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The date of publication of this Gazette is 24 May 2006

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

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OLDP is a specialist professional drafter and the pre-eminent drafter of Commonwealth subordinate legislation.

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- drafting
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**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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A charge of \$143.00 per page will apply to the submission of notices for this Gazette.

**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 Any notice submitted without this information will not be published.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

### Queen's Birthday — Issue of 14 June 2006 (GN 23)

As Monday 12 June 2006 is a public holiday in the Australian Capital Territory, closing time for lodgment of all notices for publication in GN 23 will be:

**Thursday, 8 June 2006 at 10.00 am.**

## General Information

### GAZETTE INQUIRIES

Lodgment Inquiries: (02) 6250 5510  
Subscriptions (Fax): (02) 6293 8388  
Subscriptions (Tel): 1300 857 522

The **GOVERNMENT NOTICES GAZETTE** is published each Wednesday and contains a range of legislation and information about legislation as well as special information and government departments' notices. The Gazette is sold at \$6.40 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](mailto: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 working days prior to date of publication.

### ADVERTISING RATES (GST inclusive)

*Government Notices*: \$143 per A4 page — minimum charge one page.

*Special Gazette* notices:

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

*Periodic Gazette* notices: \$350 for the first page and \$50 for each subsequent page.

Other charges may apply, for further information please see the Lodging Notices section, More information at <http://www.ag.gov.au/GNGazette>

Additional copies of Special and Periodic Gazettes can be provided at a cost of 2 cents per page per copy — minimum charge: \$5.

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 1300 857 522.

### AVAILABILITY

The *Gazette* may be purchased by mail order (Tel. 1300 857 522, Fax (02) 6293 8388) 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: 1300 857 522 Fax: (02) 6293 8388

**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.

# Government Departments

## Attorney-General

COMMONWEALTH OF AUSTRALIA  
CUSTOMS ACT 1901

## NOTICE OF RATES OF EXCHANGE - s161J CUSTOMS ACT 1901

I, Wayne Baldwin, 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	10/05/06	11/05/06	12/05/06	13/05/06	14/05/06	15/05/06	16/05/06
Brazil	Real	1.5907	1.5982	1.6272	1.6272	1.6272	1.649	1.6538
Canada	Dollar	0.8497	0.8509	0.8544	0.8544	0.8544	0.8533	0.8484
China, PR of	Yuan	6.1806	6.1674	6.2129	6.2129	6.2129	6.1671	6.0979
Denmark	Kroner	4.5131	4.5093	4.5029	4.5029	4.5029	4.4416	4.433
European Union	Euro	0.605	0.6048	0.6037	0.6037	0.6037	0.5957	0.5947
Fiji	Dollar	1.3224	1.3216	1.33	1.33	1.33	1.3196	1.3133
Hong Kong	Dollar	5.9898	5.9764	6.0199	6.0199	6.0199	5.9796	5.9075
India	Rupee	34.644	34.6274	34.8817	34.8817	34.8817	34.757	34.6164
Indonesia	Rupiah	6740.0	6732.0	6764.0	6764.0	6764.0	6823.0	7009.0
Israel	Shekel	3.4227	3.4088	3.435	3.435	3.435	3.4274	3.3937
Japan	Yen	85.73	85.63	85.58	85.58	85.58	84.47	84.04
Korea, Republic of	Won	718.37	717.69	723.74	723.74	723.74	721.86	718.86
Malaysia	Ringgit	2.7709	2.7611	2.7799	2.7799	2.7799	2.7699	2.7548
New Zealand	Dollar	1.2275	1.2357	1.2294	1.2294	1.2294	1.2307	1.2252
Norway	Kroner	4.7053	4.6909	4.6873	4.6873	4.6873	4.6155	4.6366
Pakistan	Rupee	46.38	46.25	46.56	46.56	46.56	46.29	45.71
Papua New Guinea	Kina	2.363	2.3578	2.3746	2.3746	2.3746	2.3587	2.3303
Philippines	Peso	39.76	39.7	40.09	40.09	40.09	40.01	39.81
Singapore	Dollar	1.2098	1.2089	1.2158	1.2158	1.2158	1.2087	1.2055
Solomon Islands	Dollar	5.8317	5.8189	5.8634	5.8634	5.8634	5.8212	5.751
South Africa	Rand	4.6424	4.67	4.7116	4.7116	4.7116	4.8384	4.8663
Sri Lanka	Rupee	79.45	79.25	79.71	79.71	79.71	79.27	78.37
Sweden	Krona	5.6324	5.6368	5.6506	5.6506	5.6506	5.5803	5.5966
Switzerland	Franc	0.9421	0.9427	0.9401	0.9401	0.9401	0.9219	0.9221
Taiwan Province	Dollar	24.24	24.17	24.36	24.36	24.36	24.24	24.14
Thailand	Baht	29.04	29.05	29.27	29.27	29.27	29.17	29.1
United Kingdom	Pound	0.4138	0.415	0.4118	0.4118	0.4118	0.4063	0.4051
USA	Dollar	0.7727	0.771	0.7765	0.7765	0.7765	0.7713	0.762

Wayne Baldwin  
 Delegate of the  
 Chief Executive Officer of Customs  
 CANBERRA A.C.T.  
 17/05/2006

## Communications, Information Technology and the Arts

### AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

*Telecommunications Act 1997*

*Subsection 81(1)*

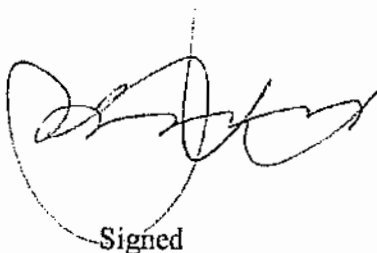
#### NOMINATED CARRIER DECLARATION

I, Giles Tanner, delegate of the Australian Communications and Media Authority acting under subsection 81(1) of the *Telecommunications Act 1997* being satisfied that:

- (a) if Oziplex Pty Ltd, ACN 095 421 819, is declared to be the nominated carrier in relation to the network unit or units, it would be in a position to comply with all of the obligations imposed on the carrier in its capacity as the nominated carrier in relation to the unit or units; and
- (b) the making of the declaration will not impede the efficient administration of the *Telecommunications Act 1997* and the *Telecommunications (Consumer Protection and Service Standards) Act 1999*;

declare that Oziplex Pty Ltd is the nominated carrier for single and multiple line links and designated radiocommunications facilities in the municipalities of the Beaudesert Shire Council, Boonah Shire Council, Brisbane City Council, Cambooya Shire Council, Clifton Shire Council, Crows Nest Shire Council, Gatton Shire Council, Inglewood Shire Council, Ipswich City Council, Jondaryan Shire Council, Laidley Shire Council, Logan City Council, Shire of Stanthorpe, Tenterfield Shire Council, Toowoomba City Council and Shire of Warwick owned by HaleNET Pty Ltd, ACN 082 330 121.

Dated the 12<sup>th</sup> day of May 2006



Signed

Delegate of the Australian Communications and Media Authority

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

*Telecommunications Act 1997*

*Subsection 81(1)*

**NOMINATED CARRIER DECLARATION**

I, Giles Tanner, delegate of the Australian Communications and Media Authority acting under subsection 81(1) of the *Telecommunications Act 1997* being satisfied that:

- (a) if Oziplex Pty Ltd, ACN 095 421 819, is declared to be the nominated carrier in relation to the network unit or units, it would be in a position to comply with all of the obligations imposed on the carrier in its capacity as the nominated carrier in relation to the unit or units; and
- (b) the making of the declaration will not impede the efficient administration of the *Telecommunications Act 1997* and the *Telecommunications (Consumer Protection and Service Standards) Act 1999*;

declare that Oziplex Pty Ltd is the nominated carrier for designated radiocommunication facilities in the municipalities of Lithgow City Council, Oberon Council, Bathurst Regional Council and Mid-Western Regional Council owned by L.I.S.P. Pty. Limited, ACN 071 617 966.

Dated the 12<sup>th</sup> day of May 2006



Signed

Delegate of the Australian Communications and Media Authority

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

*Broadcasting Services Act 1992*

*Subsection 87(2)*

**NOTICE OF INTENTION TO IMPOSE ADDITIONAL CONDITIONS ON  
COMMUNITY RADIO BROADCASTING LICENCE SL1150746**

In accordance with subsection 87(2) of the *Broadcasting Services Act 1992*, the Australian Communications and Media Authority hereby gives notice that it intends to impose additional conditions on the community radio broadcasting licence identified by the service licence number SL1150746, held by the Western Australian Aboriginal Media Association (Aboriginal Corporation).

***The proposed additional licence conditions are as follows:***

**Definitions**

In the following conditions:

*ACMA* means Australian Communications and Media Authority;

*Act* means the *Broadcasting Services Act 1992*;

*Additional licence conditions* mean the licence conditions specified in this notice;

*Governing Committee* means the governing committee of the licensee established in accordance with section 13 of the licensee's *Rules of an Incorporated Aboriginal Association*;

*Licensee* means the Western Australian Aboriginal Media Association (Aboriginal Corporation).

**Proposed additional licence conditions**

***Continued representation for the community interests of the Perth Aboriginal Community***

1. The licensee will undertake activities to identify the needs and interests of the Perth Aboriginal community. Such activities may include research:

- a. assessing the Perth Aboriginal community's preferences in relation to indigenous news, current affairs, music genres, talk programs, general community information and other areas of interest; and
  - b. identifying and communicating with other community licence holders or community broadcasting associations to obtain information or practical experience in the representation of community interests.
2. Having regard to the needs and interests of the Perth Aboriginal community, the licensee will:
  - a. investigate programming options and improvements for the service in relation to indigenous news, current affairs, music genres, talk programs and general community information;
  - b. investigate programming options which might be sourced from other community broadcasting licensees with an indigenous focus or bodies such as the National Indigenous Radio Service (NIRS); and
  - c. on a quarterly basis, invite local indigenous organisations and individuals within the Perth Aboriginal community to provide the licensee with program ideas, input and direction for the service.
3. The licensee will publish on its website, and in local print media programming information which highlights and promotes indigenous content.

***Encouraging the participation of members of the Perth Aboriginal Community in the operations of the licensee and the selection and provision of programs***

4. The licensee will put in place and maintain policies that encourage the participation of the Perth Aboriginal community (both individuals and organisations) in the operation of the licensee, and the selection and provision of programs on the service.

***Membership***

5. Policies to encourage members of the Perth Aboriginal community to participate in the operation of the licensee should:
  - a. enable more members of the Perth Aboriginal community to become members of the licensee;
  - b. provide objective and transparent criteria for membership;
  - c. establish timeframes for the processing of membership applications;
  - d. provide for an appeal process for membership applications;
  - e. make available contact points for membership information and inquiries.

***Volunteers***

6. The licensee will develop a policy to enable volunteers to assist in the operation of the service.

***Awareness of membership, volunteer and participation opportunities***

7. The licensee will undertake activities to encourage members and volunteers to participate in the selection, presentation, and production of programming and



content. Such activities may include the provision of assistance and training to members and volunteers, for example, to produce or present their own programs.

8. The licensee will make its membership policy, volunteering policy, membership forms, information and contact points available through its website.
9. The licensee will broadcast announcements concerning membership and volunteering. In scheduling these announcements, consideration should be given to the frequency and timing of announcements so as to ensure the information is heard by listeners who may listen to different programs and during different timeslots.

*Programming committee*

10. The licensee will establish and maintain the Programming Committee as described at paragraph 3.2 of its submission to ACMA dated 13 December 2005 (Annexed to these additional licence conditions). The Programming Committee will meet at least four times in each calendar year.

*Awareness of licence conditions and code of practice*

11. The licensee will undertake activities to ensure that its Governing Committee, staff, members and volunteers are aware of the requirements of the licence conditions set out at clause 9 of Schedule 2 to the Act, these additional licence conditions and the contents of the Community Broadcasting Association of Australia Code of Practice.

***Monitoring and Reporting***

12. The licensee will provide the following plan and reports to ACMA:
  - a. a Compliance Plan setting out the licensee's plan for compliance with these additional licence conditions. The Compliance Plan will include the activities proposed to implement or progress each additional licence condition; and key dates or measurements for demonstrating fulfilment of the additional licence conditions. This report is due 31 July 2006.
  - b. Compliance Reports on compliance or progress towards compliance with these additional licence conditions. Compliance Reports will address progress towards compliance with these additional licence conditions with reference to the Compliance Plan. These reports are due by 30 November 2006, 30 April 2007, and 31 August 2007.
14. The licensee's Compliance Plan and each Compliance Report must be approved by the licensee's Governing Committee.
15. The licensee will provide to ACMA any further information requested in writing by ACMA concerning any matter in these additional licence conditions, the Compliance Plan or Compliance Reports.

**Annexure referred to in additional licence condition 10**

**Extract from paragraph 3.2, page 17, Submission of Western Australian  
Aboriginal Media Association (Aboriginal Corporation) to ACMA dated 13  
December 2006**

In addition, WAAMA has formed a Programming Committee, who will meet in the first few months of next year and approximately every 2-3 months thereafter, or as required. The Programming Committee will initially be formed from the membership of WAAMA, and will also contain those interested people from the community who are not entitled to membership of WAAMA by virtue of age or ethnicity.

## Environment and Heritage



### THE WATER EFFICIENCY LABELLING AND STANDARDS REGULATOR

#### NOTICE UNDER SUBSECTION 28(1) OF THE *WATER EFFICIENCY LABELLING AND STANDARDS ACT 2005* CONCERNING A DECISION TO REGISTER WELS PRODUCTS

I, Angela Rutter, delegate of the Water Efficiency Labelling and Standards Regulator 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.

#### Registered WELS products

Brand Name	Family Name / Product Name / Model Reference	Name of Registration Holder
Whirlpool	6ALBR6245	Whirlpool (Australia) Pty Limited
Whirlpool	6ALSC8255, 6ALSC8000, 6ALSR7244	Whirlpool (Australia) Pty Limited
Pozzi Ginori	Family Name: Pozzi Ginori  Join, Join, Q3, Q3, Quinta, Quinta, Easy, Easy, 500, 500  Join, 500	Reece
Electrolux/Gallery	ESL4143	Electrolux Home Products Pty Ltd
Electrolux/Gallery	ESF6125	Electrolux Home Products Pty Ltd
Electrolux/Gallery	ESL6143	Electrolux Home Products Pty Ltd
Electrolux	ESL9163	Electrolux Home Products Pty Ltd
Electrolux	ESL6163	Electrolux Home Products Pty Ltd
Enware	Family Name: 8 L/min MSO 3 Star  LF, PZ, SNQ  CS, DET, EX, FHA, FHS, FS, FSJ, FWA, FWS, HNS, HOS, HPS, IN, JHS, LC	Enware Australia Pty Limited

Enware	Family Name: 5 L/min MSO 5 Star LF, PZ, SNQ, VP CS, DET, EX, FHA, FHS, FS, FSJ, FWA, FWS, HNS, HOS, HPS, IN, JHS, LC	Enware Australia Pty Limited
Enware	Family Name: 5 L/min ASO 6 Star BUB, DET, EMD, ENM, TFC, TFE,	Enware Australia Pty Limited
Hansa	Family Name: Hansa Sink Mixers Hansapolo, Hansavantis, Hansadisc, Hansamix, Hansaprado, Hansatwist, Hansadesigno	Hansa Metallwerke AG
Hansa	Family Name: Hansa Basin Mixers Hansapolo, Hansavantis, Hansadisc, Hansasublime, Hansaprado, Hansatwist, Hansadesigno, Hansadesigno Style, Hansamix, Hansaronda, Hansaclinica, Hansastar	Hansa Metallwerke AG
W;CASA	Family Name: New Weiji Mixer	New Weiji Sanitary Ware Factory Co Ltd
Miele	W2888	Miele Australia Pty Ltd
Miele	W2104	Miele Australia Pty Ltd
Miele	W2653	Miele Australia Pty Ltd
Miele	W2515	Miele Australia Pty Ltd
Miele	WT2670	Miele Australia Pty Ltd

## Background

WELS registrations are subject to the registration conditions in the *Water Efficiency Labelling and Standards Determination 2005* (available at <http://www.comlaw.gov.au/ComLaw/Legislation/LegislativeInstrument1.nsf/asmade/bytitle/67F2FED0FD163464CA257023000E65C4?OpenDocument>).



**Delegate for the Water Efficiency Labelling and Standards Regulator**  
**12 May 2006**



**Australian Government**

*Environment Protection and Biodiversity Conservation Regulations 2000*

**ELIZABETH AND MIDDLETON REEFS MARINE NATIONAL NATURE  
RESERVE  
PROHIBITION OF ENTRY TO HABITAT PROTECTION ZONE**

I, STEPHEN OXLEY, Assistant Secretary, Marine Conservation Branch, Department of the Environment and Heritage, delegate of the power of the Director of National Parks under regulation 12.23 of the *Environment Protection and Biodiversity Conservation Regulations 2000*, having taken into account prescriptions of the management plan in operation for Elizabeth and Middleton Reefs Marine National Nature Reserve and that the Director of National Parks is required by the *Environment Protection and Biodiversity Conservation Act 1999* to give effect to the management plan HEREBY PROHIBIT ACCESS by all persons at all times to the Habitat Protection Zone of the Reserve, being that part of the Reserve south of the parallel of latitude 29 degrees 53 minutes south as shown in the Schedule hereto except:

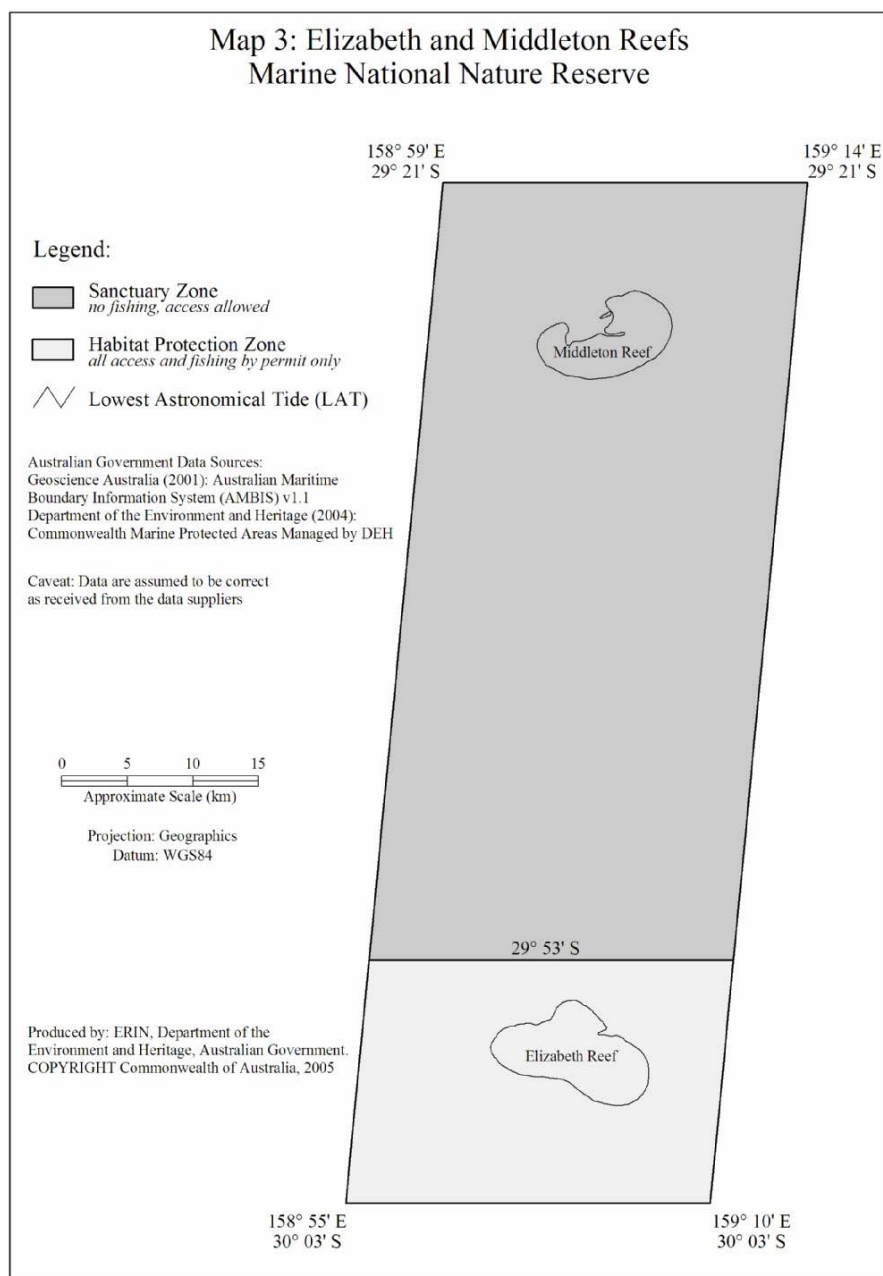
- persons who hold a permit issued under the Regulations authorising entry to the Zone, or who are in a vessel with the holder of such a permit; and
- persons on vessels transiting through the Zone which remain at least 2 nautical miles from the edge of Elizabeth Reef.

Dated this 10th day of May 2006

SIGNED

Stephen Oxley  
Assistant Secretary  
Marine Conservation Branch  
Department of the Environment and Heritage  
Delegate of the Director of National Parks

## Schedule

**ELIZABETH AND MIDDLETON REEFS MARINE NATIONAL NATURE  
RESERVE - HABITAT PROTECTION ZONE**



**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 10 May 2006 a permit was granted to Sims Group Limited (Australian Business Number 37 008 634 526), 41 McLaren Street, North Sydney, New South Wales, 2059 (telephone 02 9956 9100, facsimile 02 9954 9680), to import up to 300 tonnes of used lead-acid batteries from Etablissement Metallurgiques Caledoniens, Cite Industriale de Ducos, lot 184 – 42 Rue Henri Simonin, BP3292 Noumea, New Caledonia (telephone +68 7260 260, facsimile +68 7269 989) for disposal by Australian Refined Alloys at Little Boundary Road, Laverton North, Victoria 3026 (telephone 03 9314 2111, facsimile 03 9288 0210) or 202 – 212 Euston Road, Alexandria, New South Wales 2015 (telephone 02 9516 5230, facsimile 02 9519 6569).

The waste will be palletted and strapped, with each individual layer separated by card or fibre board. Lime will be added to neutralise any spillage and the waste will be packed into shipping containers, then transported by road to be loaded onto a ship at the port of Noumea, New Caledonia, to be off-loaded at the port of Melbourne or Sydney, Australia and transported by road to the disposal facilities where it will be disposed of by recycling/reclamation of metals and metal compounds.

The import will take place in twenty (20) shipments commencing from the date of the permit. No shipment may arrive before 10 May 2006, or after 10 May 2007.

Barry Reville  
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](mailto:hwa@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
2006/2767	Inpex Browse Ltd/Exploration (mineral, oil, gas)/Browse Basin/WA/develop Ichthys gas-condensate field permit area WA-285-P R1 WA NW Shelf	14-MAY-2006	<ul style="list-style-type: none"> <li>• sections 18 and 18A (Listed threatened species and communities) and;</li> <li>• sections 20 and 20A (Listed migratory species)</li> <li>• sections 23 and 24A (Marine environment)</li> </ul>



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
2006/2756	University of New South Wales/Science, research and investigations/Riversleigh WHA/QLD/Collection of vertebrate fossil bearing limestone	17-MAY-2006	Yes
2006/2750	Australia Post/Sale or lease of Commonwealth property/Ipswich/QLD/Divestment of Ipswich Post Office	12-MAY-2006	No
2006/2749	Australia Post /Sale or lease of Commonwealth property/Fairfield Post Office/VIC/Sale of Australia Post Fairfield Post Office Building	12-MAY-2006	No
2006/2687	Taurus Energy Pty Ltd/Energy generation and supply/Cullerin Range/NSW/Construction and operation of Cullerin Range Wind Farm	04-MAY-2006	No
2006/2663	Pretirement Villages Pty Ltd/Urban and commercial new development/Wellington Point/QLD/Retirement village, Fernbourne Rd	16-MAY-2006	Yes

## NOTICE OF A PARTICULAR MANNER DECISION UNDER SECTION 77A

Pursuant to section 77A and 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, in deciding whether an action is a controlled action or not, the Minister for the Environment and Heritage or a delegate of that Minister, decided that a provision of Part 3 of the Act is not a controlling provision for each action identified in the following table because of the particular manner in which the action will be taken.

Reference No	Title of action	Component Decision - Controlling Provisions and Particular Manner of undertaking the action
2006/2756	University of New South Wales/Science, research and investigations/Riversleigh WHA/QLD/Collection of vertebrate fossil bearing limestone	<ul style="list-style-type: none"> <li>• sections 12 and 15A (World Heritage).</li> </ul> <p><b><i>Manner in which the proposed action is to be taken:</i></b></p> <p>The manner in which the proposed action is to be taken is:</p> <ol style="list-style-type: none"> <li>1. The location of each site excavated during the 2006 field season will be provided to the Department, including GPS coordinates.</li> <li>2. The location details of each site will be entered into the Queensland fossil site database that is administered by the person responsible for the action.</li> <li>3. No more than 10 cubic metres of rock and associated debris (including fossilised material) will be removed from the World Heritage area during the 2006 field season.</li> <li>4. No more that 25% of the fossil deposit from small sites (smaller than 0.5 cubic metres of total fossil deposit) will be removed.</li> <li>5. No more than 50% of the fossil deposit from medium sites (between 0.5 and 15 cubic metres of total fossil deposit) or from large sites (larger than 15 cubic metres of total fossil deposit) will be removed.</li> </ol>

2006/2756 Cont...	University of New South Wales/Science, research and investigations/Riversleigh WHA/QLD/Collection of vertebrate fossil bearing limestone Cont...	<ol style="list-style-type: none"> <li>6. For each site that is excavated during the 2006 field season, the person responsible for the action will provide an estimate of the volume of the fossilised rock removed from each site, the volume of fossilised rock stockpiled at each site, the volume of non-fossilised rock and other deposit removed from each site and the volume of non-fossilised rock and other deposit stockpiled at the site.</li> <li>7. For each site that is excavated during the 2006 field season, the person responsible for the action will provide information on the known extent of fossilised material, including depth, horizontal and lateral extent, the estimate of the total volume of fossilised material formerly <i>in situ</i> prior to any palaeontological extraction at that site, and an estimate of fossilised material removed and that remaining at each site.</li> <li>8. Excavations will be undertaken in line with the methodology established in <i>The Riversleigh Project's Investigations of the Resources of the Riversleigh World Heritage Property, Queensland, Archer et al, 1998</i>).</li> <li>9. The person responsible for the action will provide a report to the Department of Environment and Heritage on implementation of the above measures within three months of completion of the excavation programme, including the information required at items 1,6 and 7 above.</li> </ol>
2006/2663	Pretirement Villages Pty Ltd/Urban and commercial new development/Wellington Point/QLD/Retirement village, Fernbourne Rd	<p><b><i>Manner in which the proposed action is to be taken</i></b></p> <p>Details of the manner in which the proposed action is to be taken can be accessed on our public notifications website at <a href="http://www.deh.gov.au/epbc">http://www.deh.gov.au/epbc</a> or by contacting the Department of the Environment and Heritage <a href="mailto:awd_online_queries@erin.gov.au">awd_online_queries@erin.gov.au</a></p>

## 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 columns 1 and 2 of each row of 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
2005/2286	Westfield Management Limited/Urban and commercial new development/South Morang/VIC/Development of Plenty Valley Town Centre	10-MAY-2006	Assessment Preliminary Documentation

## NOTICE OF VARIATION OF CONDITIONS OF APPROVAL

Pursuant to section 143(5)(b) of the *Environment Protection and Biodiversity Conservation Act* 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 to vary the conditions attached to the approval for each action identified in the following table.

Reference No	Title of action	Date of Decision
2004/1513	Avrio Pty Ltd/Tourism, recreation and conservation management/Lorne/VIC/Lorne Golf Course redevelopment	17-MAY-2006

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

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### **THERAPEUTIC GOODS ACT 1989**

I, CRAIG DAVIES, Head – Advertising and Export Section, Non-Prescription Medicines Branch, Therapeutic Goods Administration and delegate of the Secretary to the Department of Health and Ageing for the purposes of Section 42DF(1) of the *Therapeutic Goods Act 1989* -

1. hereby revoke the approval granted in relation to the products listed in paragraph (b), as published in the *Commonwealth of Australia Gazette* No. GN 49, 8 December 2004; and
2. give notice that the restricted representations described in paragraph (a) below, have been approved for use in advertisements directed to consumers, for the products listed in paragraph (b):

- (a) A representation to the effect that advertisements to consumers for the goods described in paragraph (b) may refer to:

“Most asthmatics can take Nurofen. If your asthma is made worse by ibuprofen, aspirin or other medicines for pain relief, do not take this product”;

- (b) Nurofen (ibuprofen 200mg tablet blister pack – reformulation) (AUST R 95381);  
Nurofen (ibuprofen 200mg capsule shaped tablet blister pack – reformulation) (AUST R 95382);  
Nurofen Liquid Capsules (ibuprofen 200mg blister pack) (AUST R 96115); and  
Nurofen Migraine Pain (ibuprofen lysine 342mg tablet blister pack) (AUST R 96215)

sponsored by Reckitt Benckiser (Australia) Pty Ltd.

Dated this 12<sup>th</sup> day of May 2006



CRAIG DAVIES  
Delegate of the Secretary to the Department of  
Health and Ageing



**Australian Government**  
**Department of Health and Ageing**  
**Therapeutic Goods Administration**

***THERAPEUTIC GOODS ACT 1989***

***THERAPEUTIC GOODS REGULATIONS 1990***

**DESIGNATION OF NITRIC OXIDE (INOMAX) AS AN ORPHAN DRUG**

I, Leonie Hunt, delegate of the Secretary for the purposes of 16J of the *Therapeutic Goods Regulations 1990* ("the Regulations"), acting under subregulation 16J(2) of the Regulations, designated nitric oxide (INOMax) for inhalation as an orphan drug on 11 May 2006 for the treatment of Persistent Pulmonary Hypertension (PPH) in neonates.

The dose form for nitric oxide (INOMax) for this indication is inhalation.

The sponsor of nitric oxide (INOMax) is Delpharm Consultants Pty Limited.

A handwritten signature in dark ink, appearing to read 'L Hunt', is written over a horizontal line.

Dr Leonie Hunt  
Director  
Drug Safety and Evaluation Branch]  
Delegate of the Secretary

Dated this 11<sup>th</sup> Day of May 2006

**COMMONWEALTH OF AUSTRALIA**  
**THERAPEUTIC GOODS ACT 1989**  
**THERAPEUTIC GOODS REGULATIONS 1990**

**DESIGNATION OF IMATINIB MESYLATE (GLIVEC) AS AN ORPHAN DRUG**

I, Leonie Hunt, delegate of the Secretary for the purposes of 16J of the *Therapeutic Goods Regulations 1990* ("the Regulations"), acting under subregulation 16J(2) of the Regulations, designate imatinib mesylate (Glivec) as an orphan drug for:

- Philadelphia-positive acute lymphoblastic leukaemia (Ph+ ALL)
- Dermatofibrosarcoma protuberans (DFSP)
- Myelodysplastic/myeloproliferative diseases (MDS/MPD) associated with platelet-derived growth factor receptor (PDGFR) gene rearrangements
- Idiopathic hypereosinophilic syndrome including acute and chronic eosinophilic leukaemia
- Systemic mastocytosis without the D816V *c-kit* mutation.

The dose form of imatinib mesylate (Glivec) is capsules 50 mg and 100 mg and tablets 100 mg and 400 mg.

The sponsor of imatinib mesylate (Glivec) is Novartis Pharmaceuticals Australia Pty Ltd.



Dr Leonie Hunt  
Director  
Drug Safety and Evaluation Branch  
Therapeutic Goods Administration  
Delegate of the Secretary

Dated this .....3rd..... Day of May 2006.

**Transport and Regional Services**

Regulation 25

**COMMONWEALTH OF AUSTRALIA  
NAVIGATION ACT 1912**

CT-4

No: 886

**PERMIT TO UNLICENSED SHIP - CONTINUING**

Name of Ship	Port of Registry	IMO Number
CSCL GENOA	ST. JOHN'S(ATG)	9222091

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 and Brisbane

Dated at **CANBERRA** this *15<sup>th</sup>* day of **May/2006**Official  
Stamp

**Delegate of the Minister for  
Transport**

**CONDITIONS SUBJECT TO WHICH THIS PERMIT IS ISSUED**

1. That the Operations Centre 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 29/05/2006 to 28/08/2006.
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 Brisbane; Melbourne to Brisbane
6. If there is a change in schedule the Operations Centre 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.
9. This permit is valid only for coastal shipments when no licensed ship is available to carry to coastal cargo. The permit holder must check with operators of relevant licensed vessels before accepting coastal cargo, and before each sailing must send to the Department documentary evidence that it has done so. At the date of issue there was one licensed operator, PAN Australia Shipping Pty Ltd: contact Tim Wilson. Ph: 03 9867 8048, fax 03 9867 3686, email tim@panlogistics.com.au.



Regulation 25

**COMMONWEALTH OF AUSTRALIA  
NAVIGATION ACT 1912**

CT-4

**No: 887**

**PERMIT TO UNLICENSED SHIP - CONTINUING**


Name of Ship	Port of Registry	IMO Number
<b>OOCL FIDELITY</b>	<b>HONG KONG</b>	<b>8407319</b>

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  **15<sup>th</sup>** day of **May/2006**

Official  
Stamp



**Delegate of the Minister for  
Transport**

**CONDITIONS SUBJECT TO WHICH THIS PERMIT IS ISSUED**

1. That the Operations Centre 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 16/06/2006 to 15/09/2006.
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 Brisbane; Melbourne to Brisbane.
6. If there is a change in schedule the Operations Centre 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.
9. This permit is valid only for coastal shipments when no licensed ship is available to carry to coastal cargo. The permit holder must check with operators of relevant licensed vessels before accepting coastal cargo, and before each sailing must send to the Department documentary evidence that it has done so. At the date of issue there was one licensed operator, PAN Australia Shipping Pty Ltd: contact Tim Wilson. Ph: 03 9867 8048, fax 03 9867 3686, email [tim@panlogistics.com.au](mailto:tim@panlogistics.com.au).

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**Treasury**

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**FINANCIAL SECTOR (SHAREHOLDINGS) ACT 1998****APPROVAL TO HOLD A STAKE IN A FINANCIAL SECTOR COMPANY  
OF MORE THAN 15 PER CENT**

Since:

1. General Electric Company (GE) and each of its associates listed in the Schedule (the applicants) have applied for an approval under section 14 of the *Financial Sector (Shareholdings) Act 1998* (the Act) to hold up to a 17 per cent stake in Swiss Reinsurance Company ARBN 007 479 941 (Swiss Re), Employers Reinsurance Corporation ARBN 072 715 738 (ERC) and Swiss Re Life and Health Australia Limited ACN 000 218 306 (SRLHA) (each being a financial sector company); and
2. I am satisfied that it is in the national interest for the applicants to be granted approval to hold up to a 17 per cent stake in Swiss Re, ERC and SRLHA;

**I, PETER DUTTON, Minister for Revenue and Assistant Treasurer, under subsection 14(1) of the Act, APPROVE GE and each of its associates listed in the Schedule holding up to a 17 per cent stake in Swiss Re, ERC and SRLHA.**

This approval remains in force indefinitely.

Note: The terms 'associate', 'stake' and 'financial sector company' have the same meanings as they do in the Act.

Date: 11/05/2006

A handwritten signature in black ink, appearing to read 'Peter Dutton', followed by a dotted line.

.....

**Peter Dutton**  
**Minister for Revenue and Assistant Treasurer**

## **SCHEDULE**

### **List of ASSOCIATES**

The following individuals and companies and their associates are considered to be associates of GE for the purposes of the *Financial Sector (Shareholdings) Act 1998*.

General Electric Capital Services, Inc.

GE Insurance Solutions Corporation

GE Financial Assurance Holdings Inc.

GE ERC Services Japan Co. Ltd.

GE ERC Strategic Reinsurance Limited

GE Reinsurance Corporation

GE Reinsurance (Bermuda) Limited

Employers Re Corporation (UK) Limited

GE Frankona Reassurance Limited

GE Frankona Management Services (UK) Limited

Employers Reinsurance Corporation

Employers Reassurance Corporation

Employers Reassurance Canada Management Services, Inc.

ERC Long Term Care Solutions, Inc.

First Specialty Insurance Corporation

GE Insurance Solutions Agency, LLC

Westport Insurance Corporation

First Marine Financial Services, Inc.

First Marine Insurance Company

ERC Asia Pacific Pte Ltd.

Industrial Risk Insurers (Association)

Canadian Industrial Risk Insurers (Association)

GE Global Asset Protection Services, LLC

CORE Insurance Company  
CORE Insurance Holdings, Inc.  
CORE Reinsurance Company Limited  
Coregis Group, Inc.  
Coregis Insurance Company  
Union Fidelity Life Insurance Company  
General Electric Capital Corporation  
GE Investments, Inc.  
OP Holdings, LLC  
GE Frankona Reinsurance Limited  
GE Specialty Insurance (UK) Limited  
ERC Frankona Reinsurance (II) Limited  
ERC Frankona Reinsurance (III) Limited  
GE Frankona Capital Ltd.  
RGB Capital Holdings Ltd.  
RGB Capital I Ltd.  
RGB Capital II Ltd.  
Luxembourg European Reinsurance S.A  
GE Re Management Services (Ireland)  
GE Frankona Reinsurance Holding ApS  
GE Frankona Reinsurance A/S  
Protegys  
Protegys Assurance  
La Parisienne S.A.  
GE Frankona Reinsurance Holding GmbH  
GE Frankona R-Beteiligungsgesellschaft-GmbH  
GE Frankona Ruckversicherungs-Aktiengesellschaft

GE Mortgage Services, LLC  
Mortgage Services Captive Re, Inc.  
GE Mortgage Insurance Limited  
GEI, Inc.  
FGIC Holdings, Inc.  
FGIC Corporation  
Financial Guaranty Insurance Co.  
Heritage Insurance Group, Inc.  
Heritage Life Insurance Company  
First Westwood National Corporation  
Westwood Life Insurance Company  
Heritage Indemnity Company  
Westlake Group Limited  
Westlake Insurance Company (Bermuda) Limited  
GE Financial Assurance Holdings, Inc.  
Genworth Financial Inc  
GE Group Life Assurance Company  
Brookfield Life Assurance Company Limited  
Genworth GE Mortgage Holdings, LLC  
Genworth Mortgage Insurance Corporation  
Private Residential Mortgage Insurance Corporation  
Genworth Mortgage Insurance Corporation of North Carolina  
Genworth Residential Mortgage Insurance Corporation of North Carolina  
Genworth Home Equity Insurance Corporation of North Carolina  
Verex Assurance, Inc.  
Sponsored Captive Re, Inc.  
Genworth Mortgage Reinsurance Corporation

**Signature Financial/Marketing, Inc.**

**Heritage Casualty Insurance Company**

**GNA Corporation**

**General Electric Capital Assurance Company**

**GE Capital Life Assurance Company of New York**

**Professional Insurance Company**

**Federal Home Life Insurance Company**

**First Colony Life Insurance Company**

**American Mayflower Life Insurance Company of New York**

**Jamestown Life Insurance Company**

**River Lake Insurance Company**

**River Lake Insurance Company II**

**River Lake Insurance Company III**

**GE Life and Annuity Assurance Company**

**GE Seguros del Centro, S.A.**

**IFN Insurance Agency, Inc.**

**FFRL Re Corporation**



**FINANCIAL SECTOR (SHAREHOLDINGS) ACT 1998**

**APPROVAL TO HOLD A STAKE IN A FINANCIAL SECTOR COMPANY  
OF MORE THAN 15 PER CENT**

Since:

1. Swiss Reinsurance Company ARBN 007 479 941 (Swiss Re) and each of its associates listed in the Schedule (the applicants) have applied for an approval under section 14 of the *Financial Sector (Shareholdings) Act 1998* (the Act) to hold a 100 per cent stake in Employers Reinsurance Corporation ARBN 072 715 738 (ERC) (a financial sector company); and
2. I am satisfied that it is in the national interest for the applicants to be granted approval to hold a 100 per cent stake in ERC;

**I, PETER DUTTON, Minister for Revenue and Assistant Treasurer, under subsection 14(1) of the Act, APPROVE Swiss Re and each of its associates listed in the Schedule holding a 100 per cent stake in ERC.**

This approval remains in force indefinitely.

Note: The terms 'associate', 'stake' and 'financial sector company' have the same meanings as they do in the Act.

Date: 11 /05 /2006

A handwritten signature in black ink, appearing to read 'Peter Dutton', followed by a dotted line indicating the signature area.

**Peter Dutton**  
**Minister for Revenue and Assistant Treasurer**

## **SCHEDULE**

### **List of ASSOCIATES**

The following individuals and companies and their associates are considered to be associates of Swiss Re for the purposes of the *Financial Sector (Shareholdings) Act 1998*.

Swiss Re America Holding Corporation

Swiss Re Funding (US) LLC

General Electric Capital Services, Inc.

GE Financial Assurance Holdings, Inc.



**COMMONWEALTH OF AUSTRALIA**  
***Foreign Acquisitions and Takeovers Act 1975***  
**ORDER UNDER SUBSECTION 21A(2)**

**WHEREAS**

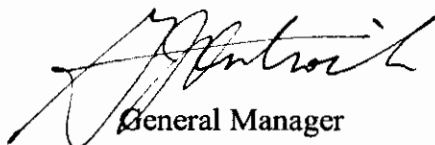
- (A) Khan Duy Nguyen is a foreign person for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ("the Act"); and
- (B) Khan Duy Nguyen proposes to acquire an interest in Australian urban land referred to in the notice furnished on 21 April 2006 under section 26A of the 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, being satisfied that:

- (i) Khan Duy Nguyen 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 18<sup>th</sup> day of May 2006

  
General Manager

**COMMONWEALTH OF AUSTRALIA**

***Foreign Acquisitions and Takeovers Act 1975***

**ORDER UNDER SUBSECTION 22(1)**

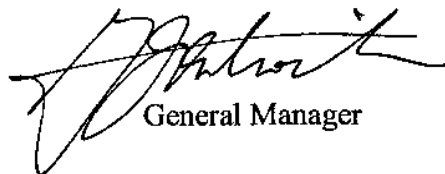
**WHEREAS -**

- (A) Peter Gerald Worsley and Corinne Worsley are foreign persons for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act'); and
- (B) Peter Gerald Worsley and Corinne Worsley propose to acquire an interest in Australian urban land referred to in the notice furnished on 13 April 2006 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 subsection 21A(2) of the Act in respect of the proposed acquisition.

Dated this

15<sup>th</sup> day of May 2006

  
General Manager

## 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>.

### NOTICE OF RULINGS

Ruling Number	Subject	Brief Description
<b>TD 2006/34</b>	Income tax: will the Commissioner exercise his discretion under subsection 27H(3) of the <i>Income Tax Assessment Act 1936</i> in determining the deductible amount in relation to a superannuation pension or 'eligible annuity' split pursuant to an agreement or court order on marriage breakdown?	This Determination concludes that the Commissioner will exercise his discretion under subsection 27H(3) of the <i>Income Tax Assessment Act 1936</i> , where a superannuation pension or annuity payment is split in the way described in this Determination. If a taxpayer's circumstances do not fully come within this description, or they believe the Commissioner should exercise his discretion a different way, they should apply for a private ruling on how the discretion applies to their situation. This Determination applies both before and after 24 May 2006.
<b>TD 2006/35</b>	Income tax: is a non-member spouse who is under 55 years of age entitled to a rebate under section 159SM or section 159SU of the <i>Income Tax Assessment Act 1936</i> when a superannuation pension or 'eligible annuity' is split pursuant to an agreement or court order on marriage breakdown on a specified percentage basis?	This Determination concludes that a non-member spouse who is under 55 years of age is not entitled to the rebate under section 159SM or section 159SU of the <i>Income Tax Assessment Act 1936</i> . This Determination applies both before and after 24 May 2006.
<b>TD 2006/36</b>	Income tax: consolidation: can the profit received on the disposal of membership interests in a subsidiary member of a consolidated group be income according to ordinary concepts?	This Determination concludes that the profit received on the disposal of membership interests in a subsidiary member of a consolidated group can be income according to ordinary concepts, depending on the facts of the particular case. The views expressed in this Determination apply equally to a multiple entry consolidated group where appropriate. This Determination applies both before and after 24 May 2006.
<b>CR 2006/43</b>	Income tax: Approved Early Retirement Scheme – Wallenius Wilhelmsen Logistics	This Ruling applies to employees of Wallenius Wilhelmsen Logistics who receive a payment under the scheme described in this Ruling. This Ruling applies from 24 May 2006.
<b>CR 2006/44</b>	Income tax: Approved Early Retirement Scheme – Nissan Motor Co (Australia) Pty Ltd	This Ruling applies to employees of Nissan Motor Co (Australia) Pty Ltd who: (i) are 55 years of age and over; (ii) are employed at the General Manager level or are Senior Managers at levels A, B and C; and (iii) receive a payment under the scheme described in this Ruling. This Ruling applies from 29 May 2006.
<b>CR 2006/45</b>	Income tax: Promina Group Limited – proposed 2006 return of capital	This Ruling applies to entities who hold ordinary shares in Promina Group Limited and who are registered on the Promina Share Register on the Record Date, being the date for determining entitlements to the proposed 2006 return of capital described in this Ruling. This Ruling applies to the income year for an ordinary shareholder in which the proposed 2006 return of capital is paid by Promina.
<b>PR 2006/89</b>	Income tax: Kiri Park Project 2005/2006 – 1 July 2006 to 30 September 2006 Growers	This Ruling applies to Growers who are accepted to participate in the Project between 1 July 2006 and 30 September 2006 and who have executed a Management Agreement and a Lease Agreement between these dates for the commercial growing and cultivation of <i>Paulownia fortunei</i> trees for the purpose of harvesting and selling timber. This Ruling applies prospectively from 24 May 2006.

<b>PR 2006/90</b>	Income tax: Mort Feedlot Services Project – Early Producers	This Ruling applies to Producers who: <ul style="list-style-type: none"> <li>• are accepted to participate in the Project on or before 15 June 2006;</li> <li>• have executed a Management Agreement by that date; and</li> <li>• are wholesale clients,</li> </ul> for the purchase, lot feeding and sale of beef cattle. This Ruling applies prospectively from 24 May 2006.
<b>PR 2006/91</b>	Income tax: Mort Feedlot Services Project – Late Producers	This Ruling applies to Producers who: <ul style="list-style-type: none"> <li>• are accepted to participate in the Project on or after 1 July 2006 and on or before 15 June 2007;</li> <li>• have executed a Management Agreement by that date; and</li> <li>• are wholesale clients,</li> </ul> for the purchase, lot feeding and sale of beef cattle. This Ruling applies prospectively from 24 May 2006.
<b>PR 2006/92</b>	Income tax: Great Southern 2006 Beef Cattle Project	This Ruling applies to Graziers who: <ul style="list-style-type: none"> <li>• are accepted to participate in the Project on or before 15 June 2006; and</li> <li>• have executed a Lease, Management and Agistment Agreement by 15 June 2006,</li> </ul> for the medium term commercial breeding and production of beef cattle. This Ruling applies prospectively from 24 May 2006.
<b>PR 2006/93</b>	Income tax: Great Southern 2007 Beef Cattle Project	This Ruling applies to Graziers who: <ul style="list-style-type: none"> <li>• are accepted to participate in the Project during the period on or after 1 July 2006 and on or before 15 June 2007; and</li> <li>• have executed a Lease, Management and Agistment Agreement by 15 June 2007,</li> </ul> for the medium term commercial breeding and production of beef cattle. This Ruling applies prospectively from 24 May 2006.
<b>PR 2006/94</b>	Income tax: Rewards Group Sandalwood Project 5 – 2006 Growers	This Ruling applies to Growers who are accepted to participate in the Project between 24 May 2006 and 30 June 2006 where the Grower has executed Licence and Management Agreements on or before that date for the commercial growing and cultivation of Western Australian Sandalwood trees for the purpose of harvesting and selling Sandalwood for timber and oil extraction. This Ruling applies prospectively from 24 May 2006.
<b>PR 2006/95</b>	Income tax: Heathcote Ridge Vineyard Project (May 2006 Growers)	This Ruling applies to Growers who are accepted to participate in the Project on or before 31 May 2006 and who have executed a Management Agreement and a Licence Agreement on or before that date for the commercial growing of wine grapes. This Ruling applies prospectively from 24 May 2006.
<b>PR 2006/96</b>	Income tax: Barossa Vines Project 2006 – Applicant Group 2	This Ruling applies to Growers who are accepted to participate in the Project on or after the date of this Ruling and on or before 30 November 2006 (Applicant Group 2) for the purpose of viticulture. This Ruling applies prospectively from 24 May 2006.
<b>PR 2006/97</b>	Income tax: Primary Yield Tomato Project – Pre 30 June 2006	This Ruling applies to Growers who are accepted to participate in the Project on or before 15 June 2006 and who have executed a Management Agreement and a Grower Lease on or before that date for the commercial growing and cultivation of tomato plants for the purpose of harvesting and selling the tomatoes. This Ruling applies prospectively from 24 May 2006.

### NOTICE OF ADDENDUM

Ruling Number	Subject	Brief Description
<b>PR 2006/23</b>	Income tax: Barossa Vines Project – Applicant Group 1	This Addendum amends PR 2006/23 to remove the Nominated Financier from the scheme. The Nominated Financier has been withdrawn from the scheme and the Responsible Entity and its associates have not or will not direct any Grower to the Nominated Financier to fund their investment in the Project.

### NOTICE OF ERRATUM

Ruling Number	Subject	Brief Description
<b>PR 2006/70</b>	Income tax: 2006 Cherry Project	This Erratum corrects PR 2006/70 to reflect the corrections made to fees disclosed in the draft Licence and Management Agreement, dated 19 April 2006.

### NOTICE OF WITHDRAWALS

Ruling Number	Subject	Brief Description
<b>CR 2006/43</b>	Income tax: Approved Early Retirement Scheme – Wallenius Wilhelmsen Logistics	This Class Ruling is withdrawn from 1 January 2007.
<b>CR 2006/44</b>	Income tax: Approved Early Retirement Scheme – Nissan Motor Co (Australia) Pty Ltd	This Class Ruling is withdrawn from 13 July 2006.
<b>CR 2006/45</b>	Income tax: Promina Group Limited – proposed 2006 return of capital	This Class Ruling is withdrawn from 1 July 2006.
<b>PR 2006/89</b>	Income tax: Kiri Park Project 2005/2006 – 1 July 2006 to 30 September 2006 Growers	This Product Ruling is withdrawn from 1 July 2009.
<b>PR 2006/90</b>	Income tax: Mort Feedlot Services Project – Early Producers	This Product Ruling is withdrawn from 1 July 2009.
<b>PR 2006/91</b>	Income tax: Mort Feedlot Services Project – Late Producers	This Product Ruling is withdrawn from 1 July 2009.
<b>PR 2006/92</b>	Income tax: Great Southern 2006 Beef Cattle Project	This Product Ruling is withdrawn from 1 July 2008.
<b>PR 2006/93</b>	Income tax: Great Southern 2007 Beef Cattle Project	This Product Ruling is withdrawn from 1 July 2009.
<b>PR 2006/94</b>	Income tax: Rewards Group Sandalwood Project 5 – 2006 Growers	This Product Ruling is withdrawn from 1 July 2008.
<b>PR 2006/95</b>	Income tax: Heathcote Ridge Vineyard Project (May 2006 Growers)	This Product Ruling is withdrawn from 1 July 2008.
<b>PR 2006/96</b>	Income tax: Barossa Vines Project 2006 – Applicant Group 2	This Product Ruling is withdrawn from 1 July 2009.
<b>PR 2006/97</b>	Income tax: Primary Yield Tomato Project – Pre 30 June 2006	This Product Ruling is withdrawn from 1 July 2008.
<b>IT 121</b>	Income tax: section 26AAA – property transactions arising from liquidation	IT 121 was the subject of a Notice of Archival on 8 May 1996. IT 121 is now being withdrawn in accordance with paragraph 5 of Addendum No. 3 to Taxation Ruling IT 1 Taxation Ruling System: explanation and status, which states: We will withdraw progressively all Rulings in the IT series for which we have issued Notices of Archival.
<b>IT 122</b>	Income tax: section 26AAA – disposal of property under matrimonial settlement	IT 122 was the subject of a Notice of Archival on 16 June 1994. IT 122 is now being withdrawn in accordance with paragraph 5 of Addendum No. 3 to Taxation Ruling IT 1 Taxation Ruling System: explanation and status, which states: We will withdraw progressively all Rulings in the IT series for which we have issued Notices of Archival.

<b>IT 182</b>	Income tax: section 26AAA – sale of lease and attached goodwill	IT 182 was the subject of a Notice of Archival on 9 September 1993. IT 182 is now being withdrawn in accordance with paragraph 5 of Addendum No. 3 to Taxation Ruling IT 1 Taxation Ruling System: explanation and status, which states: We will withdraw progressively all Rulings in the IT series for which we have issued Notices of Archival.
<b>IT 183</b>	Income tax: section 26AAA – sale of matrimonial home within 12 months of death of spouse	IT 183 was the subject of a Notice of Archival on 16 June 1994. IT 183 is now being withdrawn in accordance with paragraph 5 of Addendum No. 3 to Taxation Ruling IT 1 Taxation Ruling System: explanation and status, which states: We will withdraw progressively all Rulings in the IT series for which we have issued Notices of Archival.
<b>IT 184</b>	Income tax: section 26AAA – allocation of shares resulting from amalgamation of companies	IT 184 was the subject of a Notice of Archival on 9 December 1993. IT 184 is now being withdrawn in accordance with paragraph 5 of Addendum No. 3 to Taxation Ruling IT 1 Taxation Ruling System: explanation and status, which states: We will withdraw progressively all Rulings in the IT series for which we have issued Notices of Archival.
<b>IT 185</b>	Income tax: section 26AAA – sale of rights or sale of shares allotted on taking up of rights	IT 185 was the subject of a Notice of Archival on 9 December 1993. IT 185 is now being withdrawn in accordance with paragraph 5 of Addendum No. 3 to Taxation Ruling IT 1 Taxation Ruling System: explanation and status, which states: We will withdraw progressively all Rulings in the IT series for which we have issued Notices of Archival.
<b>IT 2022</b>	Income tax: section 26AAA(5)(c) sale of family residence within 12 months of purchase as a result of a change in the place of business or employment of either the husband or the wife	IT 2022 was the subject of a Notice of Archival on 10 November 1994. IT 2022 is now being withdrawn in accordance with paragraph 5 of Addendum No. 3 to Taxation Ruling IT 1 Taxation Ruling System: explanation and status, which states: We will withdraw progressively all Rulings in the IT series for which we have issued Notices of Archival.
<b>IT 2027</b>	Income tax: superannuation: section 23F: payment of benefits in specie	IT 2027 was the subject of a Notice of Archival on 19 June 1996. IT 2027 is now being withdrawn in accordance with paragraph 5 of Addendum No. 3 to Taxation Ruling IT 1 Taxation Ruling System: explanation and status, which states: We will withdraw progressively all Rulings in the IT series for which we have issued Notices of Archival.
<b>IT 2037</b>	Income tax: superannuation: life insurance cover on members of superannuation funds	IT 2037 was the subject of a Notice of Archival on 19 June 1996. IT 2037 is now being withdrawn in accordance with paragraph 5 of Addendum No. 3 to Taxation Ruling IT 1 Taxation Ruling System: explanation and status, which states: We will withdraw progressively all Rulings in the IT series for which we have issued Notices of Archival.
<b>IT 2188</b>	Income tax: examination of section 23F superannuation fund trust deeds	IT 2188 was the subject of a Notice of Archival on 19 June 1996. IT 2188 is now being withdrawn in accordance with paragraph 5 of Addendum No. 3 to Taxation Ruling IT 1 Taxation Ruling System: explanation and status, which states: We will withdraw progressively all Rulings in the IT series for which we have issued Notices of Archival.
<b>IT 2189</b>	Income tax: superannuation: section 23FB and paragraph 23(ja) – payment of benefits in specie	IT 2189 was the subject of a Notice of Archival on 19 June 1996. IT 2189 is now being withdrawn in accordance with paragraph 5 of Addendum No. 3 to Taxation Ruling IT 1 Taxation Ruling System: explanation and status, which states: We will withdraw progressively all Rulings in the IT series for which we have issued Notices of Archival.
<b>IT 2253</b>	Income tax: pledging of assets by the trustees of superannuation funds	IT 2253 was the subject of a Notice of Archival on 19 June 1996. IT 2253 is now being withdrawn in accordance with paragraph 5 of Addendum No. 3 to Taxation Ruling IT 1 Taxation Ruling System: explanation and status, which states: We will withdraw progressively all Rulings in the IT series for which we have issued Notices of Archival.

<b>IT 2267</b>	Income tax: payments to superannuation funds and insurance policies from unappropriated profits of companies	IT 2267 was the subject of a Notice of Archival on 19 June 1996. IT 2267 is now being withdrawn in accordance with paragraph 5 of Addendum No. 3 to Taxation Ruling IT 1 Taxation Ruling System: explanation and status, which states: We will withdraw progressively all Rulings in the IT series for which we have issued Notices of Archival.
<b>IT 2335</b>	Income tax: premature release of benefits from a section 23FB or paragraph 23(ja) superannuation fund	IT 2335 was the subject of a Notice of Archival on 19 June 1996. IT 2335 is now being withdrawn in accordance with paragraph 5 of Addendum No. 3 to Taxation Ruling IT 1 Taxation Ruling System: explanation and status, which states: We will withdraw progressively all Rulings in the IT series for which we have issued Notices of Archival.
<b>IT 2351</b>	Income tax: examination of superannuation trust deeds	IT 2351 was the subject of a Notice of Archival on 19 June 1996. IT 2351 is now being withdrawn in accordance with paragraph 5 of Addendum No. 3 to Taxation Ruling IT 1 Taxation Ruling System: explanation and status, which states: We will withdraw progressively all Rulings in the IT series for which we have issued Notices of Archival.
<b>PR 2005/22</b>	Income tax: Rewards Group Sandalwood Project 5 – 2006 Growers	As a result of changes to the finance being offered to Growers, this Ruling is now withdrawn. Product Ruling PR 2006/94 replaces PR 2005/22 and applies from 24 May 2006.



## Superannuation Industry (Supervision) modification declaration No. A2 of 2006

### *Superannuation Industry (Supervision) Act 1993*

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I, Brandon Kong Leong Khoo, a delegate of APRA, under section 332 of the *Superannuation Industry Supervision (Act) 1993* (the Act), DECLARE that regulation 6.34 of the Regulations has effect in relation to FSP Super Pty Limited ABN 25 091 778 639, as trustee of the registrable superannuation entity (or entities) named in the attached Schedule, as if it were modified in the manner specified in the attached Schedule.

This declaration comes into force on 16 May 2006.

Dated 15 May 2006

[Signed]

Brandon Kong Leong Khoo  
Executive General Manager  
Specialised Institutions Division

### Interpretation

In this instrument

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

**Regulations** means the *Superannuation Industry (Supervision) Regulations 1994*.

*Note 1* Under section 336 of the Act, this instrument must be published in the Gazette.

*Note 2* Under paragraph (zb) of the definition of **reviewable decision** in subsection 10(1) of the Act, the decision to make this declaration is a reviewable decision. If you are dissatisfied with this decision, you may request APRA to reconsider it in accordance with subsection 344(1) 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 *Appeals Tribunal Act 1975*, apply to the Administrative Appeals Tribunal for review of the reconsidered decision.

*Note 3* The address where the request for reconsideration referred to in this instrument may be given to APRA, is Level 26, 400 George Street, Sydney NSW 2000.



**Schedule - the superannuation entity or entities to  
which this modification declaration applies**

FSP Super Fund ABN 19 385 614 067

## **Schedule - the manner in which the specified modifiable provisions are modified**

1. Regulation 6.34 is modified by deleting subregulation 6.34(3) and substituting:

6.34(3) Subject to subregulation (4), the trustee must roll over or transfer the amount as soon as practicable, and in any case within 90 days, after:

- a) receiving the request; or
- b) if the trustee required further information in relation to the request — receiving the further information; or
- c) if there is a suspension under regulation 6.36 or 6.37 — the end of the period of the suspension.

6.34(4) If the trustee receives a request under regulation 6.33 prior to 31 August 2006 and the amount includes benefits in a relevant investment option, the trustee must roll over or transfer the amount as soon as practicable, and in any case within 120 days, after:

- a) receiving the request; or
- b) if the trustee required further information in relation to the request — receiving the further information; or
- c) if there is a suspension under regulation 6.36 or 6.37 — the end of the period of the suspension.

6.35(5) In subregulation (4), “relevant investment option” means any of the following:

Deutsche Strategic Value Fund (ARSN 089 896 837)

Deutsche Global Equity Opportunities Fund (ARSN 096 603 502)

HFA Diversified Investment Fund HW units (ARSN 093 497 468)

HFA Conservative Investment Fund HW units (ARSN 093 495 848).



## **Superannuation Industry (Supervision) exemption No. A7 of 2006**

*Superannuation Industry (Supervision) Act 1993*

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I, Keith David Chapman, a delegate of APRA, under section 328 of the *Superannuation Industry (Supervision) Act 1993* (the Act), EXEMPT Asteron Portfolio Services Limited ABN 61 063 427 958, RSE licence L0002059 (the RSE licensee), from compliance with subsection 93(4) of the Act in relation to the superannuation entity Promina Group Staff Superannuation Fund SFN 264 362 949 (the Fund).

Under subsection 330(2) of the Act this exemption is subject to the conditions specified in the Schedule attached to this instrument.

This exemption comes into force on 1 June 2006.

Dated 18 May 2006

[Signed]

Keith David Chapman  
General Manager  
Diversified Institutions Division

## Interpretation

In this instrument

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

*Note 1* Under section 336 of the Act, a copy of this exemption must be published in the *Gazette*.

*Note 2* Under subsection 333(1) of the Act, a person must not, without reasonable excuse, contravene a condition of this exemption. The penalty is 5 penalty units. This is an offence of strict liability.

*Note 3* Under subsection 331(2) of the Act, if a person has contravened a condition of this exemption, the Court may, on the application of APRA, order the person to comply with the condition.

*Note 4* Under paragraph (z) of the definition of **reviewable decision** in subsection 10(1) of the Act, the decision to make this exemption is a reviewable decision. If you are dissatisfied with this decision, you may request APRA to reconsider it in accordance with subsection 344(1) 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 5* The address where written notice specified in this Notice may be given to APRA is Level 26, 400 George Street, Sydney NSW 2000.

## **Schedule of conditions**

1. The RSE licensee must satisfy the requirements in paragraphs (a), (c), (d) and (e) of the definition of “independent trustee” in section 10 of the Act in relation to the Fund.

## Public Notices



THE RIVERSIDE COAL TRANSPORT CO. PTY. LTD.  
ABN 51 009 660 486  
TRADING AS RIVERSIDE MARINE  
17 SKYRING TERRACE NEWSTEAD Q 4006 AUSTRALIA  
PO BOX 2399 FORTITUDE VALLEY Q 4006 AUSTRALIA  
PHONE: (07) 3852 0900 FAX: (07) 3852 0999  
WEBSITE: [www.riversidemarine.com.au](http://www.riversidemarine.com.au)  
EMAIL: [admin@riversidemarine.com.au](mailto:admin@riversidemarine.com.au)

### SHIPPING REGISTRATION ACT 1981

### NOTICE OF INTENTION TO APPLY FOR REGISTRATION

#### NOTICE IS HEREBY GIVEN OF THE INTENTION OF

**RIVERSIDE COAL TRANSPORT COMPANY PTY LTD** (ABN 51 009 660 486) OF 17 SKYRING TERRACE NEWSTEAD QLD 4006, PO BOX 2399 FORTITUDE VALLEY QLD 4006 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 ABOVENAMED ACT OF THE SHIP PARTICULARS OF WHICH ARE SET OUT BELOW. OBJECTIONS TO THE REGISTRATION OF THE SHIP IN THE NAME OF THE ABOVE MENTIONED 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 THE ABOVE.

#### PARTICULAR OF THE SHIP

PRESENT NAME: "RIVERSIDE ELIZA"

FORMER NAME: "BURRUP PILOT"

PRESENT WHEREABOUTS: LAY UP AT KING BAY SUPPLY BASE, BURRUP PENINSULA KARRATHA WESTERN AUSTRALIA

LENGTH: 14.88 M,

PRINCIPAL MATERIAL OF CONSTRUCTION: ALUMINIUM MATERIAL,

TYPE OF SHIP: PILOT BOAT

#### THE RIVERSIDE GROUP OF COMPANIES:

RIVERSIDE INDUSTRIAL SANDS PTY LTD  
RIVERSIDE MARINE PTY LTD  
RIVERSIDE OIL BUNKERING CO PTY LTD  
RIVERSIDE SHIP MANAGEMENT PTY LTD  
CAPRICORN BARGE CO PTY LTD  
CARPENTARIA MARINE PTY LTD

☐ ABN 60 009 942 849  
☐ ABN 49 009 911 513  
☐ ABN 53 009 740 621  
☐ ABN 66 096 638 818  
☐ ABN 47 010 961 690  
☐ ABN 75 010 996 273

PALM BEACH FERRY SERVICE PTY LTD  
MAGNETIC ISLAND PASSENGER & CAR FERRY  
PALM ISLAND BARGE SERVICE  
JOINT VENTURE:  
RIVERWUS PTY LTD  
RIVERWUS-DAMPIER PTY LTD  
RIVERWUS OFFSHORE MARINE PTY LTD

☐ ABN 28 001 868 113  
☐  
☐  
☐ ABN 26 089 715 515  
☐ ABN 37 096 835 022  
☐ ABN 20 104 480 060



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PHONE: (07) 3852 0900 FAX: (07) 3852 0999  
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#### PARTICULAR OF THE SHIP

PRESENT NAME: "GOLDEN SPIRIT"

PRESENT WHEREABOUTS: LAY UP PALM BEACH FERRY SERVICE AT 1097-1101 BARRENJOEY ROAD PALM BEACH NSW 2108.

LENGTH: 17.66 M,

PRINCIPAL MATERIAL OF CONSTRUCTION: ALUMINIUM MATERIAL,

TYPE OF SHIP: PASSENGER SHIP

#### THE RIVERSIDE GROUP OF COMPANIES:

RIVERSIDE INDUSTRIAL SANDS PTY LTD  
RIVERSIDE MARINE PTY LTD  
RIVERSIDE OIL BUNKERING CO PTY LTD  
RIVERSIDE SHIP MANAGEMENT PTY LTD  
CAPRICORN BARGE CO PTY LTD  
CARPENTARIA MARINE PTY LTD

ABN 60 009 942 849  
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ABN 66 096 638 818  
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PALM ISLAND BARGE SERVICE  
JOINT VENTURE:  
RIVERWIJS PTY LTD  
RIVERWIJS-DAMPIER PTY LTD  
RIVERWIJS OFFSHORE MARINE PTY LTD

ABN 28 001 868 113  
ABN 26 089 715 515  
ABN 37 096 835 022  
ABN 20 104 480 060



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#### PARTICULAR OF THE SHIP

PRESENT NAME: "CRYSTAL SPIRIT"

PRESENT WHEREABOUTS: LAY UP PALM BEACH FERRY SERVICE AT 1097-1101 BARRENJOEY ROAD PALM BEACH NSW 2108.

LENGTH: 23.92 M,

PRINCIPAL MATERIAL OF CONSTRUCTION: ALUMINIUM MATERIAL,

TYPE OF SHIP: PASSENGER SHIP

#### THE RIVERSIDE GROUP OF COMPANIES:

RIVERSIDE INDUSTRIAL SANDS PTY LTD  
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RIVERSIDE OIL BUNKERING CO PTY LTD  
RIVERSIDE SHIP MANAGEMENT PTY LTD  
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### NOTICE OF INTENTION TO APPLY FOR REGISTRATION

#### NOTICE IS HEREBY GIVEN OF THE INTENTION OF

**RIVERSIDE COAL TRANSPORT COMPANY PTY LTD** (ABN 51 009 660 486) OF 17 SKYRING TERRACE NEWSTEAD QLD 4006, PO BOX 2399 FORTITUDE VALLEY QLD 4006 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 ABOVENAMED ACT OF THE SHIP PARTICULARS OF WHICH ARE SET OUT BELOW. OBJECTIONS TO THE REGISTRATION OF THE SHIP IN THE NAME OF THE ABOVE MENTIONED PERSON, BY PERSONS CLAIMING A LEGAL PROPRIETARY RIGHT IN RESPECT OF THE SHIP, SHOULD, TOGETHER WITH ANY RELAVANT 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 ACR 2601, BEFORE THE EXPIRY OF THE PERIOD REFFERED TO THE ABOVE.

#### PARTICULAR OF THE SHIP

PRESENT NAME: "AQUA SPIRIT"

PRESENT WHEREABOUTS: LAY UP PALM BEACH FERRY SERVICE AT 1097-1101 BARRENJOEY ROAD PALM BEACH NSW 2108

LENGTH: 23.85 M,

PRINCIPAL MATERIAL OF CONSTRUCTION: ALUMINIUM MATERIAL,

TYPE OF SHIP: PASSENGER SHIP

#### THE RIVERSIDE GROUP OF COMPANIES:

RIVERSIDE INDUSTRIAL SANDS PTY LTD  
RIVERSIDE MARINE PTY LTD  
RIVERSIDE OIL BUNKERING Co PTY LTD  
RIVERSIDE SHIP MANAGEMENT PTY LTD  
CAPRICORN BARGE Co PTY LTD  
CARPENTARIA MARINE PTY LTD

☐ ABN 60 009 942 849  
☐ ABN 49 009 911 513  
☐ ABN 53 009 740 621  
☐ ABN 66 096 638 818  
☐ ABN 47 010 961 690  
☐ ABN 75 010 996 273

PALM BEACH FERRY SERVICE PTY LTD  
MAGNETIC ISLAND PASSENGER & CAR FERRY  
PALM ISLAND BARGE SERVICE  
JOINT VENTURE:  
RIVERWIJS PTY LTD  
RIVERWIJS-DAMPIER PTY LTD  
RIVERWIJS OFFSHORE MARINE PTY LTD

☐ ABN 28 001 868 113  
☐  
☐ ABN 26 089 715 515  
☐ ABN 37 096 835 022  
☐ ABN 20 104 480 060



THE RIVERSIDE COAL TRANSPORT CO. PTY. LTD.  
ABN 51 009 660 486  
TRADING AS RIVERSIDE MARINE  
17 SKYRING TERRACE NEWSTEAD Q 4006 AUSTRALIA  
PO BOX 2399 FORTITUDE VALLEY Q 4006 AUSTRALIA  
PHONE: (07) 3852 0900 FAX: (07) 3852 0999  
WEBSITE: [www.riversidemarine.com.au](http://www.riversidemarine.com.au)  
EMAIL: [admin@riversidemarine.com.au](mailto:admin@riversidemarine.com.au)

## SHIPPING REGISTRATION ACT 1981

### NOTICE OF INTENTION TO APPLY FOR REGISTRATION

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**RIVERSIDE COAL TRANSPORT COMPANY PTY LTD** (ABN 51 009 660 486) OF 17 SKYRING TERRACE NEWSTEAD QLD 4006, PO BOX 2399 FORTITUDE VALLEY QLD 4006 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 ABOVENAMED ACT OF THE SHIP PARTICULARS OF WHICH ARE SET OUT BELOW. OBJECTIONS TO THE REGISTRATION OF THE SHIP IN THE NAME OF THE ABOVE MENTIONED 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 THE ABOVE.

#### PARTICULAR OF THE SHIP

PRESENT NAME: "C.R CAMPBELL"

FORMER NAME: "JAFFER 8"

PRESENT WHEREABOUTS: LAY UP RIVERSIDE WHARF AT 17 SKYRING TERRACE NEWSTEAD QLD 4006,

LENGTH: 20.20 M,

PRINCIPAL MATERIAL OF CONSTRUCTION: STEEL MATERIAL,

TYPE OF SHIP: TUG

#### THE RIVERSIDE GROUP OF COMPANIES:

RIVERSIDE INDUSTRIAL SANDS PTY LTD  
RIVERSIDE MARINE PTY LTD  
RIVERSIDE OIL BUNKERING CO PTY LTD  
RIVERSIDE SHIP MANAGEMENT PTY LTD  
CAPRICORN BARGE CO PTY LTD  
CARPENTARIA MARINE PTY LTD

☐ ABN 60 009 942 849  
☐ ABN 49 009 911 513  
☐ ABN 53 009 740 621  
☐ ABN 66 096 638 818  
☐ ABN 47 010 961 690  
☐ ABN 75 010 996 273

PALM BEACH FERRY SERVICE PTY LTD  
MAGNETIC ISLAND PASSENGER & CAR FERRY  
PALM ISLAND BARGE SERVICE  
JOINT VENTURE:  
RIVERWIS PTY LTD  
RIVERWIS-DAMPIER PTY LTD  
RIVERWIS OFFSHORE MARINE PTY LTD

☐ ABN 28 001 868 113  
☐  
☐  
☐ ABN 26 089 715 515  
☐ ABN 37 096 835 022  
☐ ABN 20 104 480 060



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17 SKYRING TERRACE NEWSTEAD Q 4006 AUSTRALIA  
PO BOX 2399 FORTITUDE VALLEY Q 4006 AUSTRALIA  
PHONE: (07) 3852 0900 FAX: (07) 3852 0999  
WEBSITE: [www.riversidemarine.com.au](http://www.riversidemarine.com.au)  
EMAIL: [admin@riversidemarine.com.au](mailto:admin@riversidemarine.com.au)

## SHIPPING REGISTRATION ACT 1981

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#### PARTICULAR OF THE SHIP

PRESENT NAME: "MYRA"

PRESENT WHEREABOUTS: LAY UP AT PALM BEACH FERRY SERVICE AT 1097-1101 BARRENJOEY ROAD PALM BEACH NSW 2108

LENGTH: 15.00 M,

PRINCIPAL MATERIAL OF CONSTRUCTION: TIMBER MATERIAL,

TYPE OF SHIP: PASSENGER SHIP

#### THE RIVERSIDE GROUP OF COMPANIES:

RIVERSIDE INDUSTRIAL SANDS PTY LTD  
RIVERSIDE MARINE PTY LTD  
RIVERSIDE OIL BUNKERING CO PTY LTD  
RIVERSIDE SHIP MANAGEMENT PTY LTD  
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☐ ABN 26 089 715 515  
☐ ABN 37 096 835 022  
☐ ABN 20 104 480 060



Australian Government

Department of Transport and Regional Services

**Maritime Transport and Offshore Facilities Security Act 2003**

**NOTICE OF DECLARATION OF SECURITY REGULATED OFFSHORE  
OIL AND GAS FACILITIES AND DESIGNATION OF OFFSHORE OIL AND  
GAS OPERATORS**

I, DENISE MARGARET MORGAN, Acting General Manager, Maritime Security  
Branch, Office of Transport Security, Department of Transport and Regional  
Services:

- A. under section 17B(1) of the *Maritime Transport and Offshore Facilities  
Security Act 2003* (the Act)

DECLARE that the facility located in an offshore area that is used in the  
extraction of petroleum from the seabed or its subsoil with equipment on, or  
forming part of the facility, the location of which is described in Column B, is  
a security regulated offshore facility for the purposes of the Act;

and

- B. under section 17C(1) of the Act

DESIGNATE the company specified in Column C as the facility operator for  
the corresponding security regulated offshore oil and gas facility listed in  
Column A.

Column A – Offshore Oil & Gas Facility	Column B – Facility Location	Column C – Facility Operator
Yolla A	Latitude: 39° 50' S Longitude: 145° 49' E	Origin Energy Resources Ltd.

Date: 12 May 2006

Denise Morgan  
Delegate of the Secretary of the  
Department of Transport and Regional Services



Australian Government  
Australian Customs Service

## Ammonium nitrate

### The Russian Federation

### Finding in relation to a review of anti-dumping measures

#### Public notice under s. 269ZDB(1) of the *Customs Act 1901*

The Australian Customs Service has completed its review of anti-dumping measures applying to ammonium nitrate, prilled, granular or in other solid form, with or without additives or coatings, in packages exceeding 10kg, exported to Australia from the Russian Federation (referred to in this notice as “the goods”), which was commenced on 15 September 2005. Recommendations resulting from that review, reasons for the recommendations and material findings of fact and law in relation to the review are contained in Trade Measures Report No. 105 (referred to in this notice as “the Report”).

Non-confidential versions of the Report will be sent to all interested parties that participated in the review. Additional copies may be obtained by contacting Trade Measures Office Management, Canberra, on telephone number 02 6275 6547 or facsimile 02 6275 6990. Trade Measures reports are also available on the Customs internet home page at [www.customs.gov.au](http://www.customs.gov.au).

I, CHRISTOPHER MARTIN ELLISON, Minister for Justice and Customs, have considered the Report and accepted the recommendations and reasons for the recommendations, including all material findings of fact or law set out in the Report. Under s. 269ZDB(1) of the *Customs Act 1901*, I DECLARE, for the purposes of the *Customs Act 1901* and the *Customs Tariff (Anti-Dumping) Act 1975* to the extent that anti-dumping measures concerning the goods involved the publication of a dumping duty notice that, with effect from the date of publication of this notice, the notice is to be taken to have effect, in relation to exporters generally, as if different variable factors had been fixed in respect of exporters generally, relevant to the determination of duty.

To preserve confidentiality, the revised variable factors will not be published. Bona fide importers of the goods can obtain details of the new rates from the Regional Dumping Officer in their respective capital city. Other enquiries regarding these changes may be directed to Operations 4, Trade Measures Branch, Australian Customs Service, or by email to [tmops4@customs.gov.au](mailto:tmops4@customs.gov.au).

Dated this 11<sup>th</sup> day of MAY 2006

CHRISTOPHER MARTIN ELLISON  
Minister for Justice and Customs



**Australian Government**  
**Australian Customs Service**

## **Ammonium nitrate The Russian Federation Finding in relation to continuation inquiry**

**Public notice under s. 269ZHG(1) of the *Customs Act 1901***

The Australian Customs Service has completed its inquiry into whether the expiration of the anti-dumping measures applying to ammonium nitrate, prilled, granular or in other solid form, with or without additives or coatings, in packages exceeding 10kg, exported to Australia from the Russian Federation would lead, or would be likely to lead, to a continuation of, or a recurrence of, the dumping and the material injury that the measures are intended to prevent. Recommendations resulting from that inquiry, reasons for the recommendations and material findings of fact and law in relation to the inquiry are contained in Trade Measures Report No. 104 (referred to in this notice as "the Report").

In this Report Customs recommended that the anti-dumping measures that are to expire on 24 May 2006 should continue after the specified expiry date.

I, CHRISTOPHER MARTIN ELLISON, Minister for Justice and Customs, have considered the Report and accepted the recommendations and reasons for the recommendations, including all material findings of fact or law set out in the Report.

Accordingly, I declare that I have decided to take steps to secure the continuation of anti-dumping measures currently applying to ammonium nitrate, prilled, granular or in other solid form, with or without additives or coatings, in packages exceeding 10kg, exported to Australia from the Russian Federation, which expire on 24 May 2006.

Non-confidential versions of the Report will be sent to all interested parties that participated in the inquiry. Additional copies may be obtained by contacting Trade Measures Office Management, Canberra, on telephone number 02 6275 6547 or facsimile 02 6275 6990. Trade Measures reports are also available on the Customs internet home page at [www.customs.gov.au](http://www.customs.gov.au).

Enquiries about this notice may be directed to Operations 4, Trade Measures Branch, Australian Customs Service, or by email to [tmops4@customs.gov.au](mailto:tmops4@customs.gov.au).

Dated this 11<sup>th</sup> day of MAY 2006

CHRISTOPHER MARTIN ELLISON  
Minister for Justice and Customs



## 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.

### NOTICE OF RULINGS

Ruling Number	Subject	Brief Description
<b>CR 2006/42</b>	Income tax: treatment of payments received under the <i>Securing our Fishing Future</i> package: <ul style="list-style-type: none"><li>• Business Exit Assistance – Fishing Concession Voluntary Surrender</li><li>• Boat Scrapping Incentive</li><li>• Business Advice Assistance</li></ul>	This Ruling applies to Eligible Operators who applied for and received payments under the Business Exit Assistance – Fishing Concession Voluntary Surrender and/or Business Advice Assistance components of <i>Securing our Fishing Future</i> package.  This Ruling applies from 30 March 2006.

### NOTICE OF WITHDRAWALS

Ruling Number	Subject	Brief Description
<b>CR 2006/42</b>	Income tax: treatment of payments received under the <i>Securing our Fishing Future</i> package: <ul style="list-style-type: none"><li>• Business Exit Assistance – Fishing Concession Voluntary Surrender</li><li>• Boat Scrapping Incentive</li><li>• Business Advice Assistance</li></ul>	This Class Ruling is withdrawn from 1 July 2007.





**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.

#### Over the counter

Copies are available for sale or order at:

		Telephone	Facsimile
<b>Canberra</b>	CanPrint Communications <a href="#">16 Nyrang Street, Fyshwick ACT 2609</a>	(02) 6295 4422	(02) 6295 4473
<b>Melbourne</b>	Information Victoria <a href="#">356 Collins Street, Melbourne VIC 3000</a>	1 300 366 356	(03) 9603 9920
<b>Brisbane</b>	Goprint <a href="#">371 Vulture Street, Woolloongabba QLD 4102</a>	(07) 3246 3399	(07) 3246 3534
<b>Hobart</b>	Printing Authority of Tasmania <a href="#">2 Salamanca Place, Hobart TAS 7000</a>	1 800 030 940	(03) 6223 7638
<b>Adelaide</b>	Service SA Government Legislation Outlet <a href="#">Ground Floor, 101 Grenfell Street, Adelaide SA 5000</a>	13 2324	(08) 8207 1949
<b>Sydney</b>	NSW Government Information <a href="#">Ground Floor Goodsell Building, Cnr Hunter and Phillip Streets, Sydney NSW 2000</a>	(02) 9238 0950	(02) 9228 7227
<b>National</b>	University Co-operative Bookshops (go to <a href="http://www.coop-bookshop.com.au">http://www.coop-bookshop.com.au</a> for location and contact details)		

#### Mail Order

Mail order sales can be arranged by writing to:

CanPrint Information Services  
PO Box 7456  
Canberra MC ACT 2610

or by faxing to

(02) 6293 8333.

#### Online sales and enquiries

Online sales and enquiries are available from: <http://www.infoservices.com.au/>

#### Telesales

Telephone orders can be arranged by phoning 1300 656 863.

#### Subscriptions and standing orders

Subscriptions and standing orders can be arranged or updated by phoning 1300 656 863.

#### Online access

Online access to Commonwealth Acts, Legislative Instruments, Bills, explanatory memoranda and statements, tables, indexes and other finding aids is available from <http://www.comlaw.gov.au/>