PERMIT ISSUED**Melbourne, Sydney and Brisbane.**Dated at **CANBERRA** this 16th day of **March/2005**Official
Stamp
**Delegate of the Minister for
Transport****CONDITIONS SUBJECT TO WHICH THIS PERMIT IS ISSUED**

1. That the Transport Regulation Division is notified, within 14 days after every sailing, of the date of the voyage and the cargo carried by the ship.
2. This Permit covers the period 20/03/2005 to 19/06/2005.
3. This permit is issued on condition that the ship named in the permit leaves Australia and travels to a port outside Australia at least once in any three (3) month period.
4. General Cargo only may be carried.
5. The cargo may only be carried from: Melbourne to Brisbane, Sydney to Brisbane.
6. If there is a change in schedule the Transport Regulation Division must be advised before the vessel sails.
7. That the vessel is not detained under Australia's Port State Control program.
8. This permit must be produced to Customs for clearance at each port of loading or discharge, prior to taking on board or discharging any cargo or passengers carried under permit.

Treasury



Approval to hold the transferring business of another financial sector company

Financial Sector (Shareholdings) Act 1998

TO: Intech Credit Union Limited ACN 087 650 191 (“ICU”)

SINCE:

1. ICU wishes to accept a transfer of 100 per cent of the assets and liabilities of Telstra Credit Union Limited ACN 087 650 753 (“TCU”) under the *Financial Sector (Transfers of Business) Act 1999*;
2. ICU has applied for approval to hold a 100 per cent stake in TCU under section 14 of the *Financial Sector (Shareholdings) Act 1998* being the stake it will be taken to hold in TCU under regulation 6 of the *Financial Sector (Transfers of Business) Regulations 1999* should it accept the proposed transfer of 100 per cent of the assets and liabilities of TCU;
3. I am a delegate of the Treasurer under section 14 of the Act; and
4. I am satisfied that it is in the national interest to approve ICU holding a 100% stake in TCU,

I, Brandon Kong Leong Khoo, a delegate of the Treasurer, under subsection 14(1) of the Act, **APPROVE** ICU holding a 100% stake in TCU.

This Approval remains in force indefinitely.

Dated 1 March 2005

[signed]

Brandon Kong Leong Khoo
Executive General Manager
Specialised Institutions Division
APRA



Consent to proposed disposal of the business of an ADI

Banking Act 1959

SINCE

- A. Telstra Credit Union Limited ACN 087 650 753 ("TCU") is an ADI within the meaning of the *Banking Act 1959* (the Act);
- B. TCU proposes to enter into an arrangement to dispose of all of its business to Intech Credit Union Limited ACN 087 650 191 ("ICU");
- C. Section 63 of the Act makes it an offence for an ADI to enter into an arrangement or agreement for disposal of its business unless the Treasurer has given prior consent in writing to the ADI to do so; and
- D. On 6 September 2004 TCU requested the Treasurer to consent to TCU entering into the arrangement to dispose of its business to ICU.

I, Brandon Kong Leong Khoo, a delegate of the Treasurer, **CONSENT** under subsection 63(1) of the Act to TCU entering into the arrangement for disposal of its business to ICU.

Dated 1 March 2005

[signed]

Brandon Kong Leong Khoo
Executive General Manager
Specialised Institutions Division
APRA



Notice imposing conditions on Authorisation to carry on insurance business

Insurance Act 1973

To: American Re-Insurance Company ABN 20 000 857 698 (the general insurer)
of Level 22, Goldfields House, 1 Alfred Street, Sydney, New South Wales

SINCE APRA issued to the general insurer an Authorisation to carry on insurance business in Australia under subsection 12(1) of the *Insurance Act 1973* (the Act), on 25 June 2002 (the Authorisation);

I, Wayne Byres, a delegate of APRA, under paragraph 13(1)(a) of the Act, IMPOSE on the Authorisation the conditions set out in the Schedule attached to this Notice.

This Notice takes effect on 4 March 2005.

Dated: 4 March 2005

[signed]

Wayne Byres
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.

prudential standard has the meaning given in section 3 of the Act.

Note 1 Under subsection 13(1) of the Act, APRA may, at any time, by written notice to the 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.

Note 2 Under subsection 13(2) of the Act, a condition may be expressed to have effect despite anything in the prudential standards.

Note 3 Under subsection 13(4) of the Act, if APRA imposes conditions on a general insurer's authorisation, APRA must give written notice to the insurer and ensure that notice that the action has been taken is published in the *Gazette*.

Note 4 Under subsection 14(1) of the Act, a general insurer commits an offence if:

- (a) the insurer does an act or fails to do an act; and
- (b) doing the act or failing to do the act results in a contravention of a condition of the insurer's authorisation under section 12 of the Act; and
- (c) there is no determination in force under subsection 7(1) of the Act, that subsection 14(1) of the Act does not apply to the insurer.

The maximum penalty is 300 penalty units. Under subsection 14(1A) of the Act, where an individual commits an offence against subsection 14(1) of the Act, because of Part 2.4 of the *Criminal Code Act 1995* or commits an offence under Part 2.4 of the *Criminal Code Act 1995* in relation to an offence against subsection 14(1) of the Act, the individual is punishable, on conviction, by a fine not exceeding 60 penalty units. Under subsection 14(2) of the Act, an offence against section 14 of the Act is an offence of strict liability.

Schedule-the conditions on the Authorisation

1. The general insurer may only conduct insurance business in Australia for the sole purpose of discharging liabilities that arose under insurance contracts (including reinsurance contracts) entered into prior to 30 June 2004.
2. Assets in Australia of the general insurer are not be:
 - (a) removed from Australia; or
 - (b) used to discharge liabilities outside Australia; or
 - (c) charged for the benefit of any person outside Australia

EXCEPT (and subject to Condition 3):

- (i) to discharge the general insurer's liabilities under insurance contracts in respect of which premiums are or have been remitted to the general insurer (or would be or would have been but for the exercise of a right of set-off) in respect of insurance business (including reinsurance) undertaken by the general insurer pursuant to the Authorisation; or
 - (ii) to make premium and other (if any) payments due outside Australia under reinsurance arrangements made in accordance with the general insurer's Reinsurance Management Strategy or entered into by the general insurer prior to 1 July 2002; or
 - (iii) where APRA's consent in writing is obtained beforehand; or
 - (iv) as required by law.
3. Payments to meet premium obligations or to discharge other liabilities to a counterparty in respect of insurance business (including reinsurance) undertaken by the general insurer pursuant to the Authorisation shall not occur where (but only to the extent) there exists a contractual or statutory right of set-off, unless APRA's consent in writing is obtained beforehand.
4. In the construction of these conditions:

"Assets in Australia of the general insurer" means assets in Australia of the general insurer maintained by it in connection with the Authorisation. For the avoidance of doubt, the notion does not encompass any other assets of the general insurer from time to time including, without limitation, assets in Australia the general insurer may maintain in connection with the insurance business of its home office or of another branch, that is apart from its authorisation under the Act, or any of its shareholders funds.

The question whether an asset is to be regarded as an "asset in Australia" shall be determined in accordance with Prudential Standard GPS 120 *Assets in Australia for General Insurers* and the Act.



Disqualification

Insurance Act 1973

TO: Ross Eade (you) of 3 Fox Road, EAST RYDE NSW 2113

SINCE I am satisfied that you are not a fit and proper person to be or to act as a director or senior manager of a general insurer (other than a foreign general insurer), or a senior manager, or agent in Australia for the purpose of section 118 of the *Insurance Act 1973* (the Act), of a foreign general insurer, or a director or senior manager of an authorised NOHC,

I, Peter Kennedy, a delegate of APRA, under subsection 25A(1) of the *Insurance Act 1973 (the Act)*, DISQUALIFY you.

Under subsection 25A(2) of the Act, this Disqualification takes effect on the day on which it is made.

Dated: 14 March 2005

[signed]

Peter Kennedy
Delegate

Interpretation

In this Notice

APRA means the Australian Prudential Regulation Authority.

Note 1 Under subsection 25A(4) of the Act, APRA must give the person disqualified written notice of the disqualification.

Note 2 Under subsection 25A(5) of the Act, as soon as practicable after giving to a disqualified person the notice required under subsection 25A(4) of the Act, APRA must cause particulars of the disqualification to be given to, where applicable, the general insurer concerned or the foreign general insurer concerned or the authorised NOHC concerned and to be published in the *Gazette*.

Note 3 Under subsection 24(1) of the Act, a disqualified person must not be or act as:

- (a) a director or senior manager of a general insurer (other than a foreign general insurer); or
- (b) a senior manager, or agent in Australia for the purpose of section 118 of the Act, of a foreign general insurer; or
- (c) a director or senior manager of an authorised NOHC.

Note 4 Under subsection 24(2) of the Act, a person who contravenes subsection 24(1) of the Act commits an offence. The maximum penalty is imprisonment for 2 years. By virtue of subsection 4B (2) of the *Crimes Act 1914 (Cth)*, where a natural person is convicted of an offence against this section, the Court may impose, instead of or in addition to, a penalty of imprisonment, a pecuniary penalty not exceeding the number of penalty units calculated using the formula: term of imprisonment x 5, where **term of imprisonment** is the maximum term of imprisonment, expressed in months, by which the offence is punishable.

Note 5 Under subsection 24(3) of the Act, contravention of subsection 24(1) of the Act is an offence of strict liability which carries a maximum penalty of 60 penalty units.

Note 6 Under subsection 24(4) of the Act a body corporate must not allow a disqualified person to be or act as:

- (a) if the body corporate is a general insurer (other than a foreign general insurer) — a director or senior manager of the insurer; or
- (b) if the body corporate is a foreign general insurer — a senior manager, or agent in Australia for the purpose of section 118, of the insurer; or
- (c) if the body corporate is an authorised NOHC — a director or senior manager of the NOHC.

A body corporate that contravenes subsection 24(4) of the Act commits an offence under subsection 24(5) of the Act. The maximum penalty is 250 penalty units.

Note 7 Under subsection 24(6) of the Act, the contravention of subsection 24(4) of the Act is an offence of strict liability which carries a maximum penalty of 60 penalty units.

Note 8 By virtue of subsection 25A(6) of the Act, the decision to refuse to revoke the Disqualification is reviewable under section 63 of the Act. If you are dissatisfied with this decision, you may request APRA to reconsider it in accordance with subsection 63(2) of the Act. The request for reconsideration must be made in writing, must set out the reasons for making the request, and must be given to APRA within 21 days after the day on which you first received notice of this decision, or within such further period as APRA allows. If you are dissatisfied with the outcome of APRA's reconsideration of the decision, you may, subject to the *Administrative Appeals Tribunal Act 1975*, apply to the Administrative Appeals Tribunal for review of the reconsidered decision.

Note 9 The address where written notice specified in this Notice may be given to APRA is Level 26, 400 George Street, SYDNEY NSW 2000.

COMMONWEALTH OF AUSTRALIA

Income Tax Assessment Act 1997

NOTICE UNDER SUBSECTION 30-85(2)

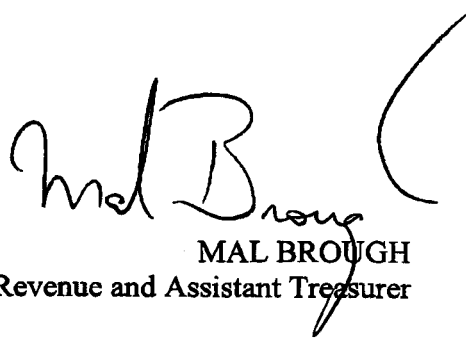
I, Mal Brough, the Minister for Revenue and Assistant Treasurer:

(a) Being satisfied that the following fund is established by an approved organisation, as defined in Division 30 of the *Income Tax Assessment Act 1997*, exclusively for the relief of persons in a certified country or certified countries declare by this notice published in the *Gazette* under subsection 30-85(2) of the Act the following fund to be an eligible fund for the purposes of item 9.1.1 of table 9 in subsection 30-80(1) of the Act:

Youth Off the Streets Limited – Overseas Relief Fund

(b) specify for the purposes of subsection 30-85(3) of the *Income Tax Assessment Act 1997* the date on which this notice is published in the *Gazette* as the date on which this notice has effect.

Dated this 16th day of March 2005



MAL BROUGH
Minister for Revenue and Assistant Treasurer

COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 21A(2)

WHEREAS -

- (A) PAI ENG ANG is a foreign person for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ("the Act");
- (B) PAI ENG ANG proposes to acquire an interest in the Australian urban land described in the notice furnished on 9 March 2005 under Section 26A of the Act;

NOW THEREFORE I, Gerry Antioch, General Manager of the Foreign Investment Policy and Trade Division of the Treasury and authorised to make this order for and on behalf of the Treasurer, being satisfied that:

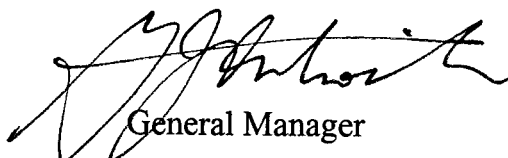
- (i) PAI ENG ANG proposes to acquire an interest in Australian urban land;
and
- (ii) The proposed acquisition would be contrary to the national interest;

PROHIBIT the proposed acquisition pursuant to subsection 21A(2) of the Act.

Dated this

14th day of March

2005.


General Manager

COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 21A(2)

WHEREAS –

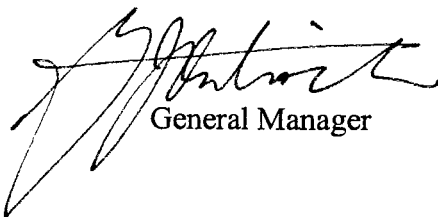
- (A) INIHAT BINTE MOKERI is a foreign person for the purpose of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* (“the Act”);
- (B) INIHAT BINTE MOKERI proposes to acquire an interest in Australian urban land as specified in the notice furnished on 18 November 2004 under section 26A of the Act;

NOW THEREFORE I, Gerry Antioch, General Manager, Foreign Investment & Trade Policy Division, of the Treasury and authorised to make this order for and on behalf of the Treasurer, being satisfied that:

- (i) INIHAT BINTE MOKERI proposes to acquire an interest in Australian urban land; and
- (ii) the proposed acquisition would be contrary to the national interest;

PROHIBIT the proposed acquisition pursuant to subsection 21A(2) of the Act.

Dated this 16 day of March 2005



General Manager

COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 21A(2)

WHEREAS –

- (A) Pagemaker Asset Management Limited is a foreign person for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* (“the Act”);
- (B) Pagemaker Asset Management Limited proposes to acquire an interest in Australian urban land as specified in the notice furnished on 14 February 2005 under section 26A of the Act;

NOW THEREFORE I, Gerry Antioch, General Manager, Foreign Investment & Trade Policy Division, of the Treasury and authorised to make this order for and on behalf of the Treasurer, being satisfied that:

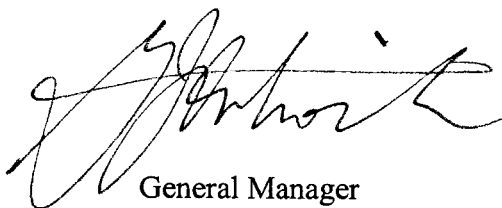
- (i) Pagemaker Asset Management Limited proposes to acquire an interest in Australian urban land; and
- (ii) the proposed acquisition would be contrary to the national interest;

PROHIBIT the proposed acquisition pursuant to subsection 21A(2) of the Act.

Dated this

16th day of March

2005



General Manager

COMMONWEALTH OF AUSTRALIA***Foreign Acquisitions and Takeovers Act 1975*****ORDER UNDER SUBSECTION 22(1)**

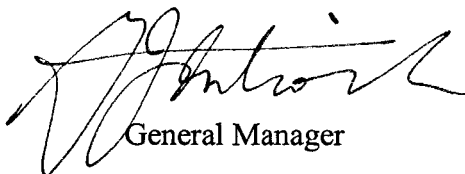
WHEREAS -

- (A) FORTUNE RIVER DEVELOPMENTS (CAMMERAY) PTY LIMITED is a foreign person for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act');
- (B) FORTUNE RIVER DEVELOPMENTS (CAMMERAY) PTY LIMITED proposes to acquire an interest in Australian urban land known as Lot 1 on the Corner of Ernest and Miller Streets, Cammeray, New South Wales as referred to in the notice furnished on 10 February 2005 under section 26A of the Act;

NOW THEREFORE, I, Gerry Antioch, General Manager of the Foreign Investment and Trade Policy Division of the Treasury and authorised to make this order for and on behalf of the Treasurer, PROHIBIT, pursuant to subsection 22(1) of the Act, the proposed acquisition for a period not exceeding ninety days after this order comes into operation, for the purpose of enabling consideration to be given as to whether an order should be made under subsections 18(2) and 21A(2) of the Act in respect of the proposed acquisition.

Dated this

14th day of March 2005


General Manager

COMMISSIONER OF TAXATION

The Commissioner of Taxation, Michael Joseph Carmody, gives notice of the following Rulings, copies of which can be obtained from Branches of the Australian Taxation Office.

NOTICE OF RULINGS

Ruling Number	Subject	Brief Description
PR 2005/35	Income tax: BioForest Wholesale Project No 2 – 2006 Growers (from 1 February 2006 to 30 June 2006)	This Product Ruling sets out the tax consequences for Growers who are accepted to participate in the Project as described in the Ruling after 31 January 2006 and on or before 30 June 2006 and who have entered into a Land Sourcing and Management Agreement for the commercial growing and cultivation of Silky Oak and She Oak timber for the purpose of harvesting and selling the produce. This Ruling applies from 23 March 2005.
PR 2005/36	Income tax: Macquarie Forestry Investment 2005 (Pre 1 July 2005 Growers)	This Product Ruling sets out the tax consequences for Growers who are accepted to participate in the Project as described in the Ruling on or before 30 June 2005, provided that the Constitution of the Macquarie Eucalypt Project 2005 has been declared on or before that date, for the commercial growing and cultivation of varieties of eucalyptus trees for the purpose of harvesting and selling trees for woodchips and other timber products. This Ruling applies from 23 March 2005.
PR 2005/37	Income tax: Macquarie Forestry Investment 2005 (Post 30 June 2005 Growers)	This Product Ruling sets out the tax consequences for Growers who are accepted to participate in the Project as described in the Ruling after 30 June 2005, provided that the Constitution of the Macquarie Eucalypt Project 2005 has been declared on or before the date of acceptance, for the commercial growing and cultivation of varieties of eucalyptus trees for the purpose of harvesting and selling trees for woodchips and other timber products. This Ruling applies from 23 March 2005.

NOTICE OF WITHDRAWALS

Ruling Number	Subject	Brief Description
PR 2005/35	Income tax: BioForest Wholesale Project No 2 – 2006 Growers (from 1 February 2006 to 30 June 2006)	This Product Ruling is withdrawn from 1 July 2008.
PR 2005/36	Income tax: Macquarie Forestry Investment 2005 (Pre 1 July 2005 Growers)	This Product Ruling is withdrawn from 1 July 2007.
PR 2005/37	Income tax: Macquarie Forestry Investment 2005 (Post 30 June 2005 Growers)	This Product Ruling is withdrawn from 1 July 2008.
TD 93/27	Income tax: can balancing adjustments arising from disposals through intragroup transfers of depreciable assets in a group restructure of wholly owned companies be rolled over?	This Determination is withdrawn with effect from 23 March 2005. TD 93/27 deals with whether roll-over relief is available under section 58 of the <i>Income Tax Assessment Act 1936</i> for transfers of depreciable assets in a group restructure of wholly-owned companies. As the legislation dealt with in TD 93/27 no longer applies, the Determination is withdrawn.
TD 2000/18	Income tax: what are the consequences of using a GST Direct Assistance Certificate to pay for plant or deductible expenditure?	This Determination is withdrawn with effect from 23 March 2005. TD 2000/18 deals with deductions for expenditure on GST-related products and services if the expenditure is met, in whole or in part, by using a GST Direct Assistance Certificate. As GST Direct Assistance Certificates could only be used until 31 October 2000 the Determination is withdrawn.

Public Notices

Commonwealth Gazette Notice

SHIPPING REGISTRATION ACT 1981

NOTICE OF INTENTION TO APPLY FOR REGISTRATION

Notice is hereby given of the intension of

Australian Fishing Enterprises Pty Ltd of

4 Eyre Street
Port Lincoln
South Australia 5606

to apply, after the expiration of the period of thirty days commencing on the date of publication of this notice, for the registration under the above named Act of the ship particulars of which are set out below. Objections to the registration of the ship in the name of the abovementioned person, by persons claiming a legal proprietary right in respect of the ship, should, together with any relevant documents that will verify the claim be delivered to the Registrar of Ships at the Australian Shipping Registration Office, Level 2 Allan Woods Building, 25 Constitution Avenue, Canberra City ACT 2601 or sent by properly prepaid post to the Registrar of Ships at the Australian Maritime Safety Authority, GPO Box 2181, Canberra City ACT 2601, before the expiry of the period referred to above.

Particulars of the Ship

Present Name:
Katmandu

Former Name:
Katmandu

Present whereabouts:
Port Lincoln
South Australia

Length:
15.3M

Principal material of construction:
Marine Grade Aluminium

Type of Ship:
Catamaran x Cray boat



DRAFT VARIATION TO THE NATIONAL ENVIRONMENT PROTECTION (USED PACKAGING MATERIALS) MEASURE

The National Environment Protection Council (NEPC) makes National Environment Protection Measures (NEPMs) which are designed to improve national consistency in environment protection outcomes. In December 2004, the NEPC commenced the statutory process to make a variation to the Used Packaging Materials NEPM.

A draft variation and impact statement have been released for public consultation. The draft variation will ensure consistency with the proposed amendments to the National Packaging Covenant and extend the life of the NEPM as the regulatory safety net underpinning the Covenant. NEPC invites comments on the draft variation and impact statement by **Thursday 19 May 2005**.

For copies of the documents visit **www.ephc.gov.au**, or contact:

NEPC Service Corporation
Level 5, 81 Flinders Street
ADELAIDE SA 5000

Telephone: (08) 8419 1200
Facsimile: (08) 8224 0912
E-mail: mgilbey@ephc.gov.au

This notice is given pursuant to s.20 of the National Environment Protection Council Act 1994 (Cwlth) and equivalent provisions in the corresponding Acts of States and Territories.



Australian Government
Attorney General's Department

Obtaining copies of Commonwealth Acts and Legislative Instruments

Copies of Commonwealth Acts, Legislative Instruments and related legislative material can be purchased at the following locations or ordered online or by mail or telephone.

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Brisbane	Goprint 371 Vulture Street, Woolloongabba QLD 4102 3534	(07) 3246 3399	(07) 3246
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